

**BEFORE THE BOARD OF COMMISSIONERS
HOOD RIVER COUNTY, OREGON**

IN THE MATTER OF REPEAL AND REPLACEMENT)
OF TITLE 12 CHAPTER 12.04 DESIGNATED)
COUNTY PARKS CHAPTER 12.08 PARKS AND)
RECREATION AREA REGULATIONS AND CHAPTER)
12.20 LOG EXPORT RULES)

ORDINANCE NO 363

IT IS HEREBY ORDAINED that Hood River County Ordinances in Title 12 of the Hood River County Code listed above are REPEALED and REPLACED as set forth in the attached exhibit and adopted as Chapters 12.04, 12.08 and 12.20 of the Hood River County Code.

ADOPTED this 18th day of June 2018

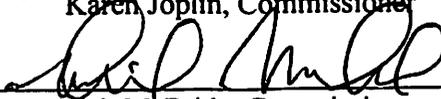
**HOOD RIVER COUNTY
BOARD OF COMMISSIONERS**



Ron Rivers, Chair



Karen Joplin, Commissioner



Rich McBride, Commissioner



Robert Benton, Commissioner



Les Perkins, Commissioner

HOOD RIVER COUNTY REVISED CODE

TITLE 12

COUNTY PROPERTY

CHAPTER 12.04	DESIGNATED COUNTY PARKS
CHAPTER 12.08	PARK AND RECREATION AREA REGULATIONS
CHAPTER 12.20	LOG EXPORT RULES

CHAPTER 12.04

DESIGNATED COUNTY PARKS (HRC ORDINANCE NO. 122)

SECTIONS:

12.04.015 NAMES AND LEGAL DESCRIPTIONS OF PARKS.

12.04.015 NAMES AND LEGAL DESCRIPTIONS OF PARKS.

The following real properties are designated Hood River County parks and assigned the names and legal descriptions as indicated in this section:

- (1) Toll Bridge Park. Located in a portion of the SE 1/4 of Section 33, Township 1 North, Range 10 East of the Willamette Meridian, and the NE 1/4 of Section 5, Township 1 South, Range 10 East of the Willamette Meridian, said parcel containing one hundred ten acres.
- (2) Panorama Point. Located in the fraction of the SW 1/4 of the NW 1/4 of Section 6, Township 2 North, Range 11 East of the Willamette Meridian containing approximately 11.6 acres.
- (3) Tucker Park. Located in a fraction of the S 1/2 of the S 1/2 of Section 15, Township 2 North, Range 10 East of the Willamette Meridian, said area containing approximately 36.3 acres.
- (4) Oak Grove Park. Located in a fraction of the NW 1/4 of the NW 1/4 of Section 16, Township 2 North, Range 10 East of the Willamette Meridian, said parcel containing 2.78 acres.
- (5) Kingsley Campground. Located in a portion the SE 1/4 of the SW 1/4 of Section 22, and in a fraction of the W 1/2 of the SE ¼ of Section 22, and a fraction of W ½ of the NE 1/4 of the SE ¼ of Section 22, and a fraction of the N1/2 of the NE ¼ of the NW ¼ of Section 27, and a fraction of the N ½ of the NW ¼ of the N/E ¼ of Section 27, Township 2 North, Range 9 East of the Willamette Meridian, said area on Designated County Forest and containing approximately fifty acres.
- (6) Punchbowl Falls Park. Located in portions of Section 1, Township 1 North, Range 9 East and Section 36, Township 2 North, Range 9 East of the Willamette Meridian, more particularly described in Warranty Deed 2016-01248, County Records: Hood River County, Oregon.

CHAPTER 12.08

PARK AND RECREATION AREA REGULATIONS (HRC ORDINANCE No. 120)

SECTIONS:

12.08.015	Definitions.
12.08.025	ADMINISTRATOR.
12.08.035	RULES AND REGULATIONS GENERALLY.
12.08.045	FIRES.
12.08.055	FIRE RESTRICTIONS.
12.08.065	INJURING WILDLIFE - WEAPONS.
12.08.075	DAMAGE TO FOLIAGE.
12.08.085	DAMAGE TO STRUCTURE OR FACILITIES.
12.08.095	EXCAVATIONS.
12.08.105	ERECTION OF SIGNS.
12.08.115	CONCESSIONS - VENDING - ADVERTISING.
12.08.125	USE OF MOTOR VEHICLES.
12.08.135	PETS AND DOMESTIC ANIMALS IN PARK FACILITY.
12.08.145	DAMAGES FROM ANIMALS.
12.08.155	GARBAGE AND REFUSE.
12.08.165	PUBLIC ADDRESS SYSTEM.
12.08.175	HORSES.
12.08.185	POLLUTION OF LAKES OR STREAMS.
12.08.195	DISORDERLY CONDUCT.
12.08.205	HOURS OF OPERATION OF PICNIC AREAS.
12.08.215	OVERNIGHT CAMPING.
12.08.225	RESTRICTED AREAS
12.08.235	SPEED LIMITS.
12.08.245	DISTURBING NOISE.
12.08.255	UNAUTHORIZED ENTRY DURING PROHIBITED HOURS.
12.08.265	LOST ARTICLES - METAL DETECTORS.
12.08.275	EMERGENCY REGULATIONS.
12.08.285	COMPLIANCE.
12.08.295	CHAINSAWS.
12.08.305	FEES AND CHARGES.

12.08.015 DEFINITIONS.

- (1) "Commission" means the Hood River County Board of Commissioners.
- (2) "Director" means the Hood River County officer responsible for the operation, management or oversight of a park facility.
- (3) "Park facility" includes any county park, campground, wayside, monument or recreational area under the jurisdiction of the commission.

- (4) "Park employee" means the Director or their designee, including county employees, volunteer park hosts, contractors, or anyone authorized to be in charge of a county park facility.
- (5) "Day Use Area" means any area of a park facility intended for daily public use during designated operating hours.
- (6) "Designated camping area" means any fee-use area of a park facility where camping is permitted and visibly posted for camping use only.
- (7) "Camping" means to sleep overnight or to make overt preparations for sleeping overnight, including but not limited to, erecting or preparing a tent, sleeping bag, shelter, camper, trailer or motor-home.
- (8) "Motor vehicle" has the meaning given that term in ORS 825.005.

12.08.025 ADMINISTRATOR.

The Hood River County Board of Commissioners appoints the Hood River County Administrator and their designated employees (Director) to administer and enforce the provisions of this chapter.

12.08.035 RULES AND REGULATIONS GENERALLY.

The rules and regulations for all park facilities shall be as set forth in this Chapter.

12.08.045 FIRES.

(1) Recreational fires may be allowed in park facilities when, at the Director's discretion, conditions are reasonably safe against the spread of uncontrolled fire and risk of escape is low. (2) All recreational fires in park facilities shall be confined to:

- (a) County provided fire rings or fireplaces provided for such purposes.
 - (b) Portable stoves, grills, or other cooking units located in established campsites and covered picnic areas.
- (3) Fires shall be attended at all times by a person eighteen (18) years of age or older.
 - (4) No person shall leave a fire unattended unless and until the fire has been fully extinguished.
 - (5) No fire shall be permitted in any park facility during a fire closures issued by the Oregon Department of Forestry absent a written waiver from the facility director.

12.08.055 FIRE RESTRICTIONS

A director may further regulate fires in park facilities without prior notice, including the prohibition of all fires. A director may restrict the hours and location of fires as well as the fuels used.

12.08.065 INJURING WILDLIFE— WEAPONS.

No person in a park facility shall:

- (a) Hunt, pursue, trap, kill, injure or molest any bird, animal or wildlife in any manner or disturb wildlife habitat;

- (b) Discharge any firearm, pellet gun, bow and arrow, slingshot or other weapon capable of injuring any person, bird, animal or wildlife; or
- (c) Possess any loaded firearm except as allowed under state law.

12.08.075 DAMAGE TO FOLIAGE.

No person shall pick, cut, mutilate or remove any flowers, shrubs, foliage, trees, or other plant life in a park facility without written permission from the director.

12.08.085 DAMAGE TO STRUCTURE OR FACILITIES.

No person shall mutilate, deface, damage, alter or remove any table, fence, building, sign, marker, monument, fence, barrier, fountain, faucet, traffic recorder, court facility or other structure or facility of any kind in a park facility.

12.08.095 EXCAVATIONS.

No person shall dig up, deface or remove any dirt, stones, rock or other substance whatsoever, make any excavation, quarry any stone, or lay or set off any blast, or roll any stones or other objects, or cause or assist in doing any of said acts within a park facility, without written permission of the director.

12.08.105 ERECTION OF SIGNS.

- (1) No person shall, except in designated areas where permitted, erect signs, markers or inscriptions of any type within a park facility without written permission of the director.
- (2) To protect county property and public safety, the director may erect signs within the park facilities to identify designated use areas and permitted or intended uses of park amenities.

12.08.115 CONCESSIONS—VENDING—ADVERTISING.

No person in a park facility may;

- (a) Operate a concession, either fixed or mobile;
- (b) Operate a business or provide service by any means for which an individual or group was charged or paid a fee;
- (c) Use any part of the facility for commercial use or profit;
- (d) Solicit, sell or offer for sale, peddle, hawk or vend any goods, wares, merchandise, food, liquids or services; or
- (e) Advertise any goods or services by any means.

12.08.125 USE OF MOTOR VEHICLES.

- (1) No person shall operate or park a motor vehicle in a park or park facility except on roads and parking areas designated for motor vehicle use.

(2) No person shall operate or park a motor vehicle in a park or park facility on any road or trail posted as closed to the public.

(3) No person shall park any vehicle (including trailers and camper) overnight park or park facility except in specifically designated areas.

12.08.135 PETS AND DOMESTIC ANIMALS IN PARK FACILITY.

(1) No domesticated animals shall be allowed to run at large in a park facility.

(2) All domesticated animals shall be kept under control at all times, as follows:
and shall further be:

- (a) confined in a vehicle;
- (b) tethered to a leash of not more than six feet in length; or
- (c) confined to a cage.

(3) The owner shall be responsible for the animal's behavior and for the removal of the animal's waste from the park facility.

(4) The director may require measures reasonably related to preventing an animal from compromising the safety, comfort and well-being of the park facility and its users including prohibiting animal from the park facility.

(5) No animals other than seeing-eye dogs shall be allowed in any building of a park facility.

(6) No animals in a park facility shall be tied to a tree or any park structure

12.08.145 DAMAGES FROM ANIMALS.

An animal's owner shall be responsible for all damages caused by the animal while in the park, including damages to trees, lawns, and other property.

12.08.155 GARBAGE AND REFUSE.

(1) All refuse shall be deposited into receptacles designated for that purpose.

(2) No refuse shall be transported into a park facility for the purpose of disposal.

12.08.165 PUBLIC ADDRESS SYSTEM.

No person shall use a public-address system in a park facility without written permission from the park director.

12.08.175 HORSES.

(1) No person shall ride, drive, lead or keep a saddle horse or other animal in any park facility except on such roads, trails, or areas designated and posted for that purpose.

(2) No horse or other animal shall be hitched to any tree or shrub in such a manner that would cause damage to such a tree or shrub.

12.08.185 POLLUTION OF LAKES OR STREAMS.

No person shall deposit garbage, litter or waste of any kind in a lake, stream or river within a park facility. No person shall wash clothing or other materials with soap, detergent or other cleaner, or scale, clean or rinse any fish in a lake, stream or river in a park facility.

12.08.195 DISORDERLY CONDUCT.

No person shall intentionally or recklessly cause excessive noise during designated "Quiet Hours" in any park facility.

12.08.205 HOURS OF OPERATION OF PICNIC AREAS.

- (1) The park director shall establish and clearly post the hours of operation of each park facility.
- (2) Day use areas shall only be used during daylight hours.
- (3) Day visitors shall not be permitted in overnight camping areas without permission of the park director.
- (4) No camping shall be allowed in day use areas.

12.08.215 OVERNIGHT CAMPING.

- (1) No person shall camp in any area not designated for overnight camping.
- (2) No person shall camp in Toll Bridge Park or Tucker Park more than seven (7) consecutive days and no more than 30 days in one (1) season, per park.
- (3) No person shall camp in Kingsley Campground more than fourteen (14) consecutive days and no more than 30 days in one (1) season.
- (4) Expired campsite purchases/rentals shall be vacated by 12:00 p.m.
- (5) Unless otherwise posted, campsites may be occupied only as assigned by the park host at the registration booth, if any, or in accordance with any paid fee receipt.
- (6) To avoid congestion and overloading of campground facilities, the park director may restrict access to designated campground areas to registered campers by:
 - (a) prohibiting access of non-campers; or
 - (b) issuing temporary entry permits to non-campers.
- (7) Camp sites designated for recreational vehicles shall be occupied only by trailers, pickup campers and other recreational vehicles capable of using water and electrical connections, unless no other sites are available.
- (8) Tent-only camping shall not be allowed in trailer sites at Toll Bridge Park or Tucker Park.
- (9) All park visitors shall observe quiet hours between 10:00 p.m. and 7 a.m., and respect the right of other campers to peace and quiet during those hours.

- (10) (a) The park director may establish and post reasonable maximum occupancy levels for campsites within a park facility.
- (b) The maximum occupancy for campsites shall be posted together with any other park rules in the park's primary common area.
- (c) Violation of the posted maximum occupancy of a campsite may result in the forfeit of the campsite and removal from the park facility.
- (11) Any campsite not inhabited for more than twenty-four (24) hours shall be deemed abandoned and any deposit forfeited.
- (12) No person shall abandon personal property at a campsite.
- (13) Abandoned personal property and vehicles shall be processed in accordance with Oregon law.

12.08.225 RESTRICTED AREAS

- (1) The park director may restrict access to areas within a park facility to protect resources or the safety of park users.
- (2) No person shall enter a restricted area without written permission of the director.

12.08.235 SPEED LIMITS.

No person shall operate any motor vehicle within a park facility at a speed of more than ten miles per hour unless the roadway is posted otherwise.

12.08.245 DISTURBING NOISE.

No person shall operate or use any noise-producing machine, vehicle, motorcycle, ATV, device, or other instrument in such a manner that it is disturbing to other park users.

12.08.255 UNAUTHORIZED ENTRY DURING PROHIBITED HOURS.

- (1) No person other than authorized campers and county personnel shall enter or remain on the premises of a park facility between the posted closing and opening hours.
- (2) No person other than county personnel shall enter or remain in an area of a park facility designated as "closed" by the park director.

12.08.265 LOST ARTICLES, METAL DETECTORS.

- (1) All unattended personal property found in a park facility shall be turned over to a park employee.
- (2) The park director may return lost items to their rightful owner upon sufficient proof of ownership.
- (3) Unclaimed personal property shall be delivered to Hood River County Sheriff who shall process such property in accordance with state law.

- (4) The use of metal detectors is prohibited in any park facility.

12.08.275 EMERGENCY REGULATIONS.

The park director may establish emergency rules, regulations or restrictions to protect park visitors, resources and facilities. Regulations established by the park director under this section may remain in effect for no more than ninety (90) days, after which, the regulation may not be renewed absent approval by the County Administrator or the Board of Commissioners.

12.08.285 COMPLIANCE.

The park director may order any person reasonably suspected of violating the rules of this chapter to leave a park facility and may further prohibit the person from entering upon any county park facility, either temporarily or permanently.

12.08.295 CHAINSAWS.

No person shall use a chainsaw in any park facility except county employees engaged in the performance of their duties.

12.08.305 FEES AND CHARGES.

- (1) No person shall use a park facility without paying all applicable fees.
- (2) The Board of Commissioners may establish reasonable fees for the use of park facilities. The director shall compile a schedule of all such fees and make the schedule available to the public.

HOOD RIVER COUNTY PUBLIC WORKS



MIKEL S. DIWAN, DIRECTOR

918 18th Street • Hood River, OR 97031 • (541) 386-2616 • FAX (541) 386-2912

MEMORANDUM

TO: HOOD RIVER COUNTY PARKS & BUILDINGS PERSONNEL
FROM: MIKEL DIWAN, PUBLIC WORKS DIRECTOR
SUBJECT: COUNTY PARK RULES & REGULATIONS
DATE: OCTOBER 10, 2018

Chapter 12.08 of the Hood River County Code regulates the “rules” the public must comply with while in a county park. It was adopted by the County Board of Commissioners as Ordinance No. 120 on June 18, 2018. Since then, there have been numerous inquiries regarding rules prohibiting disorderly or threatening conduct. To clarify, rules defining and prohibiting disorderly conduct in a public setting are established under the Oregon Revised Statutes (ORS) and not by County Law. The following are excerpts from ORS 166.025 and 166.065 and apply to incidents park staff would most likely encounter at a park facility. Local authority to enforce the ORS applies to the Sheriff’s Office and not department staff. If any person in a county park displays behaviors or acts in a manner that is perceived to be threatening or harassing to either a county employee or park patron and staff cannot safely disarm the situation, they are expected to contact the local Sheriff’s Office.

ORS 166.025 Disorderly conduct in the second degree.

- (1) A person commits the crime of disorderly conduct in the second degree if, with intent to cause public inconvenience, annoyance or alarm, or recklessly creating a risk thereof, the person:
- (a) Engages in fighting or in violent, tumultuous or threatening behavior;
 - (b) Makes unreasonable noise;
 - (c) Disturbs any lawful assembly of persons without lawful authority;
 - (d) Obstructs vehicular or pedestrian traffic on a public way;

ORS 166.065 Harassment.

- (1a) A person commits the crime of harassment if the person intentionally harasses or annoys another person by:
- (A) Subjecting such other person to offensive physical contact;
 - (B) Publicly insulting such other person by abusive words or gestures in a manner intended and likely to provoke a violent response;