

**A BILL FOR AN ORDINANCE AMENDING
ORDINANCE 2155, CHAPTER 12.12
PARKS AND PUBLIC PLACES**

) **ORDINANCE BILL NO. 19**
) **For 2008**
)
) **ORDINANCE NO. 2768**

12.12.010 Applicability.

The regulations contained in this chapter shall be applicable to municipal parks, recreation areas, and other public space or way contained within the Lebanon corporate limit, or other real property owned by the City of Lebanon to the extent that the City enacts or prescribes rules and regulations for the park. All police and penal ordinances and charter provisions necessary to protect and preserve the peace and order in defined parks shall also apply to recreation areas and other public spaces or ways. The enforcement of the ordinances and provisions by penalties of fine or imprisonment and the power to make arrests and serve processes of court therein or upon persons therein or thereon may be made with like manner and with like effect in an established park, recreation area, public space or way. (Ord. 2066 § 2, 1989)

12.12.015 Definitions.

The following definitions shall apply for the purposes of this chapter:

“Alcoholic beverage” is any beverage having an alcoholic content of more than one-half of one percent by volume.

“City Park” is defined to mean all City of Lebanon owned or maintained parks, playgrounds and public recreation areas.

“Public Space” is a place to which the general public has access and includes, but is not limited to, highways, streets, parks and playgrounds or designated public recreational areas.

“Roller skates” or “roller blades” mean a shoe or boot with a set of wheels attached for skating over a flat surface. These terms also include a metal frame with wheels attached that can be fitted to the sole of a shoe or boot.

“Skateboard” means a board or similar platform made from any substance mounted on wheels.

“Scooter” means a foot-operated vehicle, consisting of a narrow board mounted between two wheels tandem with an upright steering handle attached to the front wheel (Ord. 2330 § 1, 2002; Ord. 2155 § 1, 1994)

12.12.020 Alcohol.

No person shall, within any city park or recreation area, or other public space or way, possess, drink or consume alcohol.

12.12.022 Alcoholic beverages--Prohibition in City parks.

It is unlawful for any person to possess an alcoholic beverage in a City park without a special permit. (Ord. 2155 § 2, 1994)

12.12.024 Alcoholic beverages--Special permit--Issuance authority.

Notwithstanding prohibition against the use or possession of alcoholic beverages in a City Park set forth in other ordinances of the city, the chief of police shall have the right to issue a special permit for the use and possession of alcoholic beverages in said neighborhood parks. (Ord. 2155 § 3, 1994)

12.12.026 Alcoholic beverages--Special permit--Fees.

Any person or organization may request a permit referred to in Section 12.12.024, subject to the following conditions:

- A. Payment of a fee as designated by resolution of City Council.
- B. The name and address of the applicant and other information as required by the chief of police shall be furnished prior to the issuance of a special permit. (Ord. 2155 § 4, 1994)

12.12.028 Alcoholic beverages--Special permit--Conditions.

The granting of a permit referred to in Section 12.12.024, shall be discretionary with the chief of police and, if issued, such conditions may be attached thereto as will be in the best interest of peace, health and safety to all citizens. (Ord. 2155 § 5, 1994)

12.12.030 Animals.

No person shall, within any city park, recreation area or other public space or way, keep or permit in such area a dog or other animal, unless kept in a vehicle or on a leash. Persons keeping such animals shall also be responsible for the removal of any excrement left by their animals in any park, recreation area or other public space or way. (Ord. 2066 § 3, 1989; Ord. 1800 § 15(9), 1980)

12.12.040 Camping.

No person shall, within any city park or recreation area, or other public space or way, camp with or without a tent, trailer, motor vehicle, truck-mounted camper or motor home except in specifically designated areas. In such specifically designated areas, stays shall be limited to ten days in any four-week period. A "day" is defined as a twenty-four-hour period, including day and night. An extension may be granted by special permission of the Director of Public Works or his/her designee. In specifically designated camping areas a daily camping fee shall be charged for the privilege of using said area and to recover costs for the city. This fee shall be established by resolution of the city council. Stays other than day use during the winter season shall be restricted to recreational vehicles that are self-contained. "Self-contained" means any vehicle that has manufactured-installed toilet facilities. All other camping is prohibited during the winter season. The winter season shall be defined by the Director of Public Works and generally will extend from mid October to mid April. (Ord. 2145 § 1, 1994; Ord. 2066 § 4, 1989; Ord. 1800 § 15(11), 1980)

12.12.041 Reservation system.

- A. The use of the city park shelters and other areas within the park may be reserved for private functions by individuals or groups. A standard form shall be completed for each reservation and approved by the city manager or his designee.
- B. A nonrefundable fee may be established by resolution of city council and may be charged for reservation of a shelter for private use. The fee may be waived by the city manager or designee for public use.

C. Unless otherwise allowed by law for enforcement, regulation, inspection or other purposes authorized by the City, it shall be unlawful for anyone to interfere with or prohibit the use of a park shelter by the reserving party. (Ord. 2104 § 1, 1991)

12.12.050 Digging.

No person shall, within any city park or recreation area, or other public space or way, dig up or remove any soil, stones, rocks or other substances whatever, without permission from the Director of Public Works or its designate. (Ord. 1800 § 15(4), 1980)

12.12.060 Dumping.

No person shall, within any city park or recreation area, or other public space or way, dump household or commercial garbage or debris brought from lands outside the park or recreational area. (Ord. 1800 § 15(5), 1980)

12.12.070 Fires.

No person shall, within any city park or recreation area, or other public space or way, build, light or maintain any fire except in a stove, pit or fireplace especially designated for such purpose; however, portable gas, gasoline, charcoal and oil-lamp stoves may be used within the park if in a safe operating condition. (Ord. 1800 § 15(1), 1980)

12.12.080 Littering.

No person shall, within any city park or recreation area, or other public space or way, deposit any rubbish, garbage, glass or other litter except in receptacles designated for that purpose. (Ord. 1800 § 15(10), 1980)

12.12.090 Parking illegally.

No person shall, within any city park or recreation area, or other public space or way, operate or park any truck, trailer or other vehicle in any area other than an area specifically designed for such purposes. (Ord. 2210, 1997; Ord. 1800 § 15(7), 1980)

12.12.100 Plants and trees.

No person shall, within any city park or recreation area, or other public space or way, pick, mutilate, dig or remove any plant, living or dead, or deface, mutilate, burn, destroy or defile any tree or plant within the limits of such area. (Ord. 1800 § 15(2), 1980)

12.12.110 Speeding.

No person shall, within any city park or recreation area, or other public space or way, drive a vehicle at a speed greater than is posted. (Ord. 1800 § 15(8), 1980)

12.12.120 Vandalism.

No person shall, within any city park or recreation area, or other public space or way, alter, deface, mutilate or destroy any trail, road, parking lot, bridge, fence, building, sign, barrier or other facility or structure. (Ord. 1800 § 15(3), 1980)

12.12.130 Operation of bicycles, scooters, roller skates and other wheeled vehicles prohibited.

No person, other than a police officer or reserve police officer in the furtherance of the officer's duty, shall ride or operate a bicycle, scooter, skateboard, roller skates or rollerblades upon benches, upon picnic tables, alongside or under picnic shelters or alongside or under gazebos located within any city park or recreation area open to the


public, except upon park roads and designated bike trails within said parks or recreation areas. (Ord. 2329 § 1, 2002)

12.12.140 Violation & Penalty

Violation of any provision of this chapter shall be punishable by a fine not to exceed five hundred dollars. Each day of violation shall constitute a separate offense. (Ord. 2350 § 1 (part), 2003)

Passed by the Lebanon City Council by a vote of 5 for and 0 against and approved by the Mayor this 10th day of December, 2008.

CITY COUNCIL OF LEBANON, OREGON



Kenneth I. Toombs, Mayor
Bob Elliott, Council President

ATTEST:



Linda Kaser, City Clerk/Recorder