

BEFORE THE BOARD OF COUNTY COMMISSIONERS

KLAMATH COUNTY, OREGON

IN THE MATTER OF AN ORDINANCE )  
REGULATING THE USE OF COUNTY )  
PARKS AND PROHIBITING VARIOUS ) ORDINANCE 46.1  
ACTIVITIES THEREIN AND DECLAR- )  
ING AN EMERGENCY. )  
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WHEREAS, there have been acts of vandalism in county parks; and

WHEREAS, there are no regulations governing conduct in county parks other than Ordinance 46 relating to the use of firearms; and

WHEREAS, the Board of Commissioners of Klamath County finds it is in the best interest of the citizens of Klamath County that an Ordinance governing conduct within Klamath County parks be enacted; and

WHEREAS, proper notice has been given on June 5,  
1984 for the required public hearings held by the Board of Commissioners on this Ordinance; and

WHEREAS, the Board of Commissioners has considered the provisions of this Ordinance and all testimony and exhibits pertaining thereto; and

WHEREAS, the Board of Commissioners of Klamath County, pursuant to Oregon Revised Statutes, Chapter 203, deem such an Ordinance necessary for the protection of the health, safety, and general welfare of its citizens;

NOW, THEREFORE, the Board of Commissioners of Klamath County, Oregon, does ordain as follows:

Section 1. Title.

This ordinance shall be known as the Klamath County Park Regulation Ordinance.

Section 2. Definitions.

As used in this ordinance, unless the context requires otherwise, the following terms are defined as follows:

2.1 "County Park" means an area owned by Klamath County or owned by some other entity, and designated by Klamath County for public park purposes.

2.2 "County" means Klamath County

2.3 "Park" means County Park.

2.4 "Parks Department" means Klamath County Parks Department and its officers, agents and employees.

2.5 "Vehicle" means every device in, upon or by which any person or property is or may be transported.

Section 3. County Park Rules.

3.1 General Regulations.

(a) The Parks Department is authorized to enforce compliance of the public with County Park rules and to order any person violating these rules to leave the park area.

(b) The Parks Department is authorized to close to public use any County Park or portion thereof, or restrict the times when the same shall be open to such use or limit or prohibit any recreational use whenever such action is necessary to protect the health or safety of the public, or the safety of the park or its facilities.

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### 3.2 Penalties.

(a) Any person who violates any of the provisions of this Ordinance is guilty of a misdemeanor and convictions thereof is punishable by imprisonment in the County jail for not more than one year or by fine of not more than \$500 for a non-continuing offense and a fine of not more than \$1000 for a continuing offense, or both.

### 3.3 Vehicles.

(a) Motorists must comply with motor vehicle regulatory signs posted in County Parks.

(b) Vehicles other than Parks Department maintenance vehicles shall be operated only on established roads, parking areas and boat ramps.

(c) Vehicles shall not be operated within any park at speeds in excess of 15 miles per hour except in those park areas specifically designated otherwise and only during the times so designated.

(d) Vehicles shall not be operated carelessly and heedlessly in willful or wanton disregard of the rights or safety of others.

(e) Vehicles shall not be parked in a maner that will hinder or impede the use of park roadways, pathways, parking areas and boat ramps.

(f) Vehicles shall not be left unattended within a County Park for more than 24 hours.

(g) The Parks Department is authorized to move or have removed, at the owners expense, any vehicle which has

been parked in violation of this Ordinance

### 3.4 Animals.

(a) Any dog, cat or other animal brought into a park shall be confined in a vehicle or on a leash of not more than six (6) feet long, and shall be kept under control at all times.

(b) The owner is responsible for the animal's behavior and containment and for the removal of the animal wastes while in a County Park.

(c) No horse or other animal shall be hitched or confined in a manner that may cause damage to any tree, shrub, improvement or structure in a County Park.

### 3.5 Wildlife.

(a) Hunting is not permitted in any County Park except those parks especially designated for such purpose and during such times as may be established by Oregon State Fish and Wildlife Commission or other appropriate agency.

(b) No person shall pursue, trap, kill, injure or molest any wildlife or domestic animals within a Park, except as may be ordered by the Parks Department.

### 3.6 Firearms.

(a) No person shall possess any loaded firearm or discharge any firearm, pellet gun, bow and arrow, sling shot, or missile launching devices within a County Park, except those parks, or park areas especially designated for such purpose.

(b) Subsection (a) of this section does not apply to a person acting in defense of his or her person or protection

his or her property.

3.7 Vandalism or Litter.

(a) Plant life or natural resources of any type shall not be picked, cut, mutilated or removed from any park without written permission from the Parks Department.

(b) No person shall mutilate, deface, damage or remove any structure of any kind in a park.

(c) Garbage, sewage, refuse or waste, including fish parts and wildfowl parts, shall be left only in the approved containers provided by the Parks Department.

(d) Waste containers provided in parks are solely for the benefit of the park user and shall not be used for the deposit of waste or refuse generated in the home, business or by commercial activities.

(e) Waste water or other materials shall not be deposited into waters of any lake, pond, stream or banks thereof within a County Park,

3.8 Public Disturbance.

No person shall within a County Park:

(a) Set up or use a public address system or any sound amplifying equipment without prior written permission from the Parks Department,

(b) Operate a radio or musical instrument in such a manner as to disturb others and create disturbing noise,

(c) Use abusive, threatening, boisterous, vile, obscene or indecent language or gestures; nor shall any person cause, attempt to cause, or participate in any public disturbance

nor in any way create a public nuisance.

3.9 Overnight Camping.

(a) Camping shall not be permitted in any park not designated for camping.

(b) In parks with designated camping areas, no person shall camp except in those areas designated for camping.

(c) No person shall camp in any County Park for more than fourteen (14) days out of any twenty-eight (28) day period.

(d) Quiet hours shall be observed in all camping areas between the hours of 10:00 p.m. and 7:00 a.m. and campers shall respect the right of others to peace and quiet.

3.10 Fires

(a) Fires in County Parks shall be confined to:

(1) Park camp stoves or fireplaces provided for such purpose.

(2) Portions of lakeshore or stream bank designated as permissible for fires.

(3) Portable stoves in established campsites, park picnic areas and designated lakeshore or stream bank areas where fires are permitted.

(b) No fires shall be left unattended or be permitted to cause damage to park facilities or areas. Every fire shall be extinguished before its users leave the park.

(c) Every person shall be responsible for damage caused by fires built by such person and for the cost of suppression of fires caused by the negligence of such individual.

(d) At the discretion of the Parks Department, fires normally permitted in parks may be restricted or prohibited due to high fire hazard conditions.

### 3.11 Signs and Concessions.

The following activities are prohibited within a County Park without written permission from the Parks Department:

(1) Operating a concession, either fixed or mobile or engaging in the business of soliciting, selling, or peddling any goods, ware, merchandise, liquids or edibles for human consumption.

(2) Erection of any sign, marker or inscription.

### 3.12 Enforcement.

Subsections 3.2 through 3.11 do not apply to peace officers or officers, agents and employees of the Parks Department acting in the course of their duties.

### Section 4. Separability.

If any section, subsection, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not effect the validity of the remaining portions of this ordinance.

### Section 5. Repealer.

Ordinance No. 46 of Klamath County, Oregon, is hereby repealed in its entirety on the effective date of this ordinance.

### Section 6. Emergency Clause.

In order to abate existing conditions which are a threat to the public health, safety and welfare of the residents and

citizens of Klamath County, it is necessary that the terms and conditions of this ordinance become effective immediately, therefore an emergency is hereby declared and this ordinance shall become effective upon adoption by the Board of County Commissioners of Klamath County.

DATED this 26th day of June, 1984.

KLAMATH COUNTY BOARD OF COMMISSIONERS

Roger Hamilton  
CHAIRMAN

Carroll Zorn Berhart  
COMMISSIONER

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COMMISSIONER

ATTEST:

Catherine Haga  
RECORDING SECRETARY