

1 BILL NO. \_\_\_\_

A BILL

ORDINANCE NO.

2018-791

3 FOR

4  
5 AN ORDINANCE

6  
7  
8 **ESTABLISHING KEIZER PARKS REGULATIONS; (REPEALING**  
9 **ORDINANCE NO. 2010-618 AND ORDINANCE NO. 2013-679**

10  
11 The City of Keizer ordains as follows:

12 Section 1. TITLE. This Ordinance shall be known as the Keizer Parks Ordinance.

13 Section 2. PURPOSE. The purpose of this Ordinance is to establish rules and  
14 regulations governing the use of Keizer parks, in order to insure the safe enjoyment of all  
15 Keizer parks by the public. In addition, this Ordinance establishes a process for  
16 reserving certain parks and park facilities.

17 Section 3. DEFINITIONS. For the purposes of this Ordinance, the following terms  
18 shall have the following meanings:

19 (1) "Council" means the Keizer City Council.

20 (2) "Director" means the director of the Department of Public Works as  
21 designated by the Council, or designee.

22 (3) "Law enforcement officer" means any law enforcement officer with  
23 lawful jurisdiction, by operation of law or agreement, within a Keizer City  
24 park.

1           (4)    “Park” means all grounds, buildings, improvements, and areas dedicated  
2                   to use by the public for park, recreation or open space purposes and over  
3                   which the City has acquired right of use for such purposes.

4           (5)    “Vehicle” means any wheeled device or conveyance, whether propelled by  
5                   motor, animal or human power. The term “vehicle” excludes City service  
6                   vehicles, baby strollers and wheelchairs.

7           (6)    “Vessel” means any watercraft or other artificial contrivance used or  
8                   capable of being used as a means of transportation on water.

9   Section 4.   RULES AND REGULATIONS.

10          (1)    No person may disobey or fail to observe any rule or regulation set forth in  
11                   this Ordinance.

12          (2)    No person may disobey a lawful direction made pursuant to this Ordinance  
13                   by the Director, any park attendant, guard, special officer authorized by  
14                   the Director, or law enforcement officer.

15          (3)    Except as noted below, no person or entity may organize, advertise, or  
16                   invite participation for any gathering, activity or event that may reasonably  
17                   attract 50 or more participants (even if no exclusive use is requested)  
18                   unless they receive a permit from the Director. Director-approved park  
19                   improvement, maintenance or cleanup projects are excepted from this  
20                   requirement.

1     Section 5.     SPECIAL USES AND AREAS.

2             (1)     The Director may select and designate specific areas and facilities in any  
3                     park which may be limited to special uses, at all times or at certain times.  
4                     Special uses may require a permit in writing or a reservation. Fees shall  
5                     be established by Council resolution.

6             (2)     Special uses may include, but are not limited to: Sports, games or other  
7                     recreational activities, picnics, assemblies, entertainments, exhibitions, and  
8                     weddings.

9             (3)     Carlson Skate Park Regulations. In addition to the park regulations set  
10                    forth in this Ordinance, Carlson Skate Park is subject to the following  
11                    specific regulations:

12               (a)     Permitted uses in the skate park surface include skateboards,  
13                     rollerblades, and BMX bikes, scooters and “Big Wheels” type  
14                     tricycles only – no foot traffic or motorized vehicles.

15               (b)     The use of helmets is mandatory.

16               (c)     Use or placement of additional obstacles or other materials  
17                     including, but not limited to, ramps, jumps, etc. are prohibited.

18               (d)     Glass containers are prohibited.

19               (e)     Food and/or drink is prohibited on or within five (5) feet of the  
20                     skate park surface.

1 (f) Use of Carlson Skate Park is prohibited if hazardous conditions  
2 exist. Any damage/hazardous conditions must be reported to the  
3 City of Keizer Parks Department.

4 (g) Use of skate park surface is prohibited when the surface is wet.

5 (4) Keizer Little League Park Usage.

6 (a) Any individuals not affiliated with groups or organized teams may  
7 use the Park or individual fields at any time the Park is open if such  
8 use does not interfere with the priority or reserved use, cause safety  
9 concerns, or cause undue wear and tear in the City's reasonable  
10 discretion.

11 Section 6. EXCLUSIVE USE OF PARKS OR FACILITIES.

12 (1) The Director shall maintain a list of reservable parks, park areas and park  
13 facilities. A park, park area or park facility on the Director's list may be  
14 reserved for the exclusive use of persons or groups, for a limited period,  
15 upon issuance of a permit by the Director, subject to any reasonable  
16 conditions (as stated in Section 7) imposed by the Council or the Director  
17 and the payment of any fees that the Council may establish.

18 (2) No exclusive use of any park, park area or park facility may be made  
19 unless the Director has issued a permit allowing the use and all conditions  
20 imposed by the permit have been complied with.

- 1           (3) Exclusive use of the Keizer Little League Park shall only be granted  
2                               consistent with the current Park Management Agreement.

3   Section 7. PERMIT PROCEDURES AND CONDITIONS.

- 4           (1) No permit for the use of a park, park area or park facility listed on the  
5                               Director's list may be refused or limited, nor may any conditions be  
6                               attached to the grant or exercise thereof, for any reason not related to the  
7                               safe, reasonable and orderly use of park facilities.

- 8           (2) Each application for a permit must be received at a designated office in the  
9                               Department of Public Works. For events that the estimated attendance is  
10                              equal to or exceeds one hundred (100) persons, or is permitting  
11                              intoxicating beverages, or is permitting amplified sound, the permit must  
12                              be requested no less than sixty (60) days prior to the date of the event. For  
13                              all other events, the permit must be requested no less than thirty (30) days  
14                              prior to the date of the event. The Director may waive or reduce these  
15                              time requirements if it is determined that a waiver or reduction is in the  
16                              best interests of the citizens of the City. Upon granting a permit, the  
17                              Director may attach reasonable conditions thereto respecting the time,  
18                              place, manner, frequency, duration and maximum number of persons who  
19                              may attend the permitted event.

1           (3)    The Director shall grant, deny, or condition each application for a permit  
2                   within fifteen (15) calendar days after the date of receipt of a complete  
3                   application, unless the time for a decision on the application has been  
4                   waived by the applicant. The decision granting or denying an application  
5                   shall be sent to the applicant at the address listed on the application. If  
6                   approved, the permit will be issued only when all pre-event conditions  
7                   have been met by the applicant. The applicant may not consider the  
8                   permit to have been granted until the permit is received.

9           (4)    The Director may grant, deny, condition or limit a permit after having  
10                  considered the suitability of the area or facility for the number of persons  
11                  expected at the event, whether or not the activity proposed is a legal use  
12                  thereof, the impact of the proposed use upon public property, the effect of  
13                  the proposed use upon the peaceful enjoyment of the park by members of  
14                  the public attending and those not attending the event, the effect of the  
15                  proposed use upon the peace and convenience of members of the public  
16                  using private or public property or the public streets in the vicinity of the  
17                  park or park facility, the public health and safety, any traffic or parking  
18                  problems which may be caused by attendance at the event and the  
19                  equitable sharing of the use of the park or park facility. The Director is  
20                  specifically authorized to attach reasonable restrictions and conditions to

activities to occur at the event, including but not limited to, restrictions on fires, amplified sound, dancing, sports, the use or presence of animals, the use of equipment or vehicles, the number of persons to be present, the location of any bandstand or stage within a specific park area, or the creation of any sounds, smoke, light, smell or any other thing which appears likely to create any unreasonable risk of harm or substantial annoyance to any person using the park or park facility or to the public, or damage to any public or private property. Violation of any of the terms and conditions of any permit by the permittee, or any agent, servant or employee of permittee, is cause for immediate suspension or revocation of the permit by the Director.

(5) The Director may require in connection with a permit that adequate security be furnished by the permittee and that the permittee provide additional sanitary facilities, refuse receptacles, or make any other reasonable arrangements, based on the type of activity for which the permit is requested.

///

///

///

///

1           (6)    The Director shall refuse to grant a permit where conditions cannot be met  
2                    or are not accepted. The applicant must agree to provide a means of  
3                    informing all of the persons participating in the proposed event of the  
4                    terms and conditions of the permit applicable to the appropriate  
5                    participants.

6           (7)    No permit for a park or park facility is transferable without the consent in  
7                    writing of the Director.

8           (8)    All fees, deposits or other amounts shall be paid by the applicant when  
9                    required by the Director. If such amounts are not paid when required, then  
10                  the permit shall not be issued.

11          (9)    Each person to whom a permit has been granted must agree in writing,  
12                  upon request from the Director, to indemnify and hold the City, its  
13                  officers, agents and employees, harmless from any and all liability for  
14                  injury to persons or property occurring as a result of the permitted event.  
15                  The permittee shall be liable to the City for any and all damage to the park  
16                  and park facilities which results from any act or omission of the permittee  
17                  or is caused by any participant in the event.

18          (10)   Each person to whom a permit is granted must agree in writing, upon  
19                  request from the Director, to waive all claims or causes of action against  
20                  the City, its officers, employees or agents which the permittee may have

1 for injury to person or property of any type arising from the permittee's  
2 use of the reserved park or park facilities, except for the active affirmative  
3 negligence or willful act of the City, its officers, employees or agents, and  
4 to which the person to whom a permit or reservation is granted in no way  
5 contributed, either directly or through any other person, agent, partner,  
6 contractor or associate.

7 (11) If the proposed use of a park or park facilities involves risk of damage or  
8 injury to persons or to property of others, the Director will require the  
9 permittee to obtain a policy of commercial general liability insurance with  
10 terms and limits of liability as determined by the Director to be appropriate  
11 for the activity for which the permit is requested. The policy shall name  
12 the City, its officers, agents and employees, as insureds, and shall insure  
13 the insureds against all claims, suits and demands of any and all persons  
14 for injury, including death or damage sustained by any person or persons  
15 arising out of any act or omission of the permittee related to the use of the  
16 park or park facility. The Director must approve any policy issued  
17 pursuant to this section.

18 ///

19 ///

20 ///

1           (12) The permittee shall have a copy of the permit on site during the event, and  
2                   must present the permit upon the request of the Director, any park  
3                   attendant, guard, special officer authorized by the Director, or law  
4                   enforcement officer.

5           (13) It is unlawful for a person to conduct any business or to place any booth,  
6                   table, chair, stool, structure, vehicle, or piece of equipment in any portion  
7                   of a park for which a park permit has been issued without the consent of  
8                   the permittee. This subsection shall not apply to persons acting under the  
9                   direction or control of City.

10   Section 8.   NONPUBLIC AREAS – POSTING REQUIRED – ENTERING OR  
11                   DAMAGING PROPERTY PROHIBITED.

12  
13           (1) By posting appropriate notices, the Director may exclude the public from  
14                   or limit use of, any road, area, building, lands, trail, natural feature, water  
15                   area or facility in a park which is used for access, storage, parking, shop,  
16                   office, residence or utility purposes, or other park or recreational use, or  
17                   any combination thereof, whenever public access to the same will  
18                   endanger the public health or safety, interfere with such use, or cause  
19                   damage to public property or natural resources. The Director may also by  
20                   appropriate means exclude the public from the place of any construction,  
21                   repair or demolition activity. No person may enter or remain or permit any  
22

1 person in their control to enter or remain in any part of a park when the  
2 park is closed to the public, unless authorized to do so by the Director.

- 3 (2) No unauthorized person may unlock, open, remove, move or tamper with  
4 any gate, door, window, ventilator, skylight, screen, grate, fence, lock or  
5 barrier, or any other thing maintained by the City to exclude the public  
6 from a park or portion thereof, or tamper with, remove or deface any sign,  
7 legend or other notice designating the same as dangerous or prohibiting  
8 entry therein.

9 Section 9. ENTERTAINMENT – PERMIT REQUIRED.

- 10 (1) Except as set forth below, no person or group may give any exhibition,  
11 show, play, entertainment, performance, dance or concert, or project any  
12 still or moving pictures in any park without first having obtained a permit  
13 from the Director. Any individuals or groups may use the Keizer Rotary  
14 Amphitheatre, the Claggett Creek Park shelter and the Chalmers Jones  
15 Park gazebo to give any exhibition, show, play, entertainment,  
16 performance, dance or concert on a first-come, first-served basis at any  
17 time such facility is open if such use does not interfere with the priority or  
18 permitted use, cause safety concerns, and is not likely to interfere with the  
19 enjoyment of the adjacent park users or property in the vicinity of the  
20 event. Any event involving electrical service use, amplified sound or

1 projection of still or moving pictures must obtain a permit from the  
2 Director.

- 3 (2) The Director may issue a permit for an event described in section 9(1)  
4 above if it is found that the use is not likely to interfere with the enjoyment  
5 of the park by any other person or persons using the park or property in the  
6 vicinity of the location of the proposed event, and is not likely to cause  
7 unreasonable damage to park facilities. The Director may attach  
8 reasonable conditions as to time, place, manner, frequency and duration of  
9 permitted events so that the health, safety, convenience and enjoyment of  
10 any persons not attending the event may not be unreasonably affected, and  
11 to protect park facilities from unreasonable damage.

- 12 (3) The requirements of Section 7 herein concerning permit procedures and  
13 conditions apply to permits issued under this section.

14 Section 10. EXCLUSION OR REMOVAL OF CERTAIN ACTIVITIES, ANIMALS  
15 OR MATERIALS.  
16

17 The Director or any law enforcement officer may exclude, remove or require to be  
18 removed from a park any animal, vehicle, equipment, activity, thing or material, the use  
19 or presence of which is likely to:

- 20 (1) Cause an unreasonable risk of harm or danger to any person or damage to  
21 any real or personal property;  
22 (2) Cause any unreasonable burden of maintenance or cleanup.

1 Section 11. VEHICLES – OPERATION AND PARKING PROCEDURES AND  
2 RESTRICTIONS.  
3

4 (1) No person may stop, park, or leave standing or unattended any vehicle,  
5 trailer or boat in any park, except in an area or space designated for  
6 parking of such objects, or upon any portion of any street or highway upon  
7 which the parking of such objects is permitted, or in excess of the time  
8 prescribed therefore by any City ordinance or permit/order issued by the  
9 Director. No person may stop, park or leave standing or unattended any  
10 vehicle, trailer or boat in any area or space designated for parking of such  
11 objects by the Director so that any part of such object is within the right-  
12 of-way of any street or highway within the limits of any park. The Director  
13 is hereby directed to post signs giving notice hereof in those portions of  
14 parks as may be affected hereby.

15 (2) No person may operate a vehicle, except as authorized by the Director, in  
16 any park except upon a publicly owned road or trail which is open for  
17 public vehicular traffic within the park. No person may operate any  
18 vehicle on any park road or trail at a speed greater than the speed limit  
19 established by the Director and posted on the road or trail, or if no speed is  
20 posted, at a speed greater than ten miles per hour.

21 (3) No person may wash, wax, dismantle or repair any vehicle, trailer, boat or  
22 other equipment, or remove any lubricant from any vehicle, trailer, boat or

1 other equipment, or otherwise service any vehicle, trailer, boat or other  
2 equipment, in any park except for emergency repairs or as authorized by  
3 the Director.

4 (4) No person may take into or operate or park or leave standing within any  
5 park any mechanically defective vehicle, trailer or boat, or any type  
6 vehicle that is in violation of City Ordinance or any provision of the  
7 Oregon Vehicle Code relating to mechanical requirements or safety of  
8 vehicles.

9 (5) No person may leave standing any vehicle, trailer or boat in any park at  
10 any time when the park or portion thereof is closed to the public, unless  
11 authorized in writing by the Director to do so, with the exception of  
12 vehicles left at the Keizer Rapids Park boat ramp parking lot in connection  
13 with overnight or multi-day boat trips. In such instance, the vehicle  
14 operator shall fill out a permit form and leave it on the dashboard of the  
15 vehicle in plain view from outside the vehicle.

16 (6) Any law enforcement officer or security officer authorized by City may  
17 remove from a park, in the manner provided and subject to the  
18 requirements of the Oregon Vehicle Code, any vehicle, trailer or boat left  
19 therein, or on any portion thereof, in violation of this section.  
20

1     Section 12.   ANIMALS AND PETS.

2           (1)     The Director may establish a list of parks and/or areas within parks where  
3                    dogs are allowed. The list shall be a part of the City's park rules and  
4                    regulations. The Director's list shall indicate areas in which dogs may be  
5                    on-leash, off-leash or prohibited. The presence of other animals, unless  
6                    otherwise authorized in writing, is prohibited. The foregoing prohibitions  
7                    do not prevent any law enforcement officer in the performance of their  
8                    duty from possessing a police dog, or any person from utilizing a bona fide  
9                    assistance or guide dog, in any park, provided that the animal is at all  
10                  times in the control of the person. In all areas, owners shall gather and  
11                  properly dispose of all of their animals' feces.

12          (2)     No person may set out food in any park for any wild animal, bird, fish or  
13                    reptile. No person may set out food in any park for a tame animal not in  
14                    the person's custody.

15          (3)     No person may abandon any animal, bird, fish or reptile in any park.

16          (4)     Except for fishing pursuant to all applicable regulations and licensing, no  
17                    person may capture, hunt, molest, or harm, or attempt to capture, hunt,  
18                    molest or harm, or administer or set out any bait or harmful substance for  
19                    any wild or domestic animal, reptile, fish or bird, nor remove nor have in  
20                    his possession the young, the eggs, or the nest of any animal, reptile or

1 bird found in the park. Persons who are authorized by the Director to do so  
2 may kill, poison, or control or trap any of the above-named creatures,  
3 subject to applicable state and federal law.

4 Section 13. FIRES.

5 (1) No person may kindle or maintain in any park any outdoor fire in any  
6 place other than in a designated fireplace or barbecue pit maintained by  
7 City or in a portable barbecue or camp stove used safely in a designated  
8 picnic or cooking area in a park, or in another location as may be  
9 authorized in writing by the Director.

10 (2) In kindling or maintaining an outdoor fire in any park, only charcoal  
11 briquettes, paper and wood may be used. Only manufacturer approved  
12 fuels shall be used in any camp stove.

13 (3) No person who kindles or maintains any outdoor fire in a park may leave  
14 the area where the fire is located without completely extinguishing the fire  
15 so that it is cold to the touch.

16 (4) If deemed necessary for public health and safety purposes in the sole  
17 discretion of the Director, any and all areas may be designated "No Fire"  
18 areas.

1 Section 14. SMOKING. No person may ignite, smoke or vape any tobacco, tobacco  
2 product, legal or illegal drugs of any type, or any other material, in any area of any park  
3 or park facility.

4 Section 15. INTOXICATING BEVERAGES. No person may possess or consume any  
5 intoxicating beverage in any area of any park or park facility, except at Keizer Rapids  
6 Park, and Chalmers Jones Park pursuant to permit authority. The Director may issue an  
7 event permit allowing use of alcoholic beverages subject to the following conditions:

8 (1) Only individuals twenty-one (21) years of age or older may consume  
9 alcohol in accordance with this policy.

10 (2) No person shall sell, give or otherwise make available any alcoholic  
11 beverage to a person under the age of 21 years.

12 (3) No person shall sell, give or otherwise make available any alcoholic  
13 beverage to any person who is visibly intoxicated.

14 (4) Alcoholic beverages are permitted only in the areas specifically delineated  
15 in the permit. Permit conditions may include installing temporary fencing,  
16 tape or other methods to delineate the areas within which alcoholic  
17 beverages must be kept.

18 (5) Alcoholic beverages are allowed only in conjunction with a reserved event  
19 and only pursuant to the permit conditions.

20

- 1           (6)   Alcoholic beverages will be served only by a licensed server pursuant to  
2                   all Oregon Liquor Control Commission laws and regulations.
- 3           (7)   The alcoholic beverage server must obtain a Temporary Sales License or  
4                   Temporary Use of an Annual License from the Oregon Liquor Control  
5                   Commission and shall provide a copy to City.
- 6           (8)   The applicant shall, at its sole cost and expense, procure and maintain  
7                   through the term of the event a Comprehensive General Liability insurance  
8                   policy and Liquor Liability insurance policy in an amount to be  
9                   determined by the Director. The applicant shall provide to City a  
10                  certificate of insurance and endorsement adding the City, its employees,  
11                  agents and contractors as additional insured. As part of the event  
12                  reservation process, the applicant shall agree to defend, indemnify and  
13                  hold the City, its employees, agents and contractors from any and all  
14                  claims in connection with alcohol use on the premises.
- 15          (9)   The Director may place reasonable conditions on the event to protect  
16                  persons and property.

17   Section 16.   POWERED MODELS – OPERATION RESTRICTIONS.

- 18          (1)   No person may operate in any park, any boat, car, rocket or other device  
19                  that is powered by a rocket motor or an internal combustion engine, except in an area and  
20                  at times as are designated for such use by the Director.

1           (2)    Small unmanned aerial systems commonly referred to as drones may be  
2   used in City parks. Operation of drones shall be done in accordance with Federal  
3   Aviation Administration (FAA) regulations and Oregon Revised Statutes. Keizer may  
4   establish “drone zones” where usage is encouraged so long as said usage is done in  
5   compliance with FAA regulations and Oregon Revised Statutes.

6   Section 17.   GOLF. No person may hit any golf ball in any park except in an area  
7   designated for such use by the Director.

8   Section 18.   DOING BUSINESS PROHIBITED. No person may practice or solicit for  
9   any occupation, business or profession in any park, or sell or offer for sale therein any  
10   service or merchandise unless pursuant to a contract/permit with City, or authorized by a  
11   reservation permit.

12   Section 19.   WATER POLLUTION. No person may throw, discharge or otherwise  
13   deposit or cause or permit to be placed into the waters of any fountain, pond, lake,  
14   stream, pool or any body of water in or adjacent to any park, or any tributary stream,  
15   storm sewer, sanitary sewer or drain flowing into such waters, any substance, matter or  
16   thing, that materially impairs the usefulness of the water for persons or the habitability of  
17   the water for any animal, bird, fish or reptile that drinks, swims in or otherwise uses the  
18   water.

19

20

1     Section 20.    GUNS, FIREARMS, DANGEROUS MATERIALS AND FIREWORKS.

2            (1)     No person, except by permit issued pursuant to state law or as otherwise  
3                        authorized by law, may bring into a park or possess, use or discharge  
4                        therein any of the following items: Any firearm or ammunition, explosive,  
5                        incendiary bomb or material, fireworks (except as otherwise provided in  
6                        this section), or any weapons such as, but not limited to, air guns,  
7                        slingshots, bows/crossbows and arrows, or paint ball guns.

8            (2)     No person shall shoot any of the above-described items into the park limits  
9                        from outside the limits of a park.

10          (3)     No fireworks may be brought into or used in any park, except for  
11                        commercial firework displays approved in writing by the City Council.

12   Section 21.   CONDUCT.   Persons who willfully harass or interfere with any  
13   government employee in the performance of his or her duties in a park, or who by their  
14   conduct or by threatening or profane language annoy, willfully molest, unreasonably  
15   interfere with the use of a park by any other person, who have committed a public  
16   offense in a park, who operate any vessel in an unsafe manner or conduct themselves in  
17   an unsafe manner, shall leave the park upon lawful order. Lawful orders can be made by  
18   the Director, any park attendant, guard, special officer authorized by the Director, or law  
19   enforcement officer. No person who has left the park premises after being ordered to do

20

1 so may reenter the park until after eight a.m. of the next day. Persons who do so are  
2 subject to arrest or citation.

3 Section 22. DAMAGING PARK PROPERTY. Unless authorized in writing by the  
4 Director to do so, no person may:

5 (1) Pick, saw, chop, carve, cut, remove or damage any flowers, seeds, bark,  
6 branches, twigs, leaves or blossoms of any tree, plant, shrub, vine, bush or  
7 other vegetation in any park;

8 (2) Drive any nail, screw, bolt or staple into, or attach any wire, rope or other  
9 fastening device to any tree or plant in any park;

10 (3) Mark, deface, damage, displace or remove any building, bridge, table,  
11 chair, bench, fireplace, barrier, fence, railing, paving or paving material,  
12 water pipe or light, or any sign, notice or placard, whether temporary or  
13 permanent, or any cultural, natural or historic artifact, or monument stake,  
14 post or other boundary marker, or any other structure, equipment, facility  
15 or property, or part or appurtenance thereof whatsoever, in or from any  
16 park;

17 (4) Cut or remove any sand, wood, turf, grass, gravel, stone or timber in or  
18 from any park, or make any excavation by any tool, equipment, blasting or  
19 by any other means in any park;

20

1           (5)   Paint, erect, mark, post or fasten on or to any tree, shrub, fence, wall,  
2               building, monument or other property in any park any poster, bill,  
3               advertisement, inscription, sign or display, except for temporary  
4               directional signs which do not otherwise interfere with City-authorized  
5               signage, directing participants to an event within the park. Temporary  
6               directional signs shall be removed by event participants immediately  
7               following the event.

8           (6)   Take or operate a vehicle upon or over any lawn or landscaping in any  
9               park except as allowed by approved event permit. City will determine  
10              repair or replacement costs in event of damage.

11   Section 23.   LITTERING. No person may deposit, drop or scatter any garbage, trash or  
12   rubbish, including, but not limited to, any glass, cigars/cigarettes or remains, paper, cans,  
13   ashes, leaves and cuttings, furniture, appliances or concrete in any park except in a  
14   receptacle designed and placed to receive the same; nor may any person import into or  
15   deposit in any park from any other place any garbage, trash or rubbish.

16   Section 24.   CLOSING TIME – EMERGENCY CLOSING.

17           (1)   Subject to the exception noted below, or unless modified by the Director,  
18               all parks shall be open one-half (1/2) hour prior to sunrise to one-half (1/2)  
19               hour after sunset as determined by the U.S. Naval Observatory  
20               (Astronomical Applications Department), unless such Agency no longer

1 provides this service. In such case, the determination of the time of  
2 sunrise and sunset shall be pursuant to the appropriate official  
3 governmental agency. All amplified sound shall completely cease by 9:00  
4 p.m., unless permitted by the Director during the permitting process. The  
5 usage of the boat ramp and parking lot at Walsh's Landing in Keizer  
6 Rapids Park for purposes of putting in or taking out a vessel are allowed  
7 two hours before sunrise and one and a half hours after sunset.

8 (2) Entering or remaining after closing time:

9 (a) No person may enter or remain in any park or portion thereof at any  
10 time when the same is closed to the public unless specifically  
11 allowed in these regulations or authorized to do so by the Director  
12 in writing.

13 (b) The Director shall, by appropriate signs or other means, give notice  
14 of closing times, and may designate certain areas which will be  
15 closed to the public at a regular closing time, regardless of whether  
16 or not any outdoor or indoor event is being or is scheduled to be  
17 conducted elsewhere in the park.

18 ///

19 ///

20 ///

1 (c) Persons may remain after closing time if camped in a specifically  
2 designated camping area. The Director shall determine the  
3 locations for such areas and a maximum number of nights and  
4 maximum number of persons allowed.

5 (3) Events After Closing Time: Any portion of a park or any enclosed  
6 building in a park in which an event is being conducted or is scheduled to  
7 be conducted, based upon a permit issued by the Director, shall not be  
8 considered closed after the regular closing time to members of the public  
9 who are attending or participating in the event, and who are within the  
10 permitted portion of the park, the building, any paths leading thereto from  
11 any street, or any other facility, outdoor area or off-street parking area  
12 intended for use in connection therewith, until thirty minutes after the  
13 conclusion of the permitted event. As to other members of the public who  
14 are not participants in the event, the park and all structures therein shall be  
15 considered closed at the regular closing time.

16 (4) Keizer Little League Park may be open after normal closing times where  
17 fields are appropriately lighted within the dates and times as follows:

18 (a) Lighting may extend the park hours from March 1 to October 31.

19 (b) The park will close, and the lights will be off, at 11:00 p.m.  
20

1 (c) Extended hours shall be limited to Monday through Saturday; the  
2 park shall close at normal closing times on Sundays.

3 (d) City Council may extend these hours for special events.

4 (5) Emergency closing:

5 (a) The Council, the Director, or the Chief of Police, or their  
6 authorized representatives, may direct any park or designated  
7 portion thereof to be closed at certain times or from time to time if  
8 the closing is reasonably necessary for the proper conduct of any  
9 activity by City, to protect public property or natural resources  
10 within a park or any private or public property or natural resources  
11 in the vicinity of a park from damage, or to preserve the public  
12 peace or safety in a park or portion of a park or in the vicinity  
13 thereof.

14 (b) When a park or portion thereof is closed to the public, pursuant to  
15 the above authority or any other proper authority, no person may  
16 enter the park or closed portion thereof after notice of closing or  
17 fail or refuse to promptly leave the park when requested to do so by  
18 the Director, any park attendant, guard, special officer authorized  
19 by the Director, or law enforcement officer.  
20

1 Section 25. VESSELS.

- 2 (1) For parks located adjacent to the Willamette River, any vessel must be  
3 operated in accordance with all applicable county, state and federal  
4 regulations.

5 Section 26. VIOLATIONS. Violations of this Ordinance shall have the following base  
6 fine amounts:

- 7 (1) Section 5, Subsection 3: \$100.00 (Carlson Skate Park violations).  
8 (2) Section 6, Subsection 2: \$200.00 (no exclusive use unless issued a permit).  
9 (3) Section 7, Subsection 13: \$200.00 (placement of booth, table, chair, stool,  
10 structure, vehicle, or piece of equipment in any portion of a park for which  
11 a park permit has been issued without the consent of the permittee).  
12 (4) Section 8, Subsection 1: \$200.00 (entering or remaining in park closed to  
13 public).  
14 (5) Section 8, Subsection 2: \$500.00 (unlocking, opening, removing, moving,  
15 or tampering with gate, door, window, ventilator, skylight, screen, grate,  
16 fence, lock or barrier to exclude public from park or portion thereof, or  
17 tampering with, removing or defacing any sign, legend or other notice  
18 designating dangerous or prohibiting entry).  
19 (6) Section 9: \$200.00 (entertainment).

20

- 1           (7)    Section 11: \$200.00 (vehicles – operation and parking procedures and  
2                    restrictions).
- 3           (8)    Section 12, Subsections 1 and 2: \$200.00 (leash law, allowance of  
4                    animals, and setting out food in park for animals).
- 5           (9)    Section 12, Subsections 3 and 4: \$300.00 (abandoning animal in park,  
6                    capturing, hunting, molesting, harming, or attempting to capture, hunt,  
7                    molest or harm animals, and possession of the young, the eggs, or the nest  
8                    of any animal).
- 9           (10)   Section 13: \$500.00 (fires).
- 10          (11)   Section 14: \$200.00 (smoking).
- 11          (12)   Section 15: \$200.00 (intoxicating beverages).
- 12          (13)   Section 16: \$150.00 (powered models).
- 13          (14)   Section 17: \$150.00 (golf).
- 14          (15)   Section 18: \$200.00 (doing business).
- 15          (16)   Section 19: \$500.00 (water pollution).
- 16          (17)   Section 20: \$500.00 (guns, firearms, dangerous materials and fireworks).
- 17          (18)   Section 22: \$500.00 (damaging park property).
- 18          (19)   Section 23: \$150.00 (littering).
- 19          (20)   Section 24: \$300.00 (closing time – emergency closing).
- 20          (21)   Section 25: \$200.00 (vessels).

1           (22) Enforcement of any violation under this Ordinance shall be accomplished  
2                           through the Keizer Civil Infraction Ordinance. The base fine amount shall  
3                           be the maximum fine. The minimum fine shall be 50% of the base fine  
4                           amount.

5           (23) In addition to enforcement noted above, violators may be excluded from  
6                           the park up to one hundred twenty (120) days if the municipal court finds  
7                           there is a reasonable likelihood for repeat violations.

8   Section 27. SEVERABILITY. If any section, subsection, sentence, clause, phrase, or  
9   portion of this Ordinance is for any reason held invalid or unconstitutional, or is denied  
10   acknowledgment by any court or board of competent jurisdiction, then such portion shall  
11   be deemed a separate, distinct, and independent provision and such holding shall not  
12   affect the validity of the remaining portions hereof.

13   Section 28. REPEAL OF ORDINANCE NO. 2010-618 AND ORDINANCE NO.  
14   2013-679. Ordinance No. 2010-618 (Establishing Keizer Parks Regulations) and  
15   Ordinance No. 2013-679 (Amending Keizer Parks Regulations) are hereby repealed in  
16   their entirety.

17   ///

18   ///

19   ///

20   ///

1 Section 29. EFFECTIVE DATE. This Ordinance shall take effect thirty (30) days after  
2 its passage.

3 PASSED this 2nd day of July, 2018.

4 SIGNED this 2nd day of July, 2018.

5

6


7

8

9

10

11

Mayor 

City Recorder 