

**COUNTY PROPERTY****(Prohibited Activities)**

## 17.110 DEFINITION.

For purposes of Sections 17.110 to 17.130, "County property" means all real property owned by Polk County, but does not include County roads and other public ways or sidewalks and pedestrian paths adjacent thereto. [Ord. 87-24]

## 17.120 PROHIBITED ACTIVITIES.

(1) No person shall impede or block the free movement of persons present on County property, or otherwise disrupt the function of Polk County government.

(2) No advertising, canvassing, or soliciting, and no dissemination of written materials, is permitted inside of any structure located on County property nor within twenty-five (25) feet of exterior doors and/or stairs except:

(a) By persons exhibiting as lessees under written exhibit space agreements approved by the Board of Commissioners or its authorized designee.

(b) For materials posted on bulletin boards or at other locations authorized for such purposes by the Board of Commissioners or its authorized designee.

(c) As permitted under a labor agreement. [Ord. 87-24; amended by Ord. 03-06]

## 17.130 VIOLATIONS.

If any person on County property who is engaging in conduct prohibited under Section 17.120 refuses to cease or leave immediately on demand by the Board of Commissioners or its designee, the Board or designee may cause the arrest of that person and may initiate prosecution by the Polk County District Attorney for Criminal Trespass in the Second Degree, and for any other offenses committed by that person on County property. [Ord. 87-24]

## 17.150 PARKING LOTS AND INTERIOR SIDEWALKS.

(1) The following activities are unlawful on parking lots and interior sidewalks owned by Polk County:

(a) Skateboarding, and the use of roller blades or similar devices.

(b) Bicycling or motorcycling, except as such activity is in immediate connection with arrival at, or departure from, county facilities. [Ord. 90-6]

## 17.160 PENALTY.

Violation of section 17.150 is punishable by a fine of \$50. [Ord. 90-6; amended by Ord. 03-06]

## **(Smoking)**

### 17.210 DEFINITION.

As used in Sections 17.210 to 17.240, "County property" includes all the indoor space of any building or vehicle owned, leased or rented by Polk County, and used by Polk County for public purposes. [Ord. 88-6]

### 17.220 SMOKING PROHIBITED - EXCEPTIONS.

(1) Except as permitted under Subsection (2) of this section, it is unlawful for any person to smoke or carry a lighted cigarette, cigar, or pipe on or in County property.

(2) Smoking is permitted:

(a) Within designated smoking areas [Ord. 03-06]

(b) By persons being interviewed by a law enforcement officer, within an area designated for that purpose by the Sheriff. [Ord. 88-6; amended by Ord. 92-3, Sec. 1]

### 17.230 NOTICE.

The Board of Commissioners shall cause signs to be conspicuously maintained at entrances to County property ordinarily used by the public. The signs shall give notice of the prohibitions under Section 17.220 and state the penalty set out in Section 17.240. [Ord. 88-6]

### 17.240 PENALTY.

Violation of Section 17.220 is punishable by a fine of \$50. In addition, Polk County shall recover from a convicted person its expenses for prosecution. [Ord. 88-6; amended Ord. 03-06]

## **(Park Usage)**

### 17.310 USE OF PARKS LIMITED.

(1) Except as provided in subsection (2) of this section, it is unlawful for any person to be within the boundaries of a County park during the hours beginning at one-half hour after sunset and ending at sunrise the following morning, and at such other times as the Board of Commissioners by resolution may direct.

(2) The Board of Commissioners, or its designee, may grant a permit for overnight occupancy of a County park by an organization for lawful purposes. However, such organization first must insure Polk County against liability arising out of such occupancy, or post security acceptable to the designee, in the amounts specified under ORS 30.270.

(3) The Board or its designee immediately shall notify the County Sheriff of any permit granted under subsection (2) of this section. [Ord. 88-13]

### 17.320 PARK REGULATIONS.

The Board of Commissioners by resolution may adopt regulations governing the use of a County park. Until amended or rescinded by resolution of the Board, the regulations set out below are adopted as the Polk County Park Regulations. [Ord. 88-13]

### 17.330 POSTING NOTICES.

The Board of Commissioners or its designee shall cause appropriate notices of Sections 17.310 and 17.340, and of the regulations adopted under Section 17.320, to be posted and maintained at every entrance to a County park, and at such other prominent places within the park as may be effective in informing the public. [Ord. 88-13]

### 17.340 VIOLATIONS.

(1) Any person violating Section 17.310 is subject to arrest and prosecution for Criminal Trespass in the Second Degree, and for any other offenses committed by that person within a County park.

(2) Any person violating a park regulation adopted under Section 17.320 shall be punished as provided under ORS 203.065. [Ord. 88-13]

Note: The Polk County Park Regulations referred to in Section 17.320, which may be amended or rescinded by resolution of the Board, are as follows:

#### **POLK COUNTY PARK REGULATIONS**

(1) No person shall build, light, or maintain any fire within a park except in a stove, pit or fireplace designated for such purpose. However, portable gas, gasoline, charcoal, and oil camp stoves may be used within the park if in a safe operating condition.

(2) No person shall leave a park before extinguishing any fire built, lighted, or maintained by that person in any such park.

(3) No person shall build, set or maintain any fire so near to any pile of driftwood, underbrush, log, snag or stump as to constitute a hazard to such material, nor shall any person set fire to any such material in a park.

(4) No person shall discharge any firearm, sling shot, arrow, air CO2 or spring actuated rifle or pistol, or other similar device in, or into, any park, except in areas designated for such activity. No person shall in any manner pursue, hunt, trap or molest any bird or animal within any such park.

(5) No person shall pick, mutilate, dig, or remove from any part any plant living or dead, or any way deface, mutilate, or destroy any park trail, road, parking lot, bridge, fence, building, sign, barrier, or other facility or structure.

(6) No person shall dig up or remove any soil, stones, rocks, or other substances whatever, make any excavation or lay or set off any blast or cause or assist in doing any of these things within the limits of the park.

(7) No person shall create or erect signs, markers, or inscriptions of any type within the limits of the park without specific written authority.

(8) No person, while in a park, may operate a concession, either fixed or mobile, or engage in the business of soliciting, selling or peddling any food or drink or distribute circulars or peddle or vend any goods, wares, merchandise or services or set up or use a public address system in a park without specific written authority.

(9) Unless otherwise provided by law, no person shall use abusive, threatening, boisterous, vile, obscene or indecent language or gestures in a park nor shall any person cause, attempt to cause or bring about any public demonstrations or disturbances, nor in any way create a public nuisance.

(10) No automobiles, trucks, trailers, or other vehicles shall be parked in any areas other than those designated for such purpose.

(11) No person shall drive a vehicle within a park at a speed greater than is reasonable and prudent, having due regard for traffic, surface and strength of roadways, hazards at intersections and other conditions then existing. The maximum speed limit on all interior park roads, drives, and parking lots shall be 15 miles per hour, unless otherwise posted. No person shall drive a motor vehicle within a park on any walk, path, trail, service road or other area, unless the walk, path, trail, service road, or area has been officially designated for use by motor vehicles.

(12) No person shall allow any dog or other pet in a park unless kept in a vehicle or on a leash.

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

(14) No person shall deposit any rubbish, garbage, glass, or other litter in a park except in receptacles designated for that purpose.

(15) No person shall wash any clothing or other materials or clean any fish in a lake or stream or in any way pollute or defile any stream, spring, well, or lake in a park.

(16) Overnight camping, which shall include the use of trailers, truck-mounted campers, or sleeping in motor vehicles is not permitted in any County park. Exceptions to this prohibition may be granted on a case-by-case basis by the Polk County Board of Commissioners.

(17) In order to enforce all park rules and regulations and to maintain sanitary, safe and orderly parks and recreation areas, any Park or law enforcement employee of Polk County is vested with the authority to require, under penalty of law, all persons using the park to abide by the rules and regulations, as well as the authority to assign areas to individuals or groups for picnicking, camping or other activities. [Added by Ord. 95-3]

(18) Any person violating these regulations shall, upon conviction, be subject to fine or imprisonment, or both, as provided by law.

(19) No person shall consume any kind of alcoholic beverage within the boundaries of the Marx-Strange County park at the end of Halls Ferry Road, commonly known as Social Security Fishing Hole. [Added by Res. 91-10]

(20) Citations for violation of these regulations may be issued by any Park and Recreation employee of Polk County, any peace officer or any other person designated as an enforcement officer for this purpose by the Board of Commissioners. [Added by Res. 91-10, and Ord. 95-3]

### **(Parking Facilities)**

#### 17.510 DEFINITIONS.

As used in Sections 17.510 to 17.620, unless the context requires otherwise:

(1) "Parking facility" means a structure or area designated for the parking or temporary storage of motor vehicles or vehicles, or both, used by Polk County, its employees, and persons doing business with Polk County. "Parking facility" also includes portions of structures or areas under joint jurisdiction which have been assigned for the use of Polk County, its employees, and persons doing business with Polk County.

(2) "Vehicle" means every device in, upon, or by which any person or property may be transported from one place to another. [Ord. 90-15, Sec. 2]

#### 17.520 WHEN PARKING PROHIBITED.

(1) No person shall park a vehicle, whether attended or unattended, within a parking facility except in spaces designated for the parking of vehicles.

(2) No person shall park a commercial truck, truck and trailer, trailer, or tractor at the parking facility adjacent to The Academy Building on any day before 7:30 a.m. or after 5:30 p.m. However, the Polk County Administrative Officer may issue a temporary permit for such parking under such circumstances and with such conditions as he considers appropriate. [Ord. 90-15, Sec. 3; Ord. 91-10, Sec. 1]

#### 17.530 PARKING METHOD.

No person shall park a vehicle other than in the direction indicated by parking space markings or directional signs placed within a parking facility. No person shall park a vehicle unless it is located completely within designated parking space markings. No part of a vehicle, or anything placed on or attached to a vehicle, shall project into adjacent parking spaces or the traveled portions of adjacent rights-of-way within the parking structure. [Ord. 90-15, Sec. 4]

#### 17.540 SPACES RESERVED FOR EMPLOYEES.

If a parking space is visibly designated for use by a particular county or state employee, no person other than the designated employee shall park a vehicle therein from 7 a.m. to 5 p.m., Monday through Friday, excluding legal holidays. [Ord. 90-15, Sec. 5]

#### 17.550 SPACES RESERVED FOR PARTICULAR VEHICLES.

If a parking space is visibly designated for use by a particular county or state vehicle or class of vehicles, no person shall park a vehicle therein other than the designated vehicle or class of vehicles. [Or. 90-15, Sec. 6]

#### 17.560 SPACES RESERVED FOR VISITORS.

If a parking space is visibly designated for use by persons visiting county or state offices, no person employed in building adjacent to the parking facility shall park a vehicle therein except while visiting such office. Overnight parking is not authorized in parking spaces designated for "Visitors." Upon posted notice of not less than 8 hours, violators are subject to tow and/or impound as provided by law. [Ord. 90-15, Sec. 7; amended Ord. 11-05]

#### 17.570 SPACES MARKED WITH TIME LIMITS.

If a parking space is marked with a time limit other than described in Section 17.540, no person shall park a vehicle therein in excess of the stated time limit from 8 a.m. to 5 p.m., Monday through Friday, excluding holidays. [Ord. 90-15, Sec. 8]

#### 17.580 LOADING ZONES; PARKING FOR DISABLED PERSONS.

(1) No person shall park a vehicle for any purpose or length of time, other than for the expeditious loading or unloading of persons or materials, in a place designated as a loading zone.

(2) Parking spaces reserved for parking by disabled persons are subject to the provisions of ORS 811.602 to 811.640. [Ord. 90-15, Sec. 9]

#### 17.590 DESIGNATION OF PARKING SPACES; EXEMPTED AREAS.

(1) The Polk County Administrative Officer, subject to approval by the Board of Commissioners, shall designate parking spaces within parking facilities for the use of county employees and others, particular vehicles or classes of vehicles, visitors, and the disabled; designated places necessary as loading zones; and establish parking time limits as appropriate. All designations and parking time limits shall be visibly posted on or at each parking space or loading zone.

(2) The Administrative Officer, subject to approval by the Board, may exempt all or a part of any parking facility from this Ordinance upon a finding that there is no need for parking regulations. [Ord. 90-15, Sec. 10]

## 17.600 ENFORCEMENT.

The Board of Commissioners may designate enforcement officers to carry out Sections 17.510 to 17.620. [Ord. 90-15, Sec. 11]

## 17.610 VIOLATIONS.

(1) If a vehicle without an operator is found parked in violation of Sections 17.510 to 17.620, an enforcement officer shall affix a traffic citation instructing the operator to answer the charge against him or pay a penalty imposed within 5 days thereafter during the hours and at a place specified in the citation. The citation shall be issued in the name of the registered owner of the vehicle.

(2) The owner of a vehicle parked in violation of Sections 17.510 to 17.620 is responsible for any penalty, except when use of the vehicle during the time it was parked was without the owner's consent, express, implied or apparent.

(3) The Sheriff or his designee may take custody of and remove any vehicle parked in violation of Sections 17.510 to 17.620, in accordance with ORS 819.130.

(4) The Circuit Court of the State of Oregon for Polk County has jurisdiction to enforce Sections 17.510 to 17.620. [Ord. 90-15, Sec. 12; amended Ord. 03-06]

## 17.620 PENALTY.

Violation of Sections 17.510 to 17.620 is punishable by a fine of not less than \$25 and not more than \$250. [Ord. 90-15, Sec. 12; amended Ord. 03-06]

### Cross References:

County conference rooms, Res. 91-13

Key policy, Res. 89-63

Parking on County Roads, 51.105

Safety Policy, Res. 90-52