

TITLE III

PARKS AND PUBLIC GROUNDS

CHAPTER 31

PARKS – GENERAL REGULATIONS

§3.100 Purpose and Ordinance continued. The purpose of this ordinance is to provide rules and regulations for the use and conduct in the parks and recreation areas of the City. The provisions of City of Beaverton Ordinance number 142 are hereby continued and adopted, where not inconsistent herewith.

§3.101 Applicability. This ordinance shall apply in all parks and recreation areas under the jurisdiction of the City, unless expressly exempted. For the issuance of permits, temporary designations, authorizations, granting of approval and other actions the approving governing agency shall be the Parks and Recreation Board, or its designee.

§3.102 City of Beaverton Park Lands, Regulation:

- (a) **General Unlawful Acts.** It shall be unlawful for any person in a public park to:
- (1) Mark, deface, disfigure, injure, tamper with or displace or remove any buildings, bridges, tables, benches, fireplaces, railings, pavings, or paving materials, water lines or other public utilities or parts or appurtenances thereof, signs, notices or placards, whether temporary or permanent, monuments, stakes, posts or other boundary markers, or other structures or equipment, facilities or park property or appurtenances whatsoever, either real or personal.
 - (2) Fail to cooperate in maintaining restrooms and washrooms in a neat and sanitary condition. No person over the age of six years shall use the restrooms and washrooms designated for the opposite sex. Hot water shall not be taken from buildings for camp use.
 - (3) Dig or remove any soil, rock, sand, stones, trees, shrubs, or plants or other wood or materials, or make any excavation by tool, equipment, blasting or other means or agency.
 - (4) Construct or erect any building or structure of whatever kind, whether permanent or temporary, or run or string any public service utility into, upon, or across such lands, except on written permit issued hereunder.
 - (5) Damage, cut, carve, mark, transplant or remove any

- plant or injure the bark, or pick flowers or seed of any tree or plant, dig in or otherwise disturb grass areas, or in any other way injure the natural beauty or usefulness of any area.
- (6) Climb any tree or walk; climb, stand or sit upon monuments, vases, planters, fountains, railings, fences or upon any other property not designated or customarily used for such purpose.
 - (7) Attach any rope or cable or other contrivance to any tree, fence, failing, bridge, bench or other structure.
 - (8) Throw, discharge, or otherwise place or cause to be placed in the waters of any fountains, pond, lake, stream or other body of water in or adjacent to any park or any tributary, stream, storm, sewer, or drain flowing into such water, any substance, matter or thing, liquid or solid, which will or may result in the pollution of said waters.
 - (9) Take into, carry through, or put into any park, any rubbish, refuse, garbage or other material. Such refuse and rubbish shall be deposited in receptacles so provided. Where receptacles are not provided, all such rubbish or waste shall be carried away from the park by the person responsible for its presence, and properly disposed of elsewhere.
 - (10) Bring any glass container into any beach or lakefront recreation area.
 - (11) Cause or permit any animal to run loose.
 - (12) Tie or hitch an animal to any tree or plant.
 - (13) Hunt, molest, harm, frighten, kill, trap, pursue, chase, tease, shoot or throw missiles at any animal, wildlife, reptile, or bird; nor shall he have in his possession the young of any wild animal, or the eggs or nest, or young of any reptile or bird. Exception to the foregoing is that snakes known to be deadly poisonous may be killed on sight.
 - (14) Walk a dog, or any other domestic animal, without a leash, said leash to be no longer than six feet. Further, the owner of said animal shall be responsible for the removal of any animal solid waste. Nor shall he allow a dog or any other animal within a water or land area designated as a bathing beach or boat dock area; bring a dog, except leader dogs for the blind, or other animal into an enclosed park building. Any dog found not in the possession of, or under the immediate control of, its owner or owner's agent, or any dog creating a nuisance or disturbance maybe removed from the park.

- (15) Ride a horse except on designated bridle trails; horses shall be thoroughly broken and properly restrained, and ridden with due care, and shall not be allowed to graze or go unattended.
 - (16) No person shall play an auto radio, portable radio and television set at a volume that interferes with the enjoyment of the park by others.
- (b) **Regulations regarding vehicles.** It shall be unlawful for any person in a public park or recreation area to:
- (1) Enter Calhoun Park unless a motor vehicle permit has been obtained and affixed to the vehicle windshield.
 - (2) Drive any vehicle on any area except the paved park roads or parking areas, or such areas as may on occasion be specifically designated as temporary areas.
 - (3) Park a vehicle anywhere except on a designated parking area.
 - (4) Leave a vehicle standing or parked in established parking areas or elsewhere in the park and recreation areas during hours when the park and recreation area is closed.
 - (5) Leave a bicycle lying on the ground or paving or set against trees, or in any place or position where other persons may trip over or be injured by them.
 - (6) Ride a bicycle without reasonable regard to the safety of others.
 - (7) Leave a bicycle in a place other than a bicycle rack when such is provided and there is space available.
 - (8) Wash any vehicle.
 - (9) Drive or operate within the parks, park drives, parking places, or parkways for the purpose of demonstrating any vehicles, or for the purpose of instructing another to drive or operate any vehicle, nor shall any person use any park area, including parking places, for the repairing or cleaning of any vehicle, except in an emergency.
 - (10) No person shall operate any snowmobile in or on any public park or playground in the City.
- (c) **Firearms, Weapons, Tools, Explosives, Fireworks.** It shall be unlawful for any person to bring into or have in his possession in any park or recreation area:
- (1) Any pistol, revolver or objects upon which loaded or blank cartridges may be used. Official starters, at

authorized track and field events are excepted from this restriction.

- (2) Any burglar tools.
- (3) Any rifle, shotgun, BB gun, air gun, spring gun, slingshot, bow or other weapon in which the propelling force is gunpowder, a spring, or air.
- (4) Unlawful fireworks of any description. Permits may be given for conducting properly supervised fireworks in designated park areas.

(d) **Regulation of advertising, commerce, assemblages and entertainment.** It shall be unlawful to do any of the following without a permit, provided that no permit shall be necessary for events or actions sponsored by the City or the park board:

- (1) Post, paint, affix, distribute, deliver, place, cash or leave about, any billboard, placard, ticket, handbill, circular, or advertisement.
- (2) Display any advertising signs or other advertising matter, provided that a sign attached to a vehicle to identify the vehicle, or a sign lawfully on a taxi or bus is not prohibited.
- (3) Operate for advertising purposes any musical instrument, soundtrack or drum.
- (4) Hold public assemblages.
- (5) Hold a parade.
- (6) Offer for sale any article in any park or recreation area, without a license as a concessionaire.

(e) **Regulation ignitable and combustible materials.** No person shall kindle, build, maintain or use a fire except in places provided for such purposes. Any fire shall be continuously under the care and direction of a competent adult from the time it is kindled until it is extinguished. No person shall throw away or discard any lighted match, cigar, cigarette, tobacco, paper or other material within or against any building, boat or vehicle, or under any tree or in any underbrush.

(f) **Regulation of alcoholic beverages, controlled substances, alms, gambling.** While in a public park or recreation area, all persons shall conduct themselves in a proper and orderly manner, and in particular, no person shall:

- (1) Be under the influence of intoxicating liquor or a controlled dangerous substance in a park or recreation area.

- (2) Solicit alms or contributions for any purpose, whether public or private.
 - (3) Play any game of chance or have possession of any instrument or device for gambling.
 - (4) Play, engage or take part in any game or competitive sport for money, or other valuable thing, without a written permit.
- (g) Miscellaneous regulations. It shall be unlawful for any person in a park or recreation area to:
- (1) Camp or stay overnight anywhere except in areas designated for camping or staying overnight in vehicles or trailers.
 - (2) Take part in the playing of any games involving thrown or otherwise propelled objects except in those areas designated for such forms of recreation.
 - (3) Play football, baseball, basketball, soccer or lacrosse, except in areas designated for such games.
 - (4) Enter an area posted as "closed to the public."
 - (5) Engage in threatening, abusive, insulting or indecent language or engage in any disorderly conduct or behavior tending to breach the public peace.
 - (6) Fail to produce and exhibit any permit he claims to have, upon request of any authorized person who shall desire to inspect the same for the purpose of enforcing compliance with any ordinance or rule.
 - (7) Disturb or interfere unreasonably with any person or party occupying any area or participating in any activity under the authority of a permit.
 - (8) Erect or occupy a tent, stand or other structure in any park or playground, or sell or give away from any such tent, stand or other structure any food, drink or other thing, without a permit.

§3.103 Picnic areas. It shall be unlawful for any person or group of persons to hold a picnic in any park, except in areas set aside or specifically designated as picnic areas. Pavilions may be rented without regard to the size of the party using same. Reservations for same may be made by application to the City Clerk with appropriate rental fee. Rental fees shall be as set from time to time by resolution of the Council.

§3.104 Park hours.

- (a) Calhoun Park: No person shall enter or remain in Calhoun Park between the hours of 10:00 p.m. and 8:00 a.m. unless the person is a lawfully registered camper.

- (b) Calhoun Park: A non-camper shall not visit campers between the hours of 10:00 p.m. and 8:00 a.m.
- (c) Calhoun Park: It shall be the responsibility of the registered camper to report anyone refusing to leave their campsite after 10:00 p.m. or anyone entering onto the campsite before 8:00 a.m..
- (d) All other parks shall remain open from 8:00 a.m. to 11:00 p.m.

(Amended April 21, 2008)

§3.105 Regulation of camping in Calhoun Park.

- (a) A person shall not camp without a camping permit issued by an authorized representative of the City of Beaverton. A person may camp only in a designated campground or campsite only when the established fee is paid.
- (b) A person shall not obtain a camping permit for use by a camping party of which the person is not a member.
- (c) A person shall not walk into, or drive a vehicle into or through the campground area, unless he is a registered camper, or legitimately visiting a specific, registered camper.
- (d) A registered camping party shall not leave a campsite continuously unoccupied during the first 24 hours of the permit period. A campsite is considered to be occupied if at least one member of the camping party is in attendance during the night-time hours of the initial 24 hour period.
- (e) A person shall not use a campground for a permanent residence or as a base of operation of a business.
- (f) **Capacity of campsites is limited:**
 - (1) Not more than one (1) single family nor more than four (4) unrelated persons shall camp on one campsite. For the purposes of this rule, a single family shall include a mother and father and their children. A single family may include relatives if no more than one shelter is used.
 - (2) When persons that are not a single family obtain a camp site, all persons shall print and sign their names on the camp registration card.
 - (3) Persons that are not part of a single family must be at least 18 years old to register or occupy a campsite, unless such persons are part of a chaperoned group, i.e. scouts, cyclists, church or athletic teams.
- (g) A person shall not allow, place or drive more than one

motor vehicle onto one campsite, except four motorcycles are permitted if each is operated by a registered camper. Additional vehicles must be parked in parking lot areas.

- (h) Where campgrounds are laid out in defined lots, not more than one camp will be permitted on a lot.
- (i) Camp permits provide a license to use the developed facilities and are not a lease or rental agreement for specified land. A camper may be relocated at the discretion of the Park Manager.
- (j) No camping equipment will be placed on any camp lot while that lot is occupied by another camping party.
- (k) The use of camp lots, service building, electrical services, etc. is restricted to registered campers and their bona fide guests.

§3.106 Regulation of Boats. Boats anchored off the park shore or tied on park water frontage, shall be governed by the following rules:

- (a) Campers with permits may have a boat tied on park water frontage for a period not longer than the camp permit issued to them.
- (b) Day use people may have a boat tied on park water frontage or a period of one day and it must be removed at the time they leave the park.
- (c) No boat may be anchored off the park shore or tied on park water frontage in areas set aside for beaches or another use.

§3.107 Rules and regulations. Penalty.

- (a) The Council of the City of Beaverton shall from time to time make and adopt such rules and regulations, within its discretion, and upon recommendation of the Parks and Recreation Advisory Board, for the operation of parks regulated by this Chapter. Such rules and regulations, when adopted, shall be and become a part of this Chapter and are enforceable hereunder, and the penalties prescribed for violation of this Code shall apply to the violation of any such rules and regulations the same as though such rules and regulations were incorporated herein. Violation of any such provisions, rules or regulations/ unless otherwise provided, shall be deemed a civil infraction subject to disposition pursuant to Article I, Chapter 7, of this Code.
- (b) Violation of any park rule may result in revocation of a camping permit or eviction from the park or both. Violation of any park rule may also result in a criminal complaint being initiated.

- (c) No refund of camping fees will be made if a camper is evicted from the park as a result of an infraction of the park rules and regulations. Any unused fees will be forfeited.
- (d) Violation of the following provisions shall be deemed a misdemeanor and shall be punishable by a fine of not more than Five Hundred Dollars _(\$500.00), and costs of prosecution, or by imprisonment not to exceed Ninety (90) days, or both in the discretion of the court:
§3.102(a)(1), §3.102(a)(13), §3.102(c)(1-4), §3.102(f)(1-4), §3.102(g)(5), and §3.102(g)(7).
- (e) Within the discretion of City officials, any violation of provisions not designated as misdemeanors under the preceding provision may be charged and prosecuted as misdemeanors where the alleged violation involves a danger to human life, a threat to health, safety and welfare, or personal injury is threatened or occurs.
- (f) City employees or designees, acting in the line of duty or persons performing specific acts authorized by written permission are exempt from the provisions of these rules.
- (g) The City Police Department, Parks and Recreation Advisory Board authorized personnel, and any park attendant shall have the authority to order any person or persons acting in violation of this Code to leave the park or recreation area.

§3.108 Permits. Permits for special events in parks and recreation areas shall be obtained by application to the City Administrator, or their designee in accordance with the following procedure:

- (a) A person seeking issuance of a permit hereunder shall file an application stating:
 - (1) The name and address of the applicant.
 - (2) The name and address of the person, persons, corporation or association sponsoring the activity, if any.
 - (3) The day and hours for which the permit is requested.
 - (4) The park or portion thereof for which the permit is desired, and the number of individuals expected to attend.
 - (5) Any other information reasonably necessary to make a determination as to whether a permit should be issued hereunder.
 - (6) Variances required from park rules and regulations.
- (b) Standards for issuance of a use permit shall include the

following findings:

- (1) That the proposed activity or use of the park will not unreasonably interfere with or detract from the general public's enjoyment of the park.
- (2) That the proposed activity and use will not unreasonably interfere with or detract from the promotion of public health, welfare, safety or recreation.
- (3) That the proposed activity or uses that are reasonably anticipated will not include crime, violence or disorderly conduct.
- (4) That the proposed activity will not entail extraordinary or burdensome expense or police operation by the City.
- (5) That the facilities desired have not been reserved for other use on the date and hour requested in the application.

- (c) **Appeal.** Within ten days after the receipt of an application the Administrator shall tell an applicant in writing of its decision to grant or deny a permit; in the event of a denial the notification shall include the reason for the denial. Any aggrieved person shall have the right to appeal to the City Council by serving written notice thereof on the City Clerk within five working days of said refusal.

A copy of said notice shall also be served upon the City Administrator, who shall immediately forward the application and the reasons for its refusal to the City Council. The City Council shall decide within ten days from the receipt of the appeal by the City Clerk, or at its first meeting after the appeal, whichever is later. The decision of the City Council shall be final.

- (d) A permittee shall be bound by all park rules and regulations, and all applicable ordinances fully as though same were inserted in said permits.
- (e) An applicant may be required to submit evidence of liability insurance covering injuries to members of the general public arising out of such permitted activities in such amounts as may be from time to time determined prior to the commencement of any activity or issuance of any permit.
- (f) The City Council shall have the authority to revoke a permit upon a finding of violation of any rule or ordinance or upon good cause shown.