

ORDINANCE NO. 259

AN ORDINANCE ESTABLISHING RULES AND REGULATIONS TO BE OBSERVED AND ENFORCED WITHIN THE PUBLIC PARKS OF THE CITY OF DETROIT, OREGON ASSERTING PENALTIES AND FINES FOR VIOLATION THEREOF, AND DECLARING AN EMERGENCY

THE CITY OF DETROIT, OREGON ORDAINS AS FOLLOWS:

Section 1: [Definitions:] The words "public parks" as used herein shall mean and include all recreational properties owned and controlled by the City of Detroit, Oregon, or all recreational properties available for use of the public within the City of Detroit.

Section 2: [Rules and Regulations:] For the conduct of persons using or frequenting the public parks of the City of Detroit, Oregon, the following rules and regulations shall be observed and enforced within said public parks and hereby shall be established:

- A. **Alcohol Use.** Alcohol beverages are prohibited in the city park unless the use of alcohol is approved by the City of Detroit in conjunction with a Group Gathering or Outdoor Mass Gathering Permit. No intoxicated person shall enter, be or remain in the park, and any such person so found in the park shall be subject to either arrest or ejection from the park. If approved by the City of Detroit, the consumption of alcoholic beverages is restricted to the confinements of the area (s) reserved. The permit holder shall be responsible for the area reserved. The City of Detroit Group or Outdoor Mass Gathering Permit may also require the applicant to employ security personnel.
- B. **Animals.** No person shall in any manner pursue, kill, injure, hunt, or molest any bird or animal within any park.
- C. **Dogs.**
 - a. No person shall permit any dog to run at large within any public park, and all dogs shall be kept in control on a leash at all times. Owners of dogs or other animals damaging or destroying park property shall be liable for the full value of the property damaged or destroyed, in addition to impounding fees and the penalty imposed for violation of this ordinance.
 - b. Dog waste shall be picked up and disposed of properly.
- D. **Fires.** No person shall build any fire within public parks except in a cooking stove or barbecue provided by user. Cooking stoves and barbecues may be used within said park in safe operating conditions and used within established picnic area. No fire shall be left unattended and every fire shall be extinguished before its user leaves the park area. User is responsible for the safe disposal of the coals and grease off-site.
- E. **Fireworks.** Unless given a written permit by the City of Detroit and the Fire Chief of the Idanha/Detroit Rural Fire Protection District, it shall be unlawful for any person to possess or use fireworks in the park or parkway of the City of Detroit.

- F. **Group Gatherings.** See *Permits Required for Group Gatherings*
- G. **Hours.**
- a. The Detroit City Park shall be open from dawn to dusk seven days a week.
 - b. Restroom hours shall be established by Council Resolution.
- H. **Motor Vehicles.** No motor vehicles, trailers, motorcycles, snowmobiles or ATV's shall be operated, stopped, parked or left standing any place in a public park except on roads and parking areas provided.
- I. **Narcotics – Drugs.** No person within or entering the City of Detroit Park shall use, consume, smoke or be under the influence of heroin, marijuana, or any other drug, narcotics or other substance designed to induce excitement, exhilaration, hallucination, drowsiness, or any other abnormal or unusual conduct or behavior upon the part of the recipient or user thereof.
- J. **Parking Lots.** Excluding Patton Street parking spaces, no person shall park any vehicle in the City Park parking lot beyond the normal closing hour of the park system, except where an individual is attending a function where permission has been granted for a later closing hour by the City of Detroit and specified herein.
- K. **Penalties and Fines.** All ordinances of the City of Detroit shall apply to and be in full force and effect within the public parks. Any person violating any of the provisions of this, and any other ordinance shall be subject to a fine of \$250 per incident/per day and shall be summoned to an appearance before the Detroit Municipal Court Judge. (*Ord. 207*).
- L. **Permits Required for Group Gatherings.**
- a. Permits shall be required for the assembly of persons in the city park when it is reasonably expected that such assembly will be attended by 25 or more persons. The City of Detroit may require the person, persons, club group, organization, or corporation to furnish police, fire, medical, sanitary and clean-up services. Permits shall also be required for music, art, religious and other shows and/or displays in city parks.
 - b. An Outdoor Mass Gathering Permit application shall be submitted to the City of Detroit two months prior to hosting an event of 100 or more visitors.
- M. **Plants, Structures.** No person shall pick, mutilate, dig, or remove from the park any plant or plants or in any way deface or mutilate, burn, destroy, defile, or remove any railing, building, seat, fence, park facility, decorative item, any other structure or tree within a park or remove from the park any logs or wood.
- N. **Public Drinking Fountains.** No person shall willfully mark, scratch, disfigure, deface or in any manner injure any public drinking fountain in the city, or throw, place or deposit in any cup or basin of same any cigar or cigarette stub, or any other matter of refuse whatsoever.

- O. **Public Nuisance.** No person shall use abusive, threatening, boisterous, vile, obscene or indecent language, or gestures in the park, nor shall any person cause, attempt to cause, or bring about any public nuisance. No person shall willfully make or continue, or cause to be made or continued, any loud, unnecessary or unusual noise which disturbs the peace or is an annoyance to any reasonable park visitor of normal sensitivity. Use of any loudspeaker, stereo or sound amplifier should only be used in a manner as not to disturb other persons. Drunken and disorderly conduct shall be deemed a public nuisance and shall be cause for expulsion from the park.
- P. **Restricted Area.** No person shall enter upon any portion of the park system where persons are prohibited by the City of Detroit as indicated by sign or notice. No persons shall enter or attempt to enter any building or area in the park system when it is closed to the public or scheduled for a specific group or activity, unless invited by same.
- Q. **Sanitation.** No person shall blow, spread or place any nasal or other bodily discharge, or urinate or defecate within the park except directly into the particular fixture provided for that purpose.
- R. **Signs.** No person shall erect signs, markers, or inscriptions of any type within the limits of a city park without a specific permit from the City of Detroit.
- S. **Soil, Rock.** No person shall dig, excavate, blast, quarry or remove any soil, rock, stones or other substance from the park and no person shall assist in said removal.
- T. **Soliciting.** No person while in a city park shall operate a concession, either fixed or mobile, or engage in the business of soliciting, selling or peddling any liquids, or edibles for human consumption, or distribute circulars, or hawk, peddle or vend any goods, wares or merchandise, or set up or use a public address system in the city park without a specific written permit from the City of Detroit.
- U. **Tents and Camping.** No person shall erect a tent on city park property, unless given permission by the City of Detroit. The use of stakes or weights of any kind to assist in securing any structure is prohibited. No person shall use the city park for camping without permission by the City of Detroit. Camping means the use of a park for sleeping activities, or making preparations to sleep, including the laying down of bedding for the purpose of sleeping.
- V. **Waste Materials.** No person shall scatter, discard or dispose of any garbage, bottles, broken glass, tin cans, or paper, litter or waste materials of any kind except in designated trash receptacles. It shall be unlawful for any person to haul household garbage, rubbish or trash to the city park and deposit the same in the park or on public property (*Ord. 238*).
- W. **Weapons, Missiles and Explosive Substances.** No person or organization shall bring, carry, or use in any way knives, firearms or other weapons of any kind, or any explosive substance of any kind into the park system without the permission of the City of Detroit. No person shall throw, cast, or shoot arrows, stones, or other

missiles of any kind within the park system except at such places and times as the City of Detroit may designate for such purposes.

Section 3: [Emergency Clause:] Whereas violations and vandalism have occurred in the new City Park and Extended Recreation Area prior to the official Spring 2019 opening, an emergency is hereby declared to exist, and this ordinance shall be in effect immediately upon passage.

Passed by the Common Council of the City of Detroit, Oregon, this 14th day of May, 2019.

Aye ___ Nay ___ Abstain ___ Absent___

Signed:

James R .Trett, Mayor

Attest:

Christine Pavoni, City Recorder

Approved as to form:

William Monahan, City Attorney