

Title 12

**STREETS, SIDEWALKS AND PUBLIC
PLACES**

**Chapters:
12.04 Parks**

Chapter 12.04

PARKS

Sections:

- 12.04.010** **Definitions.**
- 12.04.020** **Rules and regulations.**
- 12.04.030** **Reservation of public park facilities.**
- 12.04.040** **Permits.**
- 12.04.050** **Violation--Penalties.**

12.04.010 **Definitions.**

As used in this chapter, the following terms, phrases, words and their derivations shall have the meaning given herein. When not inconsistent with the text, words in the present tense include the future, words in the plural number include the singular number, and vice-versa, words in the masculine gender include the feminine. The word "shall" is always mandatory and not merely directory.

"City" means the city of Aurora, Marion County, Oregon.

"Council" means the city council of Aurora, Marion County, Oregon

"Firearm" means a weapon, by whatever name known, which is designed to expel a projectile, and which is readily capable of use as a weapon.

"Public park" means and includes all properties owned, maintained and controlled by the city, operated as parks available for use by the public, including all playing fields.

"Reservation fees" means those fees paid to the city, for the reservation of various public park facilities by an organization or group. (Ord. 306 § 1, 1988)

12.04.020 **Rules and regulations.**

A. Public Park Hours. The city's public parks shall be used as day parks only, open to public use between the hours of six a.m. and eleven p.m. Overnight camping in tents, portable dwellings, motor vehicles, or any other equipment designed for such use is prohibited in the public parks, save and except the following affirmative defenses:

1. Participants or spectators of athletic contests in floodlighted park areas designed for such contents;

2. Persons attending a scheduled event in a public park facility designed as a community center;

3. Persons attending an event for which a permit has been issued by council;

4. Persons holding permits issued by council to remain in a public park during the hours of closure.

B. Rules of Conduct. No person shall commit any act which is contrary to any existing state law or city ordinance. The following shall be deemed violations of these rules, should any person, within any public park:

1. Allow any dog owned by him or her or under his or her control, other than on a leash;

2. Have in his or her possession or discharge any firearm;

3. Park a motor vehicle in other than designated parking areas, without a permit issued by council;

4. Litter, damage, deface or vandalize any public property;

5. Trespass in a public park after designated closing hours;

6. Operate any motor vehicle or bicycle outside areas designated for such use;

7. Allow therein any horse, donkey, cow, or other such livestock owned by him or her or under his or her control;

8. Cut, remove or damage any flower, tree or shrub;

9. Engage in the sale of any merchandise or service, or operate any concession, without a permit issued by council;

10. Cause to be started or maintained any open fire, except in designated locations where park facilities for such fires are provided. (Ord. 424 § 1, 2002; Ord. 306 § 2, 1988)

12.04.030 Reservation of public park facilities.

Public park facilities designated as reservation areas, and for each reservation area shall be established by resolution of council.

A. Fees--General. All fees for the reservation of public park facilities shall be due and payable to the city recorder at the time the completed reservation application is submitted. Application for facility reservations shall be made on forms provided by the city. Reservation fees shall be nonrefundable. All fees, collected for the reservation of public park facilities shall be deposited into the park department of the general fund, and shall be expended on public park maintenance, repair and improvement projects.

B. Exemptions. The following organizations and/or groups shall be exempt from facilities reservation fees:

1. North Marion Schools and Aurora area nonprofit youth athletic associations;
2. Aurora fire department recreational activities;
3. City-sponsored activities.

C. Waiver of Fees. Nonprofit organizations and/or groups not listed in subsection

B of this section may submit to the council, in writing, a request for the waiver of facilities reservation fees. Waiver requests will be reviewed on an individual basis, and the decision of the council shall be final.

D. Denial of Reservation Privileges. The privilege of reserving city park facilities may be denied by the city recorder and/or the public works superintendent. Reservation privilege denials may be appealed in writing, to the council. Such appeal must be filed in the office of the city recorder not less than five days prior to the council meeting at which it will be considered. Decisions of the council on appeals shall be final. (Ord. 306 § 3, 1988)

12.04.040 Permits.

Applications for such permits as described in Section 12.04.020 shall be made on forms provided in the office of the city recorder. Completed applications must be submitted to the city recorder for approval during regular business hours. (Ord. 306 § 4, 1988)

12.04.050 Violation--Penalties.

A. Any person violating any of the provisions of this chapter shall, upon conviction thereof in the municipal court of the city, be punished by a fine of not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00).

B. No section of this chapter shall be deemed to provide an exclusive remedy for any conduct in violation of this chapter. If any act committed in violation of this chapter also involves a violation of any other city ordinance, State Statute or Constitutional provision, the person committing such an act is liable to be prosecuted under such other law. (Ord. 306 § 5, 1988)