

BEFORE THE BOARD OF COMMISSIONERS

FOR TILLAMOOK COUNTY, OREGON

In the Matter of Adopting an Ordinance)
Establishing Rules Relating to County) ORDINANCE NO. 43
Parks, Creating Penalties, and) AMENDMENT NO. 5
Declaring an Emergency) June 22, 2022

Strike through text indicates removals and *italicized* text indicates additions.

The Board of County Commissioners for Tillamook County ORDAINS as follows:

Section 1 INTENT

- 1.1 It is the legislative intent of the Tillamook County Board of Commissioners (Board of Commissioners) to provide for and enhance the public enjoyment and use of Tillamook County's extensive system of parks, campgrounds, picnic areas, recreational areas and park land, which are hereinafter referred to as county parks.
- 1.2 It is appropriate and necessary to provide penalties for the enforcement of this ordinance as county parks are irreplaceable natural resources, which offer unique natural settings for public enjoyment and natural preservation.

Section 2 DEFINITIONS

- 2.1 Unless otherwise provided in this ordinance, the terms and conditions set forth in this ordinance shall have the same definition and meaning as provided by Oregon law.
- 2.2 The term "camping area" is defined as an area designated by the County Parks Department for overnight camping, ~~without~~ *within* designated campsites.
- 2.3 The term "day use" is defined as active recreational uses within the campground by persons who are not registered for overnight camping.
- 2.4 *The term "enforcement officer" means a person designated by the Parks Director to enforce the provisions of this chapter, or any person who is defined as an enforcement officer under ORS 153.005.*
- ~~2.4~~ 2.5 The term "hiker-biker" is defined as *non-motorized* people-powered travel.
- ~~2.5~~ 2.6 The term "parks" has its ordinary meaning and includes county parks, waysides, beach access areas, scenic areas, campgrounds, boat launching sites,

recreation areas and lands used by the public for recreation in which the county enjoys a legal interest.

~~2.6~~ 2.7 The term "plainly audible" is defined as any sound for which the information content of that sound is unambiguously communicated to the listener including, but not limited to, understandable spoken speech, comprehension of whether a voice is raised or normal or comprehensible musical rhythms or vocal sounds.

~~2.7~~ 2.8 The term "noise" is defined as sound which is clearly distinguishable from plainly audible sounds, such as, but not limited to sounds produced by devices such as vehicle engines or exhausts, domestic tools to include saws, hammers and other similar tools and devices installed in vehicles such as heat pumps, air conditioning units, refrigeration units, generators and television sets.

~~2.8~~ 2.9 The term "RV" is defined as a motor home, motor coach, travel trailer, truck camper or other self-contained vehicle used for camping.

~~2.9~~ 2.10 The term "tent" is defined as any structure, ~~excluding~~ *including* tent trailer, having non-rigid, non-see-through collapsible sides.

~~2.10~~ 2.11 The term "vehicle" is defined as any axle device (excluding an RV), which is legally permitted on Oregon's highways whether towed or driven. Examples: boat trailers, cooking trailers, *motorcycles*, cars and pickups are considered vehicles.

Section 3 VIOLATIONS

3.1 FIRES

- 3.1.1 No person shall build, light or maintain a fire within a county park unless it complies with this section.
- 3.1.2 Fires shall be confined to campstoves or *fire rings provided by the county.*
- 3.1.3 All flammable material shall be cleared for a distance of five *feet (5')* ~~feet~~ around and ten *feet (10')* ~~feet~~ above any fire ring.
- 3.1.4 No fire shall be left unattended and every fire shall be extinguished *completely with water* before it's user leaves the site.
- 3.1.5 No fire shall exceed the diameter of the fire ring or three *feet (3')* ~~feet~~ in height.
- 3.1.6 The County Parks Director *or designees* may restrict or prohibit fires due to high fire hazard conditions.
- 3.1.7 *Fires must not cause damage to facilities or natural resources.*

3.2 DISCHARGE OF FIREARMS AND OTHER DEVICES

- 3.2.1 Except as otherwise allowed by Tillamook County Ordinance #42, no person shall brandish or discharge or cause to be discharged any firearm, pellet gun, BB gun, air gun, *paint gun*, bow and arrow, crossbow, or other archery device, within a county park. It shall be a defense to this offense that a person is an Oregon police officer engaged in enforcing the law or county employee under written authorization of the Board of Commissioners.
- ~~3.2.1~~ 3.2.2 No person shall use lawn darts or toss or release any other pointed projectile within a county park.
- ~~3.2.2~~ 3.2.3 No person shall discharge a slingshot, or other device, *or any other weapon* capable of injuring any person or wildlife *or damaging property*.
- ~~3.2.3~~ 3.2.4 Except otherwise allowed by Tillamook County Ordinance #42, no person shall engage in hunting within county parks. County parks are hereby declared to be game refuges.

3.3 DISTURBANCE OF FLORA AND FAUNA

- 3.3.1 No person shall collect, cut, pick, remove, burn, break or otherwise disturb any plant, flower, shrubs, grasses, moss, trees or other plants within county parks, except by express written consent of the Tillamook County Board of Commissioners, unless the removal or disturbance is part of normal maintenance under the direction of the County Parks Director *or designees*.

3.4 FIREWOOD COLLECTION

- 3.4.1 Persons engaged in lawful camping activity may collect sufficient firewood *as specified in subsection 3.4.3* for their personal use while camped on county park land, except where otherwise prohibited in this ordinance.
- 3.4.2 No person shall be permitted to remove county park firewood which has been collected for use while camping on county park land, without a valid firewood permit.
- 3.4.3 Firewood shall be collected only from dead and down material that is twelve *inches* (12") ~~inches~~ or less in diameter at its largest point *and twenty-four inches (24") or less in length*. No standing trees, living or

dead, may be *collected from, or* felled for conversion into firewood without a valid firewood permit.

- 3.4.4 No chain saws may be operated within a county park except by express written consent of the Board of Commissioners.

3.5 INTERFERENCE WITH IMPROVEMENTS PROHIBITED/VANDALISM

- 3.5.1 No person shall interfere with, remove, alter or otherwise damage any building, fence, sign, ~~campsite~~ *camp site*, picnic table, fire pit or other improvement within a county park.

3.6 BLASTING PROHIBITED

- 3.6.1 No person shall set or discharge any explosive, within a county park, without a ~~C~~county permit.

3.7 FIREWORKS PROHIBITED

- 3.7.1 The use of all classes of fireworks is prohibited, including the use of sparklers, snakes or other spark or smoke producing articles containing combustible material.

3.8 EXCAVATION PROHIBITED

- 3.8.1 No person shall excavate, remove or otherwise alter any rock, soil, gravel, mineral or other similar substance, within or from a county park except by express written consent of the Board of Commissioners, unless the removal or disturbance is part of normal maintenance under the direction of the County Parks Director *or designees*.
- 3.8.2 No person shall dig up, deface, remove or otherwise alter historical or fossil materials or American Indian artifacts or burials within or from a county park.

3.9 PLACEMENT OF SIGNS AND MARKERS PROHIBITED

- 3.9.1 No person shall erect, alter or otherwise place or remove any sign, marker or plaque within the boundaries of a county park, except at a

designated message center, without the express written consent of the County Parks Department Director or his/her designees and the Board of Commissioners.

3.10 CONCESSIONS PROHIBITED

- 3.10.1 No person shall sell, promote, distribute, circulate, vend or otherwise market any merchandise, coupon, tickets, advertisements or other commercial item within a county park, without having first obtained a permit which has been signed by both the County Parks Department Director or his/her designees and the Board of Commissioners.

3.11 OPERATING A BUSINESS PROHIBITED

- 3.11.1 No person shall operate any business within a county park or use any portion of a county park for business purposes without express written consent of the Board of Commissioners.

3.12 VEHICLES

- 3.12.1 No person shall park or drive a vehicle (including motor vehicles, trailers, bicycles, off road vehicles and other licensed street-legal vehicles) in or upon any area within a county park, except in specifically authorized paved campsite *parking pads*, alleys, roadways or designated parking spots.
- 3.12.2 The County Parks Department may have a vehicle towed at the owner's expense if a vehicle is parked in a fire lane, roadway, entryway, parking area, trail, walkway, pathway or common area that impedes park operations, safety or both; *or if a vehicle is parked in a campsite parking pad without prior reservation, and without required parking pass, permit or receipt displayed appropriately.*
- 3.12.3 Vehicles parked in designated parking spots shall obey all parking regulations, pay any applicable user fee and properly display in plain view all required passes, permits or receipts on the windshield, dash or rear-view mirrors.
- 3.12.4 The Board of Commissioners, by Board Order duly made and entered, may specifically designate certain areas within county parks as "no parking" area or areas where parking is limited as to time of day or days of the week. Vehicles that are parked in violation of an order designating such areas and posted as "no parking" or "limited parking"

are subject to citation and penalties pursuant to this ordinance. *As necessity requires, areas may be temporarily designated as no parking areas by the Parks Director or designees.*

3.12.5 Abandoned vehicles exceeding seventy-two (72) hours or vehicles owned by a person who has been excluded or who is in violation of criminal trespassing may be towed at the owner's expense.

3.12.6 *No person shall bring, or cause to bring, any unregistered or tagged, inoperable or functionally deficient vehicle, boat, recreational vehicle, trailer, fifth wheel, or other equipment into any park property.*

3.12.7 *RVs and vehicles that are towed must be accompanied by an operational tow vehicle.*

3.13 BICYCLES, ROLLER SKATES, SKATEBOARDS AND ROLLER BLADES PROHIBITED

3.13.1 No person shall bicycle, roller skate or roller blade or operate a skateboard on pedestrian walkways in a county park.

3.14 OFF-ROAD VEHICLES, MOTORIZED TRAIL BIKES, MOTORIZED TWO WHEEL SCOOTERS, THREE-WHEELERS AND QUADS PROHIBITED

3.14.1 No person shall operate an off-road vehicle, a motorized trail bike, two (2) wheel scooter, three (3) wheelers or quads within a county park, unless it is licensed and street-legal.

3.15 SPEED LIMITS

3.15.1 Motor vehicles shall not be operated within a county park area at speeds in excess of fifteen (15) miles per hour where not otherwise posted or in excess of the posted maximum.

3.16 METAL DETECTING

3.16.1 The use of metal detectors without a permit is allowed in county parks.

3.16.2 All turf, dirt, etc. must be left in the original condition after digging.

- 3.16.3 All articles found in county parks having a value of over One Hundred Dollars (\$100) Dollars must be turned over to the County Parks Director and/or Park Manager.
- 3.16.4 The driving of motor vehicles to the digging site outside of designated traffic roadways is prohibited.
- 3.16.5 The probing and digging for an item is limited to the use of an ice pick, screwdriver or small knife. The use of larger digging tools is prohibited.
- 3.16.6 If you find an item of possible historic or cultural significance, leave the item where you found it. Please contact county park staff immediately.

3.17 ANIMALS

- 3.17.1 No person shall allow a dog, cat, livestock or exotic animal within a county park, unless such animal is confined within a vehicle or is kept upon a leash, not to exceed six feet (6') feet in length and is kept under physical control at all times.
- 3.17.2 County park employees may seize any domestic animal running at large in a county park area or left unattended in a campsite and release the animal to an animal pound or animal control officer.
- 3.17.3 No person shall feed or make permanent or temporary shelter for feral or domestic animals in county park facilities.
- 3.17.4 No person shall molest, injure or kill any bird, mammal or other animal within county parks, except for necessary vector and vermin control as authorized by the Board of Commissioners.
- 3.17.5 No person shall disturb, destroy or otherwise interfere with animal nesting, breeding, feeding or resting sites within county parks, except for scientific purposes as authorized in writing by the County Parks Director and the Oregon Department of Fish and Wildlife.

3.18 ANIMALS PROHIBITED

- 3.18.1 No animals other than seeing-eye dogs or hearing-ear dogs shall be allowed in any building or structure.

3.19 ANIMAL WASTE REMOVAL

- 3.19.1 The owner or person having care and control of any dog, cat, livestock or exotic animal which defecates within a county park shall immediately pick up and dispose of such feces by placing the feces within a solid waste receptacle.

3.20 HORSES PROHIBITED

- 3.20.1 Except as otherwise allowed by Tillamook County Ordinance #42, or as otherwise permitted by the county at Anderson Hill County Park and Pacific City Boat Launch parking lot for accessing Bob Straub State Park, no person shall ride, drive, lead or keep a horse or horses within a county park or allow a horse or horses to forage, graze or run at large within a county park, except in a designated horse camp, or by permit of Tillamook County.
- 3.20.2 No person shall allow a horse to be tethered or hitched to any plant or to any park improvement not specifically designed for hitching or tethering.

3.21 PUBLIC ADDRESS SYSTEMS

- 3.21.1 No person shall operate or otherwise utilize a public address system, sound amplification system, electrical musical instrument or other electrically powered amplification system within a county park, without the prior approval of the County Parks Director *or designees*.

3.22 PERSONAL MUSIC SYSTEMS

- 3.22.1 Notwithstanding Section 3.20 and 3.22 of this ordinance, personal music systems and instruments are permitted within county parks, provided that the use of such systems and instruments do not substantially interfere with the enjoyment of county parks by other members of the public. Personal music systems and instruments shall not be operated between the hours of 10 p.m. and 7 a.m.

3.23 SOUND SYSTEM AMPLIFICATION

- 3.23.1 A person commits the offense of causing unreasonable sound amplification from a vehicle if the person operates or permits the operation of any sound amplification system which is plainly audible outside of a vehicle from fifty (50) or more feet when the vehicle is within a county park, *or substantially interferes with the enjoyment of county parks by other members of the public*, unless that system is being operated to request assistance or warn of a hazardous situation.

This section does not apply to: Emergency vehicles as defined in ORS 801.260; vehicles operated by utilities defined under ORS 757.005, 758.505 or 759.005; audio alarm systems installed in vehicles; and Federal Communications Commission licensed two (2) way radio communications systems.

3.24 SMOKING

- 3.24.1 Smoking shall be prohibited in all enclosed public places within county parks facilities, including but not limited to the following places:

- 3.24.1.1 Restrooms, showers, *community shelter*, and any other enclosed common use areas;
- 3.24.1.2 *Fee booths*, *Service lines* or within ten *feet* (10') feet of a service line.
- 3.24.1.3 Cabins, *mobile mini cabins*, *yurts*, or tee-pees.

3.25 CAMPING LIMIT; CLOSURES

- 3.25.1 No person shall camp or otherwise use county parks for any period of more than fourteen (14) days in any twenty-eight (28) day period. No person shall camp in any campsite or other area within a county park designated as NO CAMPING when determined by the County Parks ~~Department~~ *Director or designees* that closure is needed.

- 3.25.2 Barview County Park

Notwithstanding Section 3.24, for use of Barview County Park September 1 through May 15, a twenty-eight (28) day stay shall be allowed in those sites where a combination of water, sewer and electrical services are provided.

- 3.25.3 No person shall occupy or otherwise use a campsite or other county park area for camping unless the campsite has been designated for camping by the County Parks Director *or designees*.
- 3.25.4 More than one (1) vehicle may be authorized to occupy an individual campsite when, in the judgment of the County Parks Director or ~~his~~*her* designees, such use will not impair the health and safety of the visitors or be detrimental to the park resources. Occupation of an individual campsite shall not exceed either by number of people, number of vehicles or number of sleeping quarters, the posted campsite use capacity limitations.
- 3.25.5 Campsite party size shall be limited to a maximum of eight (8) individuals. However, the County Parks Director *or designees* may authorize a *greater* number or restrict to a lesser number when warranted by conditions such as campsite size.
- 3.25.6 During quiet hours (10:00 p.m. to 7:00 a.m.), all persons within county parks shall respect the rights of campers to peace and quiet. Noise levels shall be reduced during quiet hours and other hours when such noise levels are disturbing campers.
- 3.25.7 Temporary entry permits may be issued to non-camping visitors when such entry will not disrupt the operation of the campground and safety of the county park visitors.
- 3.25.8 County park visitors in the campground between the hours of 10:00 p.m. and 7:00 a.m. are subject to payment of overnight camping fees and charges.

3.26 MINORS USING COUNTY PARKS

- 3.26.1 Persons under the age of eighteen (18) years shall not camp or otherwise use county park facilities between the hours of 10:00 p.m. and sunrise, unless they are accompanied by their parent, guardian or designated chaperon (who shall be eighteen [18] years of age or older and have written consent from the parent or guardian) or are registered into the park by their parent or guardian. The registration process shall include the number of persons in the campsite, the names and addresses of the campers and the telephone number of the parents or guardians. County park employees may require prospective campers and park users to provide proof of age.
- 3.26.2 *A person must be 18 years of age or older to reserve and register for campsites, cabins, yurts, and other overnight facilities in parks areas. The registered camper shall be responsible for the activities of all users of the site.*

3.27 FEES AND CHARGES

- 3.27.1 The Board of Commissioners, by Board Order, shall set fees to be charged in County Parks.
- 3.27.2 Established fees and charges shall be paid for use of overnight camping sites and other facilities and services as designated by Board Order.
- 3.27.3 Unless posted otherwise, payment shall be made prior to use
- 3.27.4 Upon providing proper and current Oregon Department of Human Resources identification, Tillamook County foster parents described in ORS 243.149, are exempt from individual campsite fees and day use charges when accompanied by their foster children.

3.28 RESERVATION POLICY

- 3.28.1 One hundred *percent* (100%) ~~percent~~ of all campsites are reservable.

3.29 RESERVATION FEE POLICY

- 3.29.1 A non-refundable ~~service transaction fee of Five (\$5) Dollars will be charged for each reservation. Exact fee amounts will be detailed on the department's website which is available seven days a week, 24 hours a day. Fees may vary based on costs incurred by the department for reservation services. plus the base rate for the first night will be charged for providing a campsite reservation.~~
- 3.29.2 *Reservations require a deposit equal to the full amount charged for the use of the facility during the reservation period.*
- 3.29.3 *All fees are due at the time the reservation is made.*

3.30 RESERVATION PERIODS

- 3.30.1 *Reservations may be available at Tillamook County Parks Campgrounds are available year-round or as determined by the Parks Director. at Barview Jetty County Campground, Trask River County Campground, Webb County Campground and only during the summer at Whalen Island County Campground, Kilchis River County Campground and Woods County Campground. Reservations may be*

made nine (9) months in advance *unless otherwise stipulated by the Parks Director or designees.*

3.31 RESERVATION CANCELLATION AND REFUND POLICY

- ~~3.31.1~~ If the notice of cancellation is received more than seventy-two (72) hours prior to 1:30 p.m. on the beginning day of the reservation, the first day's deposit will be refunded in full. *In order to receive a refund of all use fees, minus the non-refundable transaction fee, a person must cancel the reservation for individual campsites, cabins, yurts, or other facilities three (3) or more days prior to the arrival date.*
- ~~3.31.2~~ If the notice of cancellation is received less than seventy-two (72) hours prior to 1:30 p.m. on the beginning day of the reservations, the first day's deposit, less a Five (\$5) Dollar late charge, will be refunded. *If the cancellation is received less than three (3) days prior to the arrival date, a fee equal to one overnight rental fee for individual campsites, cabins, yurts, or other facilities will be forfeited in addition to the non-refundable transaction fee.*
- ~~3.31.3~~ If the notice of cancellation is received after the check-in time of 1:30 p.m. on the beginning day of the reservation, the first day's deposit will not be refunded.
- ~~3.31.4~~ ~~3.31.3~~ If a cancellation notice is not received and there is no arrival by 1:00 p.m. of the day following the beginning reservation date, the campsite will be removed from the reserved status. *Customers who do not check in at the park or notify park staff that they will be delayed prior to 1:00 p.m. of the second day of the reservation will be considered a "no show" and the entire reservation will be cancelled. The first night fee and any transaction fees previously collected for the reservation will be retained. Any remaining nightly fees paid to confirm the reservation will be refunded.*
- ~~3.31.5~~ In any case, all second and ensuing day(s) reservation deposit(s), if not used, will be refunded less the Five Dollar (\$5) Dollar service fee.
- ~~3.31.6~~ ~~3.31.4~~ If paid by credit card, refunds will be credited to your *the credit card account used at the time the reservation was made.* prior to departure from the county park. If paid by cash or check, a rain check voucher will be credited to the registrant's account on the County Parks reservation system issued by the County Parks Department within two (2) weeks from departure and/or cancellation date.

3.32 RULES FOR CABINS, YURTS, AND TEE-PEES, AND SHELTERS

- 3.32.1 No person shall cook, prepare food, use a camp stove or build a fire *inside or on a porch or deck of any cabin, yurt, or tee-pee, or shelter* on county park land.
- 3.32.2 *Smoking is not allowed inside or within 20 feet of any cabin, yurt, teepee, shelter, or any other Parks structure.*
- 3.32.3 *Pets are allowed only in specified cabins, yurts, tee-pees, or shelters. Pets may not be left unattended at any time. No more than two (2) pets are allowed per facility (cabin, yurt, tee-pee, or shelter). Pets staying overnight will be charged Eleven Dollars (\$11) per pet per night per facility.*
- 3.32.4 *Individuals must be at least eighteen (18) years of age to reserve a cabin, yurt, tee-pee or shelter. Minor individuals under the age of eighteen (18) cannot be left unattended in any facility (cabin, yurt, tee-pee or shelter).*
- 3.32.5 *No tents, trailers, RVs or vehicles allowed inside the cabin courtyard area or next to cabins.*
- 3.32.6 *Furniture must remain inside cabins, yurts, tee-pees and shelters.*

3.33 RULES FOR UNDESIGNATED CAMPING AREAS

- 3.33.1 For undesignated camping areas, no person shall:
 - 3.33.1.1 Camp longer than fourteen (14) days out of any twenty-eight (28) day period or the period of time permitted by the County Parks Director;
 - 3.33.1.2 Camp within twenty-five *feet* (25') feet of any body of water.

3.34 PUBLIC GATHERINGS; DAY USE

- 3.34.1 No person shall congregate with or participate in activities with other persons in numbers exceeding twenty (20) persons within county parks without the prior approval of the County Parks Director or ~~his/her~~ designees.
- 3.34.2 Such use shall not be denied if the proposed group activity will not be, in the opinion of the County Parks Director *or designees*, an undue burden upon natural resources, sanitation facilities, vehicle parking, crowd control, noise control, police and fire protection, the public's interest in protecting park resources and public safety.

- 3.34.3 Conventions, concerts, rallies, parades, group picnics, group camping and other public gatherings and events shall be permitted only by prior written approval (permit) of the County Parks Department, which may impose reasonable conditions for the issuance of such permits.
- 3.34.4 In overnight campgrounds, day use activities shall cease at 8:00 p.m. daily.
- 3.34.5 Day use patrons will be permitted a fifteen (15) minute grace period upon entering a county park prior to a day use fee being charged.

3.35 PERSONAL PROPERTY

- 3.35.1 No personal property shall be unattended longer than *one (1) ~~four (4)~~* days. Personal property left unattended longer than *one (1) ~~four (4)~~* days, without permission of the County Parks Director *or designees*, shall be removed and shall be disposed of as provided by law.
- 3.35.2 Leaving personal property unattended will be considered camping for the purposes of determining the length of stay. *All camping must have a prior reservation and a defined date of departure before personal property is brought into a camping area.*
- 3.35.3 *A person may not leave personal property or possessions overnight in a day use area without written permission from the Parks Director or designee.*

3.36 FISH CLEANING; DISPOSAL OF WASTE

- 3.36.1 No person shall clean fish within county parks, except within the confines of designated fish cleaning facilities.
- 3.36.2 No person shall dispose of fish or shellfish offal, bait or fish carcasses within county parks, except within the confines of designated fish cleaning facilities. *Fish carcasses, shellfish offal, bait, or other fishing waste must be bagged prior to disposal at designated fish cleaning facilities.*

3.37 SOLID WASTE

- 3.37.1 No person shall place or dispose of any solid waste, as defined in the Tillamook County Solid Waste Ordinance and by state law, in any county parks solid waste container or receptacle, except:

- 3.37.1.1 Solid waste that has been created within county parks by park users; and
- 3.37.1.2 Solid waste created incidentally within vehicles in the course of travel upon public highways.
- 3.37.2 No person shall dispose within a county park:
 - 3.37.2.1 Any cans, bottles and other non-flammable trash and garbage except in designated places or receptacles.
 - 3.37.2.2 Flammable trash or garbage except by ~~burning in authorized fires or~~ disposal in designated places or receptacles.
 - 3.37.2.3 Any household, commercial or industrial refuse or waste brought as such from private or municipal property, including but not limited to automobiles, household appliances and furnishings.
- 3.37.3 No person shall retrieve materials that may be recycled for cash redemption within a County Park except by express written consent of the County Parks Director *or designees*.
- 3.37.4 *A person shall in no manner cause any rubbish, garbage, refuse, organic or inorganic waste, diseased or dead animals, or other offensive matter or any abandoned property or material to be placed or left at a park property, except for:*
 - 3.37.4.1 *Recreational vehicle sewage and gray water holding tank contents that are disposed of in designated dump stations;*
 - 3.37.4.2 *Garbage, trash, and recyclables generated while using a park property and disposed of in the designated containers provided.*

3.38 SANITATION

- 3.38.1 On all county park lands, no person shall, unless otherwise authorized:
 - 3.38.1.1 Drain sewage or petroleum products or dump refuse or waste wash water except in places or receptacles provided for that purpose.
 - 3.38.1.2 Pollute or contaminate water supplies or water used for human consumption.
 - 3.38.1.3 Use a refuse container or disposal facility for any purpose other than for which it is supplied.
 - 3.38.1.4 Bathe or wash any clothing, dishware, cookware or other materials in any lake, stream, river or other body of water on county parks lands.

- 3.38.1.5 ~~Deposit human waste within one hundred feet (100')~~ feet of any ~~campsite, trail or body of water~~. ~~Human waste shall be disposed of by burying to a depth of at least six inches (6") inches.~~ *All persons shall use either an approved portable toilet, which includes the use of human waste bags, or developed toilet facility to contain all human solid waste.*
- 3.38.1.6 Dispose of human waste except in those facilities where toilet or sewage facilities are provided. *No person shall leave, deposit, or scatter human waste, toilet paper, or items used as toilet paper on the ground on Parks property.*

3.39 ALCOHOLIC BEVERAGES CONTAINERS

- 3.39.1 No person shall possess or use any single alcoholic beverage container in excess of one half (1/2) gallon within county parks, except by permit of Tillamook County.
- 3.39.2 Any County Parks Department employee or law enforcement officer may seize any unlawful alcoholic beverage container or any alcoholic beverage and alcoholic beverage container in the possession of a minor, within county parks.

3.40 BOAT LAUNCHES, MOORAGES AND PARKING LOTS

- 3.40.1 No person shall be permitted to dock at floats for more than ten (10) minutes.
- 3.40.2 No person shall be permitted to remove logs from waterways via boat ramps or parking lots except by express written consent of the Board of Commissioners, unless the removal or disturbance is part of normal maintenance under the direction of the County Parks Director *or designees*.
- 3.40.3 No person shall be permitted to fish, scuba drive, swim or dive from boat launches, boarding floats or moorages operated by the County Parks Department.
- 3.40.4 No person shall be permitted to repair vehicles, boats, vessels or trailers in county park parking lots.

3.41 INTERFERENCE WITH PARK EMPLOYEES

- 3.41.1 No person shall obstruct, harass or interfere with the official duties of the County Parks Director, Park Manager or county park employees.

3.42 PENALTIES

- 3.42.1 The offenses in Section 3 of this ordinance are declared to be violations, within the maximum penalty of Seven Hundred Twenty Dollars (\$720) Dollars in fines. For each of these offenses there is an established a schedule for bail as set forth on the attached Exhibit A, incorporated here by reference.

Section 4 ENFORCEMENT

- 4.1 Any ~~police enforcement officer, Tillamook County Deputy Sheriff, or County Parks Department employee~~ *designated to conduct enforcement activities, or contracted service provider operating under an agreement with Tillamook County to conduct enforcement activities, who is a Tillamook County Deputy Sheriff,* upon determining that any of the above violations has occurred, may:

4.1.1 Issue the person charged with such violation, a summons and complaint to appear in the Tillamook County Justice Court to answer such complaint, and

4.1.2 Expel the person or persons from the county park.

- 4.2 For the purposes of this ordinance, *any enforcement officer, including County Parks Department employees designated to conduct enforcement activities, or a contracted service provider operating under an agreement with Tillamook County to conduct enforcement activities,* shall have those powers and authority of "persons specifically authorized" to enforce infractions as set forth in Oregon Revised Statutes Chapter 153.

- 4.3 Tillamook County ~~County~~ Counsel shall act as the prosecuting attorney for the county for prosecuting violations of this ordinance.

- 4.4 The Tillamook County Sheriff may appoint special Deputy Sheriffs to enforce this ordinance and related County Ordinances.

4.5 FINES AND RESTITUTION

- 4.5.1 All fines for violations under this ordinance shall be deposited into the County Parks Department special revenue fund.

Section 5 COUNTY AUTHORIZATION

5.1 The Board of Commissioners may, by written authorization, authorize an act which would otherwise be a violation of this ordinance.

Section 6 SEVERABILITY

6.1 If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or unlawful, such decision shall not affect the remaining portions of this ordinance. The Board of Commissioners hereby declares that it would have passed each phrase thereof, irrespective of the fact that any one (1) or more of such provisions be declared unconstitutional or unlawful.

Section 7 REPEAL

7.1 Tillamook County Ordinance #36, dated October 15, 1996 be and is hereby repealed.

7.2 Tillamook County Ordinance #33, dated November 20, 1985 and Amendment #1, dated July 20, 1988 be and are hereby repealed.

7.3 Tillamook County Order Nos. Order 96-054 dated May 23, 1996; Order 98-068 dated July 1, 1998; Order 02-054 dated May 1, 2002 and Order 07-119 dated October 31, 2007 be and are hereby repealed.

Section 8 DECLARATION OF EMERGENCY

8.1 The Board of Commissioners finds that this ordinance is immediately necessary for the County Parks Department operations due to the fact that the campgrounds are open year round and that this ordinance is necessary for the health, safety and general welfare of the public. Therefore, the Board of Commissioners declares that an emergency exists and this ordinance amendment shall take effect immediately upon passage.


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Date of First Reading: June 8, 2022
Date of Second Reading: June 22, 2022

DATED this 22nd day of June, 2022.

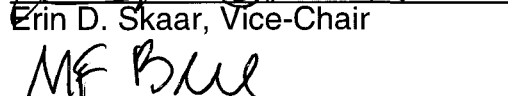
BOARD OF COUNTY COMMISSIONERS
FOR TILLAMOOK COUNTY, OREGON



David Yamamoto, Chair






Erin D. Skaar, Vice-Chair



Mary Faith Bell, Commissioner

Aye Nay Abstain/Absent

	_____	_____	_____ / _____
	_____	_____	_____ / _____
	_____	_____	_____ / _____

ATTEST: Tassi O'Neil, County Clerk

By: 

Special Deputy

APPROVED AS TO FORM:



William K Sargent, County Counsel

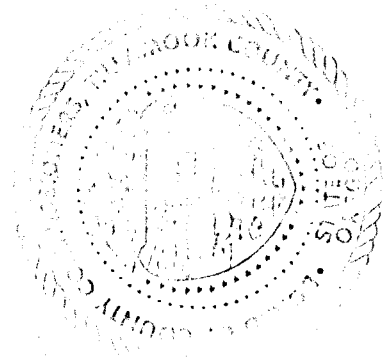


EXHIBIT 'A'
BAIL SCHEDULE

SECTION	DESCRIPTION	BAIL
3.1	Fires	\$720
3.2	Discharge of a Firearms Prohibited and Other Devices	\$720
3.3	Disturbance of Flora and Fauna	\$360
3.4	Firewood Collection	\$360
3.5	Interference with Improvement Prohibited/Vandalism	
	a) Damage less than \$150	\$360
	b) Damage more than \$150	\$720
3.6	Blasting Prohibited	\$720
3.7	Fireworks Prohibited	\$360
3.8	Excavation Prohibited	\$360
3.9	Placement of Signs and Markers Prohibited	\$360
3.10	Concessions Prohibited	\$360
3.11	Operating a Business Prohibited	\$360
3.12	Vehicles	\$180
3.13	Bicycles, Roller Skates, Skateboards and Roller Blades Prohibited	\$180
3.14	Off Road Vehicles, Motorized Trail Bikes, Motorized Two-Wheel Scooters, Three Wheelers or Quads Prohibited	\$360
3.15	Speed Limits	\$360
3.16	Metal Detecting	\$180
3.17	Animals	\$180
3.18	Animals Prohibited	\$90
3.18	Animal Waste Removal	\$90
3.20	Horse Prohibited	\$90
3.21	Public Address System	\$90
3.22	Personal Music System	\$90
3.23	Sound System Amplification	\$90
3.24	Smoking	\$90
3.25	Camping limit; Closures	\$180
3.27	Fees and Charges	\$90
3.32	Rules for Cabins and Tee-Pees	\$360

3.33	Rules for Camping in Undesignated Camping Areas	\$90
3.34	Public Gatherings: Day Use	\$90
3.35	Personal Property	\$90
3.36	Fish Cleaning: Disposal of Waste	\$90
3.37	Solid Waste	\$720
3.38	Sanitation	\$360
3.39	Alcoholic Beverages Containers	\$360
3.41	Interference with Park Employees	\$360
Other vehicle bails to be taken from Oregon Vehicle Bail Schedule		