

TITLE 6
PUBLIC PROPERTY —
ACQUISITION, DISPOSITION, AND MAINTENANCE

CHAPTER 610
FOREST-PARK SYSTEM CODE

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I. GENERAL PROVISIONS

610.005 Title

This Chapter, LCC 610.005 to LCC 610.900, shall be known and may be cited as the “Linn County Forest-Park System Code” or simply as the “Forest-Park System Code.”

[Adopted 99-058 §5 eff 3/3/99]

610.010 Definitions

As used in this Chapter:

(A) “**Board**” means the Linn County Board of Commissioners.

(B) “**Camping area,**” “**campground site,**” “**camp site,**” or “**campgrounds,**” or any similar term, means an area designated or otherwise authorized for the overnight use of property in the forest-park system.

(C) “**Camp unit**” means a recreational vehicle (RV), including but not limited to a slide in camper, a travel trailer, a motor home, or a camping van.

(D) “**Checkout time**” means the time at which an overnight permit ceases to be valid.

(E) “**County**” means Linn County.

(F) **“Dawn”** means 30 minutes before local sunrise.

(G) **“Director”** means the County Parks and Recreation Director and any employee or designee thereof.

(H) **“Department”** means the County Parks and Recreation department.

(I) **“Dusk”** means 30 minutes after local sunset.

(J) **“Evacuate”** means the removal of any or all persons from the Linn County Forest Park system to protect the health, safety, or welfare of those persons; for example, but not limited to, flooding, fire, or dangerous weather.

(K) **“Exclusion”** or **“Exclude”** means to prevent admittance or not allow a person entry onto properties in the Linn County Forest-Park system within a season, because that person has violated the provisions of LCC 610.610.

(L) **“Expulsion, or “Expelled”** means to require a person to leave any property in the Linn County Forest-Park system because the person has violated the provisions of LCC 610.610.

(M) **“Linn County public park”** or **“public park”** means any of the areas listed in LCC 610.550. The term includes any campgrounds or recreation sites therein.

(N) **“Linn County forest”** or **“forest”** means any of the areas listed in LCC 610.570.

(O) **“Linn County recreation area”** or **“recreation area”** means any of the areas listed in LCC 610.560.

(P) **“Linn County forest-park system”** or **“forest-park system”** means:

- (1) Linn County public parks;
- (2) Linn County forests;
- (3) Linn County recreation areas; and
- (4) County managed recreation areas.

(Q) **“Managed recreation areas”** or **“County managed recreation areas”** means any areas not otherwise defined in this code, but for which Linn County is responsible to maintain and/or administer for recreational use by the public.

(R) **“Permit”** means a document issued by, and conforming to the administrative procedures

established by the Parks and Recreation Department conveying authorization to conduct a specific activity within the forest-park system.

(S) **“Quiet hours”** means that period of time between 10:00 pm local time to 7:00 am local time.

(T) **“Real property”** includes, in addition to the land, such things as improvements and timber resources thereon and all other natural resources.

(U) **“Recreational purposes”** includes, but is not limited to, outdoor activities such as hunting, fishing, swimming, boating, camping, picnicking, hiking, nature study, outdoor educational activities, water sports, field games and sports, winter sports, viewing or enjoying historical, archaeological, scenic or scientific sites or volunteering for any public purpose project.

(V) **“Season”** means that period during the year beginning 12:00 midnight local time April 30 and ending 11:59 am local time October 1.

[Adopted 99-058 §5 eff 3/3/99; amd 04-231 §1 eff 6/15/04; amd 11-170 §1 eff 5/25/11; amd 2013-084 §1 eff 3/13/2013; amd 2015-162 §1 eff 5/20/2015; amd 2015-311 §1 eff 12/22/2015]

II. LINN COUNTY FOREST-PARK SYSTEM CODE

610.100 Title

This Subchapter, LCC 610.100 to LCC 610.499, shall be known and may be cited as the “Linn County Forest-Parks Management Code” or simply as the “Forest-Parks Management Code .”

[Adopted 89-212 §1 eff 5/24/89; amd 99-058 §5 eff 3/3/99; amd 04-231 §1 eff 6/15/04]

610.110 Authorization

This Subchapter is enacted pursuant:

(A) to general authority granted to county governing bodies in ORS 203.035 to exercise authority within the county over matters of county concern; and

(B) to specific authority granted in ORS 275.320 to 275.370 (County Forests and Parks).

[Adopted 89-212 §2 eff 5/24/89; amd 99-058 §5 eff 3/3/99; amd 04-231 §1 eff 6/15/04]

610.120 Purpose

The purpose of LCC 610.100 to LCC 610.499 is to promote the health and welfare of the citizens of Linn County by providing a means to fund the management, operation, and acquisition of a system of county forests, public parks, and recreation areas.

[Adopted 89-212 §3 eff 5/24/89; amd 99-058 §5 eff 3/3/99; amd 04-231 §1 eff6/15/04]

610.200 Forest-Park system created

(A) There is hereby created a Linn County forest-park system, to consist of lands owned or leased by the County and designated by this Chapter, or hereafter designated by order of the Board.

(B) Each real property designated for inclusion in the Forest-park system shall be designated as a county forest, park, or recreation area.

[Adopted 89-212 §5 eff 5/24/89; amd 99-058 §5 eff 3/3/99; amd 04-231 §1 eff6/15/04]

610.250 Management of the Forest-Park System

(A) *Authority of Director.* Subject to review by the Board, the Director has the sole and final authority for interpreting and applying this Chapter, including but not limited to development of policies and procedures necessary for the implementation of this Chapter, as deemed in the best interests of the County.

(B) *County forests.* Real property designated as a county forest shall be managed for production of forest products or mineral resources. A county forest may not be used for recreational uses without prior authorization.

(C) *County parks.* Real property designated as a county public park shall be managed for recreational use.

(D) *County recreation area.* Real property designated as a county recreation area shall be managed for recreational purposes and for the production and sale of forest products and mineral resources.

(E) The county forest-park system is subject to the rules and regulations set out at LCC 610.500 and LCC 610.800.

[Adopted 89-212 §6 eff 5/24/89; amd 99-058 §5 eff 3/3/99; amd 04-231 §1 eff6/15/04; amd 2015-162 §1 eff 5/20/2015]

610.300 County Parks; designated

The areas described in LCC 610.550 are hereby designated as County public parks and included in the county forest-park system.

[Adopted 89-212 §7 eff 5/24/89; amd 99-058 §5 eff 3/3/99; amd 04-231 §1 eff6/15/04]

610.310 County recreation areas; designated

The areas described in LCC 610.560 are hereby designated as county recreation areas and included in the county forest-park system.

[Adopted 99-058 §5 eff 3/3/99; amd 04-231 §1 eff6/15/04]

610.320 County forests; designated

The areas described in LCC 610.570 are hereby designated as County forests and included in the county forest-park system.

[Adopted 99-058 §5 eff 3/3/99; amd 04-231 §1 eff6/15/04]

610.350 Additional designations

The Board of County Commissioners may, from time to time, by order, designate additional real property as part of the county forest-park system.

[Adopted 89-212 §8 eff 5/24/89]

610.400 Control of the forest-park system

(A) All real property designated by this Chapter, or by subsequent order as part of the Linn County forest-park system shall be under the control and management of the Director.

(B) The Director may close all or any portion of any property in the county forest-park system to public presence or restrict in any manner any uses on such property when in the discretion of the Director the public may be endangered by use or presence on such property.

[Adopted 89-212 §9 eff 5/24/89; amd 99-058 §5 eff 3/3/99; amd 04-231 §1 eff6/15/04]

610.450 Forest-Park System Fund

(A) There shall be established a separate county fund, kept by the County Treasurer, to be known as the Forest-Park System Fund.

(B) All proceeds from the sale of land and from the sale of timber products or mineral resources from lands included in the Forest-park

system shall be placed in the Forest-Park System Fund. Monies in said fund may be invested in accordance with the County Investment Policy, and earnings thereon shall be credited to the Forest-Park System Fund.

(C) All proceeds from the sale of land in the forest-park system, pursuant to ORS 275.330 (2), shall be held for maintenance and improvement of existing park and recreation lands or future acquisition of lands to be set aside for park or recreation purposes.

(D) The Forest-Park System Fund shall be used only to pay the expense of administering the Fund, and for administering, operating or acquiring property for the Forest-park system, or for development of and operating the County Park system.

[Adopted 89-212 §10 eff 7/1/89; amd 99-058 §5 eff 3/3/99; amd 04-231 §1 eff6/15/04; amd 2013-084 §1 eff 3/13/2013]

610.470 Linn County Park and Recreation Commission

(A) The Board may by order establish a body or appoint a person and delegate to such body or person powers to implement all or any portion of the procedures and policies set forth in this chapter.

(B) The Board by order dated October 20, 1959, created the Linn County Parks and Recreation Committee. On December 5, 1961, the Board by order amended the authority of the committee to have the privileges of a commission, thereafter renamed as the Linn County Parks and Recreation Commission (Commission). By order dated April 22, 1970, the Board limited the authority of the commission to merely an advisory role.

(C) The Commission shall be composed of members as the Board by order may elect. Such members serve at the pleasure of the Board.

(D) The Commission has authority to review policies regarding the forest-park system, make recommendations on management and operation of the forest-park system to the Board, and such other authority as the Board may designate.

[Adopted 99-058 §5 eff 3/3/99; amd 04-231 §1 eff6/15/04]

[610.471 to 610.499 is reserved for future use]

III. LINN COUNTY PARK AND RECREATION CODE

610.500 Title

This Subchapter, LCC 610.500 to 610.900, shall be known and may be cited as the “Linn County Park and Recreation Code” or simply as the “Park and Recreation Code.”

[Adopted 82-178 §1 5/26/82; amd 99-058 §5 eff 3/3/99]

610.510 Authorization

LCC 610.500 to 610.900 is enacted pursuant to ORS 203.035, authorizing County governing bodies to exercise authority within the County over matters of County concern.

[Adopted 82-178 §2 eff 5/26/82; amd 04-231 §1 eff6/15/04]

610.520 Purpose

The purposes of LCC 610.500 to 610.900 is:

(A) to promote the health and welfare of the citizens of County by providing a means to efficiently operate a system of county forests, public parks, and recreation areas; and

(B) to provide within those county forests, public parks, and recreation areas aesthetic, wholesome, safe and healthy conditions.

[Adopted 82-178 §3 eff 5/26/82; amd 04-231 §1 eff6/15/04]

610.540 Application

The provisions of LCC 610.500 to 610.900 apply within the exterior boundaries of any:

(A) County public park;

(B) County recreation area;

(C) County forest, if recreational uses have been authorized in that forest; and

(D) County managed recreation areas.

[Adopted 82-178 §4 eff 5/26/82; amd 86-252 §1 eff 6/5/86; amd 99-058 §5 eff 3/3/99; amd 04-231 §1 eff6/15/04; amd 2015-162 §1 eff 5/20/2015]

610.550 County public parks

The following are County public parks (more particularly described in Appendix 1):

(A) Crawfordsville Covered Bridge Public Park;

(B) Edgewater RV Park and Marina;

(C) Freeway Lakes Public Park;

(D) Gedney Creek Ramp Public Park;

- (E) John Neal Memorial Public Park
- (F) Larwood Wayside Public Park;
- (G) Lewis Creek Public Park;
- (H) McClun Wayside Public Park;
- (I) Peoria Public Park;
- (J) Roaring River Public Park;
- (K) Stayton Bridge Boat Ramp Public Park;
- (L) Sunnyside Public Park;
- (M) Thistle Creek Ramp Public Park;
- (N) Waterloo Public Park;
- (O) Whitcomb Creek Public Park;
- (P) River Bend Public Park;
- (Q) Calkins Park Ramp Public Park;
- (R) Clear Lake Resort Public Park; and
- (S) Any property proposed or under consideration to be set aside by the Board as a county public park.

[Adopted 99-058 §5 eff 3/3/99; amd 04-231 §1 eff6/15/04; amd 11-170 §1 eff 5/25/11; amd 2013-084 §1 eff 3/13/2013; amd 2015-162 §1 eff 5/20/2015]

610.560 County recreation areas

The following are County recreation areas (more particularly described in Appendix 2):

- (A) McCartney Recreation Area;
- (B) McDowell Creek Falls Recreation Area;
- (C) McKercher Recreation Area;
- (D) North Santiam Recreation Area;
- (E) South Harrisburg Recreation Area;
- (F) South Stayton Recreation Area; and
- (G) Any property proposed or under consideration to be set aside by the Board as a county recreation area.

[Adopted 99-058 §5 eff 3/3/99; amd 04-231 §1 eff6/15/04; amd 2013-084 §1 eff 3/13/2013; amd 2015-162 §1 eff 5/20/2015]

610.570 County forests

The following are County forests (more particularly described in Appendix 3):

- (A) Forest Tract #1;
- (B) Forest Tract #2; and
- (C) Any property proposed or under consideration to be set aside by the Board as a county forest.

[Adopted 99-058 §5 eff 3/3/99; amd 04-231 §1 eff6/15/04; amd 2013-084 §1 eff 3/13/2013; amd 2015-162 §1 eff 5/20/2015]

610.600 Rules and regulations applicable

(A) The Director or any law enforcement officer has the authority to order any person to immediately vacate any property in the Linn County forest-park system when the Director or law enforcement officer has reasonable cause to suspect that the person has or is violating any regulation in LCC 610.610.

(B) It shall be unlawful for any person, firm or corporation, in or upon any county forest, public park, or recreation area to violate any provision of LCC 610.610.

(C) A person prohibited from doing any act in LCC 610.610 includes the prohibition of allowing or permitting another person under that person's control or of encouraging any other person to commit the same prohibited conduct.

(D) The inclusion of county forests in the properties subject to the prohibitions set forth in LCC 610.610 does not permit authorization for a person to use a County forest in a recreational manner.

(E) Any person who violates any provision of LCC 610.610 may be cited and prosecuted pursuant to LCC Chapter 240 (Enforcement Code).

(F) Any remedy utilized in enforcing this Chapter shall not exclude, and may be combined with, any other remedy available under law.

[Adopted 82-178 §5 eff 5/26/82; amd 86-252 §1 eff 6/5/86; amd 88-536 §8 eff 10/12/88; amd 91-499 §1 eff 8/14/91; amd 96-348 §1 eff 5/15/96; amd 99-058 §5 eff 3/3/99; amd 04-231 §1 eff6/15/04; amd 11-170 §1 eff 5/25/11; amd 2013-084 §1 eff 3/13/2013; amd 2015-162 §1 eff 5/20/2015]

610.610 Forest-park regulations

(A) *Permits and payment of fees*

(1) The permit fee paid by a person who has been ordered to leave a property in the forest-park system due to violating a park rule, is subject to forfeiture by the Director.

(2) No person shall camp overnight, except in areas specifically designated as public campgrounds.

(3) No person shall park a pickup-mounted or truck-mounted camper, camp trailer or motor home, or pitch tents, or use camping equipment in places other than those provided and

designated for such purposes unless the person has obtained a permit authorizing such use.

(4) No person shall operate a concession, either fixed or mobile, solicit, sell or offer for sale, peddle, hawk, or vend any goods, wares, merchandise, foods, liquids, or services without written permission from the Director.

(5) The person registering for a campsite is responsible for adhering to all regulations of this Chapter affecting the campsite and for any violation of this Chapter with reference to the use or condition of the campsite occurring, during, or as a result of, occupancy under the permit, but this shall not be construed as a defense for any other person who actually caused or participated in causing the violation.

(6) No person shall occupy or use any area for which a permit is required without first obtaining a permit to occupy or use that area for the time of use.

(7) No person shall occupy any single campsite with more than eight persons. All tents and camping equipment must fit within the campsite. Director reserves the right to define the boundary area of a campsite.

(8) No person shall allow more vehicles or camp units in that person's campsite than is authorized on that person's permit. The Director reserved the right to define the number of vehicles or camp units appropriate for any individual campsite. One camp unit is allowed per campsite.

(9) No person shall fail to pay the required permit fee for any activity which requires a permit fee in the Linn County forest park-system.

(B) *Trespass, closures, and remaining after hours*

(1) No person shall stay in any of the following Linn County camping area properties longer than 14 days in a thirty day period:

- (a) Whitcomb Creek Public Park.
- (b) John Neal Memorial Public Park.
- (c) Waterloo County Public Park.
- (d) Sunnyside Public Park.
- (e) River Bend Public Park.

(f) Clear Lake Resort.

(2) No person shall stay in the camping areas of the following properties longer than twenty-four (24) consecutive hours:

- (a) Peoria Public Park.
- (b) McCartney Recreation Area.

(3) No person shall fail to vacate a permitted site by checkout time.

(4) No person shall stay after posted closing hours, except upon prior written permission from the Director.

(5) No person shall remain in any forest, public park, or recreation area after being asked to leave by the Director or any law enforcement officer. If the person does not immediately leave with all personal belongings, the person, is trespassing and, in addition to other lawful remedies, may be prosecuted for criminal trespass.

(6) The Director or any law enforcement officer may refuse to admit, or order any person to leave, who has previously been ordered to leave any property in the forest-park system.

(7) No person may remain in an area closed or restricted pursuant to LCC 610.400 (B).

(8) No person under the age of 18 shall camp overnight unless accompanied and under the control at all times by an adult.

(9) No person shall fail to remove themselves from a park when ordered to evacuate a park. Such person failing to do so when ordered may be physically escorted off the property by park personnel and physically removed by law enforcement officials.

(C) *Animals and pets*

(1) No person shall leave a dog or pet unattended.

(2) No person shall fail to keep all dogs or pets on a leash of six (6) feet in length or less, or kept in an adequately ventilated vehicle, or secured in an animal crate or carrier.

(3) No person shall allow any animal in the person's custody to annoy or molest any person or other pet.

(4) No person shall ride, drive, lead, or keep any livestock as that term is defined in LCC 560.110 anywhere in the forest-park system,

unless the area is designated by the Director for such purposes, or the person has obtained written permission from the Director.

(5) No person shall in any manner, pursue, hunt, trap, or molest any bird or animal.

(D) *Fires*

(1) No person shall build, light, or maintain any fire except in a stove, pit or fireplace especially designated for such purpose; provided, however, that a person may use a portable gas, gasoline, charcoal, or oil camp stove if the portable gas, gasoline, charcoal, or oil camp stove is in a safe operating condition and used in a manner so as to not start a fire.

(2) No person shall leave unattended any fire built, lighted, or maintained by himself.

(E) *Destruction of Property, Facilities, and Natural Resources*

(1) No person shall pick, mutilate, dig or remove any plant whether living or dead, or in any way deface, mutilate, burn, destroy or defile any tree or plant within the limits of such areas.

(2) No person shall alter, deface, mutilate or destroy any trail, road, parking lot, bridge, fence, building, sign, barrier, or other facility or structure.

(3) 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 therein.

(F) *Visitor conduct*

(1) No person shall discharge, set off, explode, or burn any fireworks, firearm, air, CO₂, or spring-actuated rifle or pistol, slingshot, arrow, or other similar devices designed or used to propel a projectile, in or over any property in the county forest-park system except in areas designated for such activity.

(2) No person shall throw rocks, sticks, or other objects, which may endanger the safety of any other person.

(3) No person shall dive, swim or engage in any water activity in an unsafe manner.

(4) No person shall create or erect signs, markers, or inscriptions of any type without

written authority first had and obtained from the Director.

(5) No person shall use abusive, threatening, obscene, or indecent language or gestures in a manner which causes a public nuisance.

(6) No person shall operate radios, television, musical instruments, and other noise producing devices, or otherwise cause unnecessary sound in such a manner and at such times so as to disturb other persons.

(7) No person shall cause, attempt to cause, or bring about any public demonstrations or disturbances, or in any way create a public nuisance.

(8) No person shall tie ropes, chains or similar items to trees, shrubs and park facilities.

(9) No person may make any noise that would reasonably disrupt normal sleeping activities during quiet hours.

(10) No person shall swim, dive, fish or loiter on, from or within fifty (50) feet of, any bridge, platform, boat launching ramp, dock, or pier, except in areas designated by the Director for such purposes.

(11) No person shall construct, install, or use a rope swing.

(12) No person shall, within the Linn County forest-park system, refuse to disclose that person's identity to the Director or enforcement officer who requests such information.

(13) No person shall, within the Linn County forest-park system, knowingly give a false or fictitious name, address or date of birth to the Director or any enforcement officer.

(14) No person shall obstruct, harass, or interfere with the official duties of the Director or an enforcement officer.

(15) No person shall place, keep, fill, or use any pool, or similar open-surface device, capable of holding more than five gallons of water.

(G) *Garbage, litter, and waste*

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

(2) No person shall dump household or commercial garbage brought from lands outside the forest-park system.

(3) No person shall depart from the campsite before removing all camping equipment and cleaning up the campsite.

(4) No person shall maintain a campsite in an unsightly, unsafe, unclean, or unsanitary condition.

(5) No person shall dispose of hand and dishwater other than in the receptacles provided for that purpose, nor dump human waste in these receptacles.

(6) 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.

(H) *Vehicle operations and parking*

(1) No person shall

(a) park any motorized or electric automobile, motorcycle, truck, trailer, or other vehicle in any area other than an area specifically designated for such purposes.

(b) park any motorized or electric automobile, motorcycle, truck, trailer, or other vehicle in a parking area closed by the Director pursuant to LCC 610.620(B).

(2) The maximum speed limit on all interior roads, drives, and parking lots shall be 15 miles per hour (MPH), unless otherwise posted.

(a) No person shall drive a vehicle in excess of 30 MPH over the 15MPH, or otherwise posted, speed limit.

(b) No person shall drive a vehicle 21-30 MPH over the 15MPH, or otherwise posted, speed limit.

(c) No person shall drive a vehicle 11-20 MPH over the 15MPH, or otherwise posted, speed limit.

(d) No person shall drive a vehicle 1-10 MPH over the 15MPH, or otherwise posted, speed limit.

(3) No person shall drive a vehicle 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.

(4) No person shall drive a motor or electric powered vehicle on any walk, path, trail, service road or other area, unless such walk, path, trail, service road, or area has been officially designated for use by motor vehicles.

(5) The Director may prohibit entry of any vehicle into any campground or park area in order to avoid unnecessary congestion of the area and overloading of water and sanitation facilities. The Director may issue temporary entry permits allowing vehicle access to such property when, in the Director's opinion, such entry would not disrupt the operation, safety, and sanitary facilities of the area or campground. No person shall enter such campground or park area without a duly issued entry permit.

(6) No person shall cruise in or through parking lots.

(7) The Director is hereby authorized to remove, or cause to be removed, and to store any vehicle left unattended within any property in the forest-park system where, in the Director's opinion, the vehicle has been parked or left in such a manner, or in an area, that violates this section. If this authority is exercised, the procedural provisions of ORS 819.120 to 819.260 governs the disposition of such vehicle and the rights of the owner therein.

(8) No person shall bring, or cause to bring, any inoperable or functionally deficient vehicle, boat, recreational vehicle, trailer, fifth wheel, or other equipment into any park.

(9) No person shall bring or cause to bring any vehicle, boat, recreational vehicle, trailer, fifth wheel, or other equipment into any park for which that person does not possess the operational means to immediately remove it.

(10) No person shall fail to obey any posted traffic control signs or any noticed traffic control rules established by the Director.

[The text of this section was originally adopted 82-178 §5 eff 5/26/82; amd 86-252 §1 eff 6/5/86; amd 88-536 §8 eff 10/12/88; amd 91-499 §1 eff 8/14/91; amd 96-348 §1 eff 5/15/96; amd 99-058 §5 eff 3/3/99; amd 04-231 §1 eff 6/15/04; by amd 11-170 §1 eff 5/25/11 this text formerly contained in LCC 610.600 was moved and amended as a new section LCC 610.610; amd 2013-084 §1 eff 3/13/2013; amd 2015-162 §1 eff 5/20/2015; amd 2015-311 §1 eff 12/22/2015]

610.620 Other authority of Director

(A) The Director reserves the right to control the parking of vehicles in any property in the forest-park system.

(B) The Director may close or limit further parking in any parking area when the area is deemed to be full.

(C) The Director reserves the right to order the evacuation of a park area to leave the park area for safety evacuation purposes.

(D) The Director may issue a notice to a user of any of the properties subject to this Chapter warning the user of any violations that are being committed, the corrective actions that the user must immediately take to avoid being cited for the violation, and the sanctions for the violations if the actions are not timely taken.

(E) The Director or an enforcement officer may exclude a person from the County Forest-Park System if that person:

(1) violates any provision of this Chapter. The period of exclusion may be up to 180 days, except that the period of exclusion may be up to 365 days for violations constituting threats of physical violence or harm to any employee or agent of Linn County Parks and Recreation or users of the Linn County forest-park system; or

(2) uses or possesses any controlled substance within the County Forest-Park System the use or possession of which is unlawful under either State or federal law. The period of exclusion shall be for 365 days.

(F) A person who is excluded under subsection (E) may contest the exclusion notice by submitting a written appeal to the County Parks and Recreation Director, if issued by an employee or designee of the Director or an enforcement officer, or to the County Administrative Officer if issued by the County Parks and Recreation Director. A decision by the Director on appeal may be further appealed to the Administrative Officer. The decision by the Administrative Officer on appeal is final.

(G) Except as otherwise provided in this Section, the process for notice and appeal of an exclusion under this section shall be substantially

similar to the process provided in Linn County Policy 39 (Exclusion From County Owned Property).

[Adopted 99-058 §5 eff 3/3/99; amd 04-231 §1 eff 6/15/04; amd 11-170 §1 eff 5/25/11; amd 2015-162 §1 eff 5/20/2015; amd 2015-311 §1 eff 12/22/2015]

610.650 Abandoned property

(A) Any property, other than vehicle, found by the Director in any property in the forest-park system after the user thereof has left shall be stored for thirty (30) calendar days. The Director shall attempt to provide notice to any known potential owners. If no one makes a claim on the property within thirty (30) calendar days of the notice, the Director may dispose of the property as deemed appropriate. If a claim is made by the owner, the Director may charge a reasonable storage fee.

(B) Abandoned vehicles may be disposed of pursuant to LCC Chapter 510 (Abandoned Vehicle Code).

[Adopted 99-058 §5 eff 3/3/99; amd 04-231 §1 eff 6/15/04]

610.800 Types of permits; when required

(A) The Director may require a permit for the following uses or activities set forth in this section and may also require a fee, deposit or both a fee and a deposit prior to the issuance of a permit;

- (1) overnight camping;
- (2) parking at the Lewis Creek Public Park;
- (3) reserving and using a group picnic area or shelter;
- (4) each additional vehicle in an overnight camping site;
- (5) using cabins;
- (6) overnight boat moorage; and
- (7) special use.

(B) An overnight permit is valid as set forth in this subsection:

- (1) for camping, from 2:00 p.m. on the day of permitted use until 12:00 p.m. on the final day of permitted use.
- (2) for cabins, from 3:00 p.m. on the day of permitted use until 11:00 a.m. on the final day of permitted use.

(3) for boat moorage, from 12 p.m. on the day of permitted use until 12:00 p.m. on the final day of permitted use.

(C) The Director may designate facilities which require a permit for use. Access to these facilities shall be limited to:

- (1) permitted users;
- (2) guests of permitted users;
- (3) County staff; and
- (4) others authorized by the Director.

(D) A daily use permit shall be required for each second or more motor vehicle used or kept at an overnight camp site.

(E) A senior citizen's fee permit discount is available for a campsite when at least fifty percent of the adult campers (an adult is a person eighteen years of age or older) occupying that campsite are sixty-two years of age or older.

[Adopted 89-212 §1 eff 5/24/89 (formerly part of LCC 610.300); amd 99-058 §5 eff 3/3/99; amd 04-231 §1 eff 6/15/04; amd 11-170 §1 eff 5/25/11; amd 2013-084 §1 eff 3/13/2013; amd 2015-162 §1 eff 5/20/2015]

610.810 Fees and charges

(A) The Board may establish by order, fees and deposits for the use of any park or recreation area subject to LCC 610.500 to 610.900.

(B) Fees shall be payable to Linn County, and shall be collected by such methods as the Director may provide.

(C) Deposits may be required for reservations for group picnic areas and overnight camping sites.

(D) Fees shall be based on the type of activity and permit required for that activity.

(E) An additional \$5.00 fee may be assessed, as a non-punitive administrative fee, for failure on the part of any user to obtain a permit or to properly complete the permit registration.

[Adopted 82-178 §6 eff 5/26/82 (B) and (C) (formerly part of LCC 610.300); amd 99-058 §5 eff 3/3/99; amd 2015-162 §1 eff 5/20/2015]

610.850 Setting hours and days of operation

(A) The Director shall establish and from time to time may change the hours and days of operation or closure of the Park and Recreation Areas.

(B) The Director shall cause the hours of operation so established to be posted, and may

designate one or more employees of the Department to open or close a park or recreation area on an emergency basis, in the absence of the Director.

[Adopted 82-178 §7 eff 5/26/82; amd 99-058 §5 eff 3/3/99; amd 04-231 §1 eff 6/15/04]

610.900 Penalties

(A) A violation of any provision of this Chapter is a violation enforceable by citation pursuant to LCC Chapter 240 (Enforcement Code).

(B) A violation of LCC 610.610(H)(2)(a) is a Class A violation.

(C) A violation of LCC 610.610(F)(1) or (H)(2)(b) is a Class B violation.

(D) A violation of LCC 610.610(H)(2)(c) is a Class C violation.

(E) A violation of LCC 610.610(A)(2) to (9), (B)(1) to (4), (B)(6) to (9), (C), (D), (E), (F)(2) to (15), (G), (H)(1), (H)(2)(d), (H)(3) to (6), or (H)(8) to (10) is a Class D violation.

[Adopted 82-178 eff 5/26/82; amd 99-058 §5 eff 3/3/99; amd 2013-084 §1 eff 3/13/2013; amd 2015-162 §1 eff 5/20/2015; amd 2015-311 §1 eff 12/22/2015]

Statutory References and Other Authorities:

ORS 187; 203; 275.320 to 275.370

Legislative History of Chapter 610 (formerly codified at Chapter 6.10):

General Provisions Code Subpart (LCC 610.005 to 610.010)

Adopted 99-058 eff 3/3/1999

Amendments to 99-058:

- #1 2004-231 eff 6/15/04
- #2 2011-170 eff 5/25/11
- #3 2013-084 eff 3/13/13
- #4 2015-162 eff 5/20/15
- #5 2015-311 eff 12/22/15

Forest-Parks Code Subpart (LCC 610.100 to 610.470)

Adopted 89-212 eff 5/24/89 & 7/1/89

Amendments to 89-212:

- #1 91-589 eff 10/2/89
- #2 95-177 eff 5/10/95 (renumbering)
- #3 99-058 eff 3/3/99
- #4 04-231 eff 6/15/04
- #5 11-170 eff 5/25/11
- #6 2013-084 eff 3/13/13
- #7 2015-162 eff 5/20/15

Parks Code Subpart (LCC 610.500 to 610.900)

Adopted by 82-178 eff 5/28/82

Amendments to 82-178:

- #1 86-252 eff 5/28/82
- #2 88-536 eff 10/12/88
- #3 91-499 eff 8/14/91
- #4 96-348 eff 5/15/96
- #5 95-177 eff 5/10/95 (renumbering)
- #6 98-526 eff 3/3/99
- #5 11-170 eff 5/25/11
- #6 2013-084 eff 3/13/13
- #7 2015-162 eff 5/20/15
- #8 2015-311 eff 12/22/15

Legislative History of the Implementing Agency:

- 10/20/59 Linn County Parks and Recreation Committee (Park and Recreation Committee) created
- 12/5/61 Park and Recreation Committee “given the privileges of a commission” (Park and Recreation Commission)
- 4/22/70 Park and Recreation Commission reduced to an advisory body (see history in the Bylaws attached to Resolution and Order No. 70-063)

APPENDIX 1 – COUNTY PUBLIC PARKS

The county public parks mentioned in LCC 610, are more particularly described as follows:

NAME	DESCRIPTION
<i>Clear Lake Resort Park</i>	includes all that real property described in that Special Use Permit between Linn County and the U.S. Department of Agriculture-Forest Service #FS-2700-5c, recorded in the Linn County Commissioner’s Resolution & Order No. 2007-289. This permit is within Sec 5. T. 14 S., R. 7 E., Willamette Principal Meridian.
<i>Crawfordsville Covered Bridge</i>	includes all that real property described in that Agreement between Linn County and State Highway Commission dated August 9, 1962, State Highway Resolution #401, dated October 10, 1963, located NW ¼, NW ¼, Section 18, T 14 S, R 1 W, W. M., in the Deed Records of Linn County.
<i>Edgewater RV Park and Marina</i>	Lot 14, Foster Lake Resort, in the City of Sweet Home, Linn County, Oregon, and all that real property described in Lease Agreement No. _____ between Linn County and the Department of the Army.
<i>Freeway Lakes Park</i>	includes all that real property described in that Relinquishment of Title, Book 308, Page 353, in the Deed Records of Linn County.
<i>Gedney Creek Ramp</i>	includes all that real property described in that Lease Agreement between Linn County and Department of Army #DACW 57-1-67-34 accepted by Linn County March 22, 1967, located in E ½ SW ¼ Section 23, T 13 S, R 1 E, W. M., in the Deed Records of Linn County.
<i>John Neal Memorial Park</i>	includes all that real property described in Book 287, Page 463, and in Book 339, Page 707, in the Deed Records of Linn County.
<i>Larwood Wayside</i>	includes all that real property described in Book 319, Page 203, and in Book 334, Page 284-5-6-7, and in MF 71, Page 4-5, all in the Deed Records of Linn County.
<i>Lewis Creek Park</i>	includes all that real property described in that Lease Agreement between Linn County and Department of Army #DACW 57-1-73-86, recorded in the Linn County Commissioner’s Journal, Book 41, Pages 284-5-6-7, dated May 23, 1973.
<i>McClun Wayside Park</i>	includes all that real property described in Book 474, Pages 8 & 9, in the deed Records of Linn County.
<i>Peoria Park</i>	includes all that real property described in Book 302, Page 14, in the Deed Records of Linn County.
<i>Roaring River Park</i>	includes all that real property described in MF 186, Page 948, in the Deed Records of Linn County.

<i>River Bend Public Park</i>	includes all that real property described in MF 1299, Page 141, in the Deed Records of Linn County. Township 13S, Range 2E, Sec 00, Tax lot 9400.
<i>Stayton Bridge Boat Ramp</i>	includes all that real property described in MF 360, Page 385, in the Deed Records of Linn County, recorded May 23, 1984.
<i>Sunnyside Park</i>	includes all that real property described in Book 275, Page 772, and in Book 331, Page 336, in the Deed Records of Linn County, and in that Lease Agreement between Linn County and Department of Army #DACW 57-1-73-87 recorded in the Linn County Commissioner's Journal, Book 41, Pages 280-1-2-3, dated May 23, 1973; and all that real property described in MF 383, Page 426, in the Deed Records of Linn County, recorded May 8, 1985.
<i>Thistle Creek Park</i>	includes all that real property described in that Lease Agreement between Linn County and Department of Army #DACW 57-1-71-5 accepted by Linn County July 15, 1970, located NW ¼, Section 36, T 12 S, R 2 E, W. M., in the Deed Records of Linn County.
<i>Waterloo Park</i>	includes all that real property described in Book 294, Page 606, and in Book 318, Page 262, and in MF 86, Page 991, all in the Deed Records of Linn County, except: Beginning at a point at the northwest corner of lot 3, block 54, of the plan of Waterloo in Township 12 south, Range 1 West, Willamette Meridian, Linn County, Oregon; running thence N 42°42' E, 160.00 feet to the northwest corner of lot 6, block 55 of said plan of Waterloo; thence S 47°18'W, 60.00 feet; thence S 15° 33' 53" W, 179.79 feet; thence S 39°48'25" W, 39.24 feet; thence S 89°50'20" W, 60.00 feet to the southeasterly line of lot 5 of said block 54; thence N 42°42' E, 80.00 feet to the southeast corner of said lot 5; thence N 47°18'W, 100.00 feet to the point of beginning. Containing 0.43 acres more or less. and also except: Beginning at the northwest corner of lot 8, block 55 of the plan of Waterloo in Township 12 South, Range 1 West, Willamette Meridian in Linn County, Oregon; running thence N 42°41' E, 360.00 feet to the northeast corner of lot 8, block 56, of said plan of Waterloo; thence S 47°18' E, 20.48 feet; thence S 21°30'48" W, 386.10 feet to an iron rod on the southwesterly line of lot 5, block 55 of said plan of Waterloo; thence N 47°18'W, 160.00 feet to the point of beginning. Containing 0.75 acres more or less. <i>Waterloo Park designated a Forest Park, 5/2/90, by Order 90-274; Description amended 10/02/91 by Ordinance #91-589</i>

<i>Whitcomb Creek Park</i>	includes all that real property described in that Lease Agreement between Linn County and Department of Army #DACW 57-1-71-5 accepted by Linn County July 15, 1970, located E ½, Section 36, SE ¼, Section 25, T 12 S, R 2 E, W. M., NW ¼, NW ¼, Section 31, SE ¼, Section 30, T 12 S, R 3 E, WM, in the Deed Records of Linn County.
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[Adopted 82-178 §4 eff 5/26/82; amd 86-252 §1 eff 6/5/86; amd 99-058 §5 eff 3/3/99; amd 11-170 §1 eff 5/25/11; amd 2015-162 §1 eff 5/20/2015]

APPENDIX 2 – COUNTY RECREATION AREAS

The county recreation areas mentioned in LCC 610 are more particularly described as follows:

NAME	DESCRIPTION
<i>McCartney Recreation Area</i>	includes all that real property described in MF 6, Page 629 and MF 27, Page 868, in the Deed Records of Linn County. <i>McCartney Park designated a Forest Park, 5/2/90, by Order 90-274</i>
<i>McDowell Creek Falls Recreation Area</i>	includes all that real property described in Book 332, Page 372, in the Deed Records of Linn County. <i>McDowell Creek Falls Park designated a Forest Park, 5/2/90, by Order 90-274</i>
<i>McKercher Recreation Area</i>	includes all that real property described in Book 320, Page 454, and Book 329, Page 663, in the Deed Records of Linn County. <i>McKercher Park designated a Forest Park, 5/2/90, by Order 90-274</i>
<i>North Santiam Recreation Area</i>	All that portion of Lot 4, Section 23 and Lot 1, Section 26, Township 9 South, Range 2 East, Willamette Meridian, Linn County, Oregon, lying south of the center of the main channel of the North Santiam River. [Order #90-274, dated 5/2/90]
<i>South Harrisburg Recreation Area</i>	The south half (S $\frac{1}{2}$) of the southwest quarter (SW $\frac{1}{4}$) of the northeast quarter (NE $\frac{1}{4}$) of Section 34, Township 15 South, Range 4 West, Willamette Meridian, Linn County, Oregon.
<i>South Stayton Recreation Area</i>	Beginning at a 5/8 inch iron rod on the west line of the southeast quarter (SE $\frac{1}{4}$) of the northeast quarter (NW $\frac{1}{4}$) of Section 15, Township 9 South, Range 1 West, Willamette Meridian, Linn County, Oregon, said rod being North 0°05' East, 1080.78 feet from the southwest corner of the southeast quarter (SE $\frac{1}{4}$) of the northeast quarter (NE $\frac{1}{4}$) of said Section 15; thence North 89°46'12" East, 500.00 feet to a 5/8 inch iron rod; thence South 0°04'56" West, 540.64 feet to a 5/8 inch iron rod at the top of the south bank of Brown's Slough; thence southeasterly on top of said south bank to the east line of said Section 15; thence north on the line of said Section 15 to the center of the main channel of the North Santiam River, being also the north line of Linn County; thence southwesterly downstream in the center of said river and said Linn County line to the west line of the east half (E $\frac{1}{2}$) of the northeast quarter (NE $\frac{1}{4}$) of said Section 15; thence South 0°05' West to the point of beginning. [Order #90-274, dated 5/2/90]

[Adopted 82-178 §4 eff 5/26/82; amd 86-252 §1 eff 6/5/86; amd 99-058 §5 eff 3/3/99]

APPENDIX 3 – COUNTY FORESTS

The county forests mentioned in LCC 610 are more particularly described as follows:

NAME	DESCRIPTION
<i>Forest Tract #1 (Detroit Lake Tract)</i>	Lot 3 and the northeast quarter (NE ¹ / ₄) of the southwest quarter (SW ¹ / ₄) of Section 18, Township 10 South, Range 5 East, Willamette Meridian, Linn County, Oregon; [Order #90-274, dated 5/2/90]
<i>Forest Tract #2 (N. Santiam Triangle Tract)</i>	The southwest quarter (SW ¹ / ₄) and the southwest quarter (SW ¹ / ₄) of the southeast quarter (SE ¹ / ₄) of Section 27, Township 9 South, Range 4 East, Willamette Meridian, Linn County, Oregon, lying south of the center of the North Santiam River. [Order #90-274, dated 5/2/90]

[Adopted 82-178 §4 eff 5/26/82; amd 86-252 §1 eff 6/5/86; amd 99-058 §5 eff 3/3/99]

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