

# DISTRICT COMPILED POLICIES

## CHAPTER 7 – DISTRICT REGULATIONS

### 7.01 General Regulations

No person shall violate any provision of the Oregon Criminal Code, Beaverton Municipal Code, or Washington County Code of Ordinances while on district owned or district maintained property, where applicable.

### 7.02 General Use of District Property

No person shall:

- (A) Use abusive, threatening, or obscene language and gestures. Persons must conduct themselves in a manner that will not distract or disturb others in the peaceable enjoyment of any district property;
- (B) Remove, destroy, damage, alter or obstruct any vegetation, land, equipment materials or supplies on district property;
- (C) Engage in any activity in a district park or property managed by the district that is intended to be done in a restroom facility;
- (D) Walk, stand, sit, or climb on any monument, vase, kiosk, awning, tent, tree, statue, fountain, railing, fence or other equipment/structure not intended for that purpose on district property;
- (E) Apply graffiti to district property or possess graffiti implements with the intent of applying graffiti;
- (F) Dump or leave any rubbish, yard debris or refuse of any type on any district property. Refuse or litter resulting from use of such areas must be deposited in refuse receptacles provided for such purposes, if available, or transported away from the property;
- (G) Pollute any stream or waterway on or running through district property;
- (H) Wash any clothing, equipment or other material, clean any fish, introduce or place any polluting substance, or waste or litter in any body of water; or do laundry in a shower or sink on district property;
- (I) Enter, wade, dive into or swim in any body of water on district property unless in specifically designated areas;
- (J) Excavate, erect, install, place or perform any action related to the placement of any temporary or permanent structure on district property except for approved temporary placement of personal accessories;

## DISTRICT COMPILED POLICIES

- (K) Camp, or stay overnight in any vehicle, on district property or within a public parking lot adjacent to district property without prior approval of the general manager;
- (L) Hit golf balls on or into district property;
- (M) Disobey any reasonable direction or request of a district employee or peace officer based on District Compiled Policies or during an emergency situation;
- (N) Disobey any district posted sign, whether permanent or temporary;
- (O) Access park property or allow a contractor to access park property to deliver a product or gain entry to a person's property to perform work without prior approval from the district. Please refer to District Compiled Policies Chapter 8 for the approval process.

### **7.03 District Property Hours**

Hours of operation are posted on district property that is open to the public and controlled by gates or other devices. The hours of operation for all other district property that is open to the public is from dawn to dusk unless otherwise posted.

### **7.04 Fires**

- (A) Fires are prohibited on all district property except in areas designed and set aside for such purposes.
- (B) Fires on district property shall be confined to barbecue stands, pits, or fireplaces provided for that purpose by the district and portable stove use confined to established picnic areas where fires are allowed. No fire on district property may be left unattended and every fire must be completely extinguished by the user before leaving the immediate area of the fire. The district follows county direction on burn bans, and when the county declares a prohibition on outdoor fires they are prohibited on district property.
- (C) The general manager may restrict or prohibit fires further than provided in this section when fire hazard conditions are high.

### **7.05 Music / Amplification Systems**

No person shall produce amplified sound or use a public address system at sound levels that offend other district property users or extend beyond the boundaries of district property unless by district approval.

## DISTRICT COMPILED POLICIES

### 7.06 Model Devices

- (A) No person shall operate drones, motorized model cars, rockets, aircraft, boats or similar devices on district property except by district approval in areas specifically designated for that purpose. Drones must be operated in compliance with current Federal Aviation Administration regulations.
- (B) No person shall operate such devices that emit loud noises, foul odors or visible emissions.

### 7.07 Alcohol, Smoking and Controlled Substances

No person shall:

- (A) Display, possess or consume any alcoholic beverages while on district property except by district permit. A district permit may contain conditions the general manager believes promote the peaceful use of district property by patrons.
- (B) Sell, buy, use or have in possession any drug or narcotic prohibited by state or federal law while on district property.
- (C) Smoke on or in any district property. As used in this section, to “smoke” means vaping, inhaling, exhaling, burning, carrying any lighted or heated tobacco or other non-tobacco legal/illegal smoking substance, including marijuana.

### 7.08 Vehicles and Watercraft

- (A) Bicycles, skateboards, scooters, in-line and roller skates, and other similar devices powered exclusively by humans:
  - (1) Are permitted on district property except in areas that are posted to exclude such activities;
  - (2) Shall not move at a speed that endangers other persons or district property;
  - (3) Shall not be used on any brickwork, ornamental surface, picnic table, tennis court, fountain area, railing, stairwell, doorway access, planter, sculpture, trail not maintained by the district, or other surfaces not intended for their use; and
  - (4) Shall not be left so as to obstruct pedestrian traffic on a path, trail, people experiencing a disability access ramp, or building entrance on district property.
- (B) No person shall:

## DISTRICT COMPILED POLICIES

- (1) Operate a motorized vehicle or watercraft on district property except:
    - (a) On roadways and parking areas specifically designated for motor vehicles;
    - (b) On bodies of water specifically designated for watercrafts;
    - (c) District or emergency vehicles; or
    - (d) Wheelchairs or mobility scooters for the use of persons experiencing disabilities.
  - (2) Operate a motorized vehicle or watercraft carelessly or in a manner that endangers the rights or safety of others;
  - (3) Park a motorized vehicle or trailer on district property or within a public parking lot adjacent to and managed by the district for extended periods, while not using district property or with the intent to market, sell, wash or repair the vehicle at any time. Any violations are subject to tow and the owner is responsible for costs of impoundment;
  - (4) Temporarily stop motorized vehicles or trailers in parking lots or other areas of district property or within a public parking lot adjacent to district property in violation of posted rules designating special use, including fire lanes, temporary drop off areas or parking spaces for persons experiencing disabilities; or
  - (5) Park an RV, bus, or trailer on the parking lots of any district property, whether using district property or not, without prior district authorization. Vehicles of this type may be parked in the north Howard M. Terpenning Complex lot off of Blueridge Drive if attending complex events. A permit must be obtained from the facility being used, and all after-hours rules apply.
- (C) Motorized vehicles are defined as any conveyance with a motor, whether electric or fuel powered, including e-bicycles, and e-scooters.
- (D) Electric motorized vehicles are permitted for transportation purposes on the Regional Trail System, including the Westside, Rock Creek, Fanno Creek, and Waterhouse trails. E-bicycles are limited to Class I type. Vehicle operators must exercise due care for other trail users and yield to pedestrians at all times.

### **7.09 Firearms and Explosives**

Unless otherwise authorized by law, no person shall:

- (A) Possess, discharge or cause to be discharged on or into any district property any fireworks, explosive or other dangerous substance or similar device;

## DISTRICT COMPILED POLICIES

- (B) Possess, discharge or cause to be discharged across, on or into any district property a firearm, bow and arrow, or any other weapon or device harmful to the life or safety of persons, property, wildlife or their habitat; or
- (C) Possess, discharge or cause to be discharged any device capable of launching a projectile by means of compressed gas, air or electricity or have in one's possession a replica firearm on or into any district property.

### 7.10 Animals

- (A) No person shall release animals, whether domestic, exotic or native, onto district property.
- (B) No person shall feed any waterfowl or other wildlife on district property.
- (C) No person shall pursue, hunt, trap or capture any wild bird or other animal on district property, or fish in waters within the district, except in areas specifically designated for such purposes. In designated fishing areas all Oregon Department of Fish and Wildlife licensing requirements apply.
- (D) No person shall mistreat, torment or harm animals on district property.
- (E) No person shall allow an animal to injure or intimidate another animal or person while on district property.
- (F) No person shall allow an animal to cause damage to any district or other person's property while on district property.
- (G) Dogs are prohibited on district property areas designated as no dog areas, including playgrounds and sports courts, except services animals recognized by law. Service animals on district property must operate within ADA guidelines.
- (H) Dogs and all other domestic animals on district property shall be on a visible leash not more than seven feet in length. The animal must be under the direct control of a person physically capable of handling the animal and who is in charge of the animal at all times. The use of electronic leashes or remote-controlled devices in lieu of using a leash to control animals is not permitted.
- (I) Dogs are permitted off-leash in areas specifically designated for that purpose (dog runs and dog parks).
- (J) Dog owners are responsible for the immediate removal of all solid waste from their dog that is deposited on district property.
- (K) The district may exclude, by temporary posting, domestic animals from designated district property sites during special events where it is determined that

## DISTRICT COMPILED POLICIES

the overcrowding of persons or activities may limit the enjoyment or safety of others.

- (L) No person shall allow any domestic animal, horse or livestock to enter any recreational facility, equipment or amenity on district property unless it is a working service animal.
- (M) No person shall ride, lead or keep a horse or livestock on district property, nor allow any non-domesticated animal, horse or livestock to enter district property.

### **7.11 Solicitation / Signs / Temporary Memorials**

- (A) Except in specifically designated areas, no person shall erect signs, markers, or inscriptions; or post signs of any type on district property, without prior authorization from the district.
- (B) No person shall distribute any notice, pamphlet, handbill, or printed information of any kind, except to a person willing to accept it and if it is distributed without charge and in a location approved by the district. Printed materials may not be placed on vehicles in district parking lots without district authorization.
- (C) No person shall solicit money, goods, or services or perform or engage in any act with the intent or expectation of receiving payment from another person on district property.
- (D) On occasion, temporary memorials or tributes on district property may be authorized for a period not to exceed 30-days. Temporary memorials or tributes may not be placed in locations that will interfere with or disturb the public's use of shared spaces, such as those that encroach upon a trail or walkway. The applicant is responsible to remove the temporary memorial at the end of the 30-day period. If the temporary memorial/tribute exceeds the 30-day authorized time limit, district staff will remove and dispose of the materials. Permanent memorials and tributes are governed by District Compiled Policy Chapter 8.

### **7.12 Vendors / Concessions**

No person shall operate a fixed or mobile concession; solicit, sell, offer for sale, peddle, hawk or provide any goods or services; or advertise any goods or services on district property without district approval.

### **7.13 Meetings**

No person shall organize or hold any religious or political meeting on district property without district authorization. Such use may be conditioned as to the time and place of holding such meeting so as not to interfere with other activities or users of district property. Such conditions may be appealed to the general manager if the applicant feels such conditions are

## DISTRICT COMPILED POLICIES

unreasonable. This section is not intended to limit small day-to-day gatherings such as neighbors, birthday groups, etc. that would not otherwise require a district permit.

### 7.14 Enforcement of Regulations

- (A) Law enforcement officers and district employees may enforce these regulations.
- (B) No person shall interfere with any authorized person enforcing these regulations.
- (C) No person shall refuse to leave district property after being directed to leave by a law enforcement officer or district employee.
- (D) Violation of these regulations is subject to enforcement by exclusion under Section 7.15 of these Regulations or as otherwise provided by law.
- (E) If any regulation is found unenforceable by any court, the remaining regulations remain valid, binding and enforceable.

### 7.15 Exclusion

- (A) In addition to other measures provided for violations of these regulations or applicable laws, any law enforcement officer or district employee may exclude from all or a part of the district property any person who violates any regulation or any applicable law while on district property. The exclusion period shall not be less than 30 days nor more than 180 days for each occurrence.
- (B) A person excluded under this section shall not enter or remain upon district property during the period of exclusion. An excluded person who enters or remains upon district property during the exclusion period is a trespasser and may be cited or arrested and prosecuted for the crime of criminal trespass in the second degree. ORS 164.245.
- (C) The district will provide written, signed notice to a person excluded from district property. The notice will specify the reason for the exclusion, the places and duration of the exclusion, and the consequences for the failure to comply with the notice. The exclusion commences immediately upon delivery or attempted delivery of the notice to the excluded person.
- (D) Variance.
  - (1) A person excluded may petition in writing to the general manager or designee at any time during the exclusion period for a temporary waiver of the exclusion.

## DISTRICT COMPILED POLICIES

- (2) Petitions must be sent or delivered to: Exclusion Hearings Officer, Tualatin Hills Park & Recreation District, 15707 SW Walker Road, Beaverton, OR 97006.
  - (3) The circumstances and reason for the exclusion, and the places and duration of the exclusion may be reviewed by the general manager or designee in considering approval of a variance.
- (E) Appeal Procedures.
- (1) Not later than 10 days after receiving the notice of exclusion, an excluded person may appeal in writing to the general manager or designee for review of the exclusion. Appeals must be addressed or delivered to: Exclusion Hearings Officer, Tualatin Hills Park & Recreation District, 15707 SW Walker Road, Beaverton, OR 97006. A person may petition the Hearings Officer to rescind the exclusion, alter the places of exclusion or reduce the duration of the exclusion. An appeal must contain a copy of the exclusion notice, a request for a hearing or request for written review without a hearing, a statement setting forth the reasons that the exclusion is invalid or otherwise improper, and a current address and telephone number. The Hearings Officer will make a decision within 10 days after receipt of the appeal, unless a hearing is requested.
  - (2) If, as a part of a written appeal, a hearing is requested, it will be conducted by the Hearings Officer within 21 days after receipt of the appeal. A decision will be made and communicated to the excluded party within 21 days after the hearing.
  - (3) Unless the presence of the issuing person at the appeal hearing is requested, the Hearings Officer may use the issuing person's written statement as evidence at the hearing.
  - (4) No law enforcement officer or district employee has the authority to grant an excluded person permission to be in or on district property. Any request of this type must follow the Appeal Procedure.