

ORDINANCE NO. 248**AN ORDINANCE REGULATING ACTIVITIES AND USES WITHIN THE COOS BAY PARK SYSTEM; PROVIDING A PENALTY THEREFOR AS AMENDED BY ORDINANCE NO. 257 AND 296**

The City of Coos Bay Ordains as follows:

Section 1. Definitions

Beach and Swimming Area. The area of the lower John Topits Park beginning at the old spillway at the east side of the John Topits Park parking lot and continuing to the new spillway under the entrance road to the lower John Topits Park parking lot.

Day. The period of time of daylight hours from dawn to dusk.

Designated Recreational Area. Any area specifically designated by the City of Coos Bay for use beyond day use, including, but not limited to softball fields, tennis courts and the walking path around Mingus Lake.

Weapon. A gun or weapon, including a spring or air actuated pellet gun, air gun or BB gun, bow and arrow, sling shot, or any weapon which propels a projectile in any way, not limited to gunpowder or other explosive, jet or rocket propulsion.

Fireworks. A combustible or explosive composition, or any substance, combination of substances, or devices prepared for the purpose of producing a visible or audible effect by combustion, explosion, deflagration or detonation.

Park. All parks recognized in the Coos Bay Parks Master Plan, including but not limited to the Coos Bay Boardwalk, Empire Boat Ramp and the Eastside Boat Ramp.

Spillway. The outfall structures and pipes located in the middle and lower dams of the Empire Lakes used to control water levels in the Empire Lakes as directed by the Oregon Department of Water Resources.

Vehicle. Any motorized mode of transportation, excluding motorized wheelchairs or other similar devices used for personal mobility by persons with physical disabilities.

Watercraft. Any craft constructed or used for moving on or across water, including but not limited to boats, rafts and jet skis. [Amended by Ordinance No. 257, Section 1, enacted June 2, 1998]

Section 2. Park Regulations.

(1) Bicycles, Skateboards, Rollerblades, Skates. No person shall ride or use bicycles, skateboards, rollerskates, rollerblades, or skates in any park in a negligent or reckless manner and any person riding or using such devices shall yield to all pedestrian traffic. No person shall ride or use bicycles, skateboards, rollerskates or skates on the Mingus Park Stage, or on any plaza, path or parking lot which is posted against such use.

[Amended by Ordinance No. 296, Section 1, enacted July 18, 2000]

(2) Camping. No person, other than a City of Coos Bay Park Host, shall camp in any park without first obtaining a Special Events Permit from the Department of Community Services.

(3) Day Use. All parks are for day use only, except as otherwise posted in designated recreational areas. The Coos Bay Boardwalk and the use of the ramps at Empire Boat Ramp and Eastside Boat ramp are exempt to this regulation.

(4) Dogs. All dogs shall be on a leash and shall be controlled by the owner at all times. Dogs are not permitted in beach and swimming area of Empire Lakes. Owners are required to remove and deposit all dog feces in appropriate trash receptacles.

(5) Weapons. No person shall discharge or otherwise use a weapon within park boundaries.

(6) Fireworks. No person shall light, ignite or burn any type firework within park boundaries.

(7) Fishing. No person shall fish in any designated beach or swimming area.

(8) Plant Life. No person, other than a city employee in the execution of his or her job duties or designated volunteer in the course of his or her duties, shall pick, cut, mutilate or remove any plant, bush or tree within park boundaries.

(9) Skateboard Area. No person shall ride a bicycle in an area designated for skateboard use only.

(10) Speed Limit. No person shall drive a vehicle in a park at a speed exceeding 15 miles per hour, unless official traffic signs provide otherwise.

(11) Spillway. No person, other than a city employee in the execution of his or her job duties or a volunteer acting under the direction of an authorized city employee, shall remove or replace any spillway boards in the Empire Lakes.

(12) Vehicles. No person, other than a city employee in the execution of his or her job duties, emergency service personnel or designated volunteer in the course of his or her duties, shall operate a motor vehicle on a trail, path or road in a park unless the trail, park or road is specially designated by the Council for vehicular use. No person, other than a city employee in the execution of his or her job duties, emergency personnel or designated volunteer in the course of his or her authorized duties, shall operate a vehicle off any trail or engage in any other off-road activities with the vehicle.

(13) Watercraft. Watercraft may use electric motors on Empire Lakes, if so provided by the Oregon State Marine Board. No person shall operate a watercraft on Mingus Lake with any type of motorized power. This regulation does not apply to radio-controlled boats or emergency vehicles.

(14) Wildlife. No person shall hunt, pursue, trap, kill, injure, or molest any wildlife, other than legal game fish as designated by the Oregon Department of Fish and Wildlife.

Section 3. Penalties. Violation of, or failure to comply with any provision of this Ordinance is punishable upon conviction by a fine not to exceed \$1,000.00. Each violation is a separate offense, and if the violation is of a continuing nature, each and every day the violation continues shall be a separate offense.

Section 4. Severability. The sections and subsections of this Ordinance are severable. The invalidity of one section or subsection shall not affect the validity of the remaining sections or subsections.

Section 5. Emergency. The City Council of the City of Coos Bay finds that the health, safety and welfare of the City of Coos Bay requires this Ordinance to have immediate effect. Therefore, the City Council hereby declares the existence of an emergency and this Ordinance shall be in full force and effect from the time of its passage and approval.

Passed by the City Council and approved by the Mayor on January 6, 1998