

CHAPTER 15

COUNTY NATURAL AREAS AND PARKS

ADMINISTRATION

15.001 General Authority. The Natural Area and Parks Director may establish written policies to address park use and activities not specifically covered in this chapter.

15.005 Park and Recreation Areas Affected. The provisions of this Ordinance shall apply to all county natural areas and parks which are developed and open to the public, and to Crystal Lake Cemetery. For the purposes of BCC Chapter 15, "county site" means any park, land, cemetery, campground or other public area owned by, or under the control of, Benton County, and which is managed by the Benton County Natural Areas and Parks Department. [Ord. 85-0002; Ord. 94-0107; Ord. 2008-0230]

15.010 Rules and Regulations Applicable.

- (1) Within any county site, no person shall:
 - (a) Build a fire or dispose of burning material, except in a stove, pit, or fireplace provided by the Natural Areas and Parks Department for such purpose. Portable cooking devices may be used in established campground and picnic areas if in safe operating condition and used in a safe manner. Fires shall not be left unattended.
 - (b) Discharge or use any weapon capable of harming persons, wildlife, or property, except in those areas designated for such use or unless prior written permission is obtained from the Natural Areas and Parks Director or designee.
 - (c) Ignite or discharge any fireworks as defined in ORS 480.110 unless prior written permission is obtained from the Natural Areas and Parks Director or designee.
 - (d) Injure or disturb wildlife or wildlife habitat. Fishing may be permitted by the Natural Areas and Parks Department in designated areas in accordance with the rules and regulations of the State Department of Fish and Wildlife.
 - (e) Harm or remove any plant, tree or vegetation; or dig up, remove or dump any soil, stones, gravel, sand, or other substances, unless prior written permission is obtained from the Natural Areas and Parks Director or designee.
 - (f) Vandalize, alter, deface or remove any trail, road, parking lot, bridge, fence, building, sign, barrier, or structure or facility of any kind.
 - (g) Create or erect signs, markers, or inscriptions of any type unless prior written permission is obtained from the Natural Areas and Parks Director or designee.

- (h) Dispose of any site-generated waste material except in receptacles provided or designated for that purpose.
- (i) Dispose of household or commercial garbage or other waste material brought from outside the county site.
- (j) Permit a horse or other riding animal except on roadways, designated holding areas or designated equestrian trails, and according to seasonally posted restrictions.
- (k) Operate any vehicle at a speed of more than fifteen (15) miles per hour, unless otherwise designated by signage.
- (l) Operate or park any non-motorized vehicle or motorized recreational vehicle, including motorcycles and off-road vehicles, outside of areas specifically designated for such use (including roadways and parking lots) or operate a motor vehicle in violation of Oregon law.
- (m) Camp overnight except in areas specifically designated for overnight camping, unless prior written permission is obtained from the Natural Areas and Parks Director or designee.
- (n) Smoke in any park restrooms, kitchen shelters, other park structures, or in Crystal Lake Cemetery indoor buildings and facilities.
- (o) Operate a concession, engage in the business of soliciting or selling any goods or services, or advertise in any manner without prior written permission from the Natural Areas and Parks Director or designee.
- (p) Use radios, televisions, musical instruments, public address systems, sound amplification or other noise producing devices in such a manner or at such times so as to unreasonably disturb other persons, unless prior written permission is obtained from the Natural Areas and Parks Director or designee.
- (q) Participate in a public demonstration, disturbance or riotous behavior that interferes with the reasonable use of a county site by the general public.
- (r) Interfere with vehicular or pedestrian traffic on any road, parking area, trail, or common area without prior written permission from the Natural Areas and Parks Director or designee.
- (s) Use abusive, threatening, obscene or indecent language or gestures in a manner which causes a public nuisance.
- (t) Keep or allow any unattended dog or pet, unless kept restrained in a vehicle or on a leash or under verbal control; keep or allow an unleashed dog or pet in posted leash areas, including campgrounds and Crystal Lake Cemetery. In addition, more restrictive site-specific dog and pet regulations may be posted at county sites.

- (u) 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.
 - (v) Wash dogs or pets, clothing or other materials in any county facility sinks, restrooms or showers.
 - (w) Stay after closing hours in a county site, other than established campgrounds, except under prior written permission from the Benton County Natural Areas and Parks Director or designee. Regular, open hours for general use of county sites are determined to be dawn to dusk.
 - (x) Remain in any park, natural area, campground, recreation site or cemetery in violation of any park rules, or to remain in any park, natural area, campground, recreation site or cemetery after being asked to leave by any law enforcement officer or representative of Benton County Natural Areas and Parks Department.
 - (y) Utilize items, or engage in activities, which may create community public safety issues, unless prior written permission is obtained from the Natural Areas and Parks Director or designee. Director or designee may require use of biodegradable or environmentally safe items, and may require temporary signage announcing activity.
 - (z) Engage in activities for which no attempt is made to mitigate potential adverse environmental or other impacts. The Benton County Natural Areas and Parks Department may regulate and require mitigation of potential adverse impacts of activities at county sites.
- (2) No person operating a model aircraft within the Benton County Natural Areas and Parks RC Aerodrome shall:
- (a) Operate a radio controlled model aircraft without current membership in the Academy of Model Aeronautics (AMA) and a valid membership card in possession.
 - (b) Taxi in the pit area.
 - (c) Fly over the pits, parking lot, north tree line, all roadways, or spectators; make high speed passes or perform aerobatics over the runway; or fly in any manner which may pose a hazard to life and/or property.
 - (d) Operate a model engine that exceeds AMA noise recommendations.
 - (e) Operate a radio transmitter that does not comply with the current AMA guidelines or without following the frequency control rules posted in the Aerodrome shelter. For the purpose of this rule, any time a transmitter is on, it is considered to be operating.
 - (f) Operate gas powered engines before 9 a.m. or after dusk.

- (g) Fly in any manner contrary to the AMA safety code which is posted in Aerodrome shelter.
 - (h) Operate a radio controlled aircraft while under the influence of intoxicants, as defined in ORS 813.010.
- (3) In addition to rules and regulations set forth in 15.010 (1), no person shall, within any Benton County Natural Areas and Parks Department Campground:
- (a) Dispose of hand and dishwater other than in the receptacles provided for that purpose.
 - (b) Park pickups or truck-mounted campers, camp trailers or motor homes, or to pitch tents or use other camping equipment, in places other than those provided for such purposes.
 - (c) Fail to occupy the camp unit during the first night after camping equipment has been set up or to leave the camping unit unattended for more than 24 hours thereafter.
 - (d) Depart from the camp unit before removing all camping equipment and cleaning up camp unit.
 - (e) Stay in camping areas longer than 14 consecutive days, or more than 14 days during any 30 day period.
 - (f) Having used a campsite for the allotted time, to fail to vacate the site by 2:00 p.m., as provided in ORS Chapter 187.
 - (g) Occupy or use an overnight camp site or other park accommodations for which a fee is charged without paying the fees or charges.
 - (h) Smoke in campground restrooms or showers.
 - (i) Wash or clean dishes, utensils, pans, clothing, personal items, dogs or pets in campground restrooms, sinks or showers.
 - (j) Fill vehicle fresh water holding tanks.
 - (k) Use a campground site without compliance to the following provisions:
 - (A) Deposit permit envelopes with appropriate fee in Pay Box within 30 minutes of selecting a site.
 - (B) The daily camp unit permit shall be valid from the time of purchase until 2:00 p.m. of the following day.

(C) A daily camp unit permit shall be required for each day that an overnight camp unit is occupied.

(D) A daily additional vehicle fee shall be required for each additional motor vehicle used or kept at an overnight camp unit, unless the additional vehicle is towed and attached to a recreational vehicle or motor home for which a daily camp unit permit has been purchased.

(E) Camp sites with disability markers are reserved for qualified campers. If not occupied by qualified campers by 7:00 p.m., these sites may be used by other campers.

(F) Designated RV camp sites which are not occupied by qualified campers by 7:00 p.m. may be occupied by other campers.

(4) On land owned by Benton County or managed by the Benton County Natural Areas and Parks Department, a Special Use Permit is required for any signage as follows:

(a) Only one sign may be permitted for each Special Use Permit and, if permitted, such sign surface area shall not exceed ten (10) square feet; the height, including support posts, shall not exceed five (5) feet above the uniform finished grade; and, unless more restrictive zoning regulations apply, sign setbacks shall be at least equal to the height of the sign, including support posts.

(b) Additional restrictions may be applied to signs proposed for placement on sites with historic resources.

(c) Any sign, for which a Special Use Permit has not been issued, is prohibited.

(d) A sign is defined as a structure, movable object, wall or image displaying any message visible to the public. This section does not apply to signage authorized by a city, government agency, the State of Oregon or the federal government.

(e) Cutting or killing of vegetation to enhance the visibility of a sign is prohibited.

(f) Signs shall not be placed so as to obstruct the visibility of pedestrians and/or motorists at intersections and/or driveways.

(g) Signs in designated wetlands and natural areas, except Governmental and Warning Signs, are prohibited.

(5) The rules and regulations set forth above do not apply to agents and employees of the Benton County Natural Areas and Parks Department insofar as such would conflict with the normal course of managing the Benton County Natural Areas and Parks System, Campgrounds, and Crystal Lake Cemetery. [Ord. 85-0002; Ord. 85-0028A; Ord. 89-0060; Ord. 94-0107; Ord. 2008-0230]

PERMITS

15.105 Special Use Permits.

(1) Special Use Permits shall be required for all activities which are, in the Natural Areas and Parks Director's or designee's opinion, substantially different than activities for which the county site was designed, or for uses which are exceptions to uses permitted by BCC Chapter 15, or by other adopted rules and regulations.

(2) Special Use Permits may:

- (a) Limit time, place, and manner of the special use;
- (b) Be conditioned on an agreement to repair any damage caused by the special use or to reimburse the county for the cost of such repair;
- (c) Be conditioned on an agreement holding harmless Benton County from liability arising from the special use; and
- (d) Control access and conditions for educational, scientific research, restoration and other activities, including signage. [Ord. 85-0002; Ord. 85-0028A; [Ord. 2008-0230]

15.110 Park Closure and Emergency Rules. Whenever such action is necessary to protect the health or safety of the public or to prevent damage to a county site or any of its facilities, the Natural Areas and Parks Director or designee may close to public use any county natural area, park, recreation area, cemetery, campground or portion thereof; or restrict the times when a county natural area, park, recreation area, cemetery or campground shall be open to use, or limit or prohibit any recreational use; or establish emergency rules governing any county site use for up to one hundred twenty (120) days. [Ord. 85-0028A; Ord. 2008-0230]

15.205 Fees and Charges. Fees and deposits for the use of any natural area, park, recreation area, cemetery or campground shall be established and reviewed on an annual basis. [Ord.. 85-0002; Ord. 85-0028A; Ord. 2008-0230]

PENALTIES

15.305 Enforcement. Commission of any act proscribed in Chapter 15 is hereby declared to be a nuisance. Violation of any of Chapter 15 shall be deemed a County offense and shall be prosecuted by the County Counsel. Pursuant to either Chapter 21 or Chapter 26 of the Benton County Code, any violation shall be punishable, upon conviction, by a fine of not more than five hundred dollars (\$500). Each day a violation occurs shall be deemed a separate offense. The county may, in addition to other remedies provided by law, institute injunction or other appropriate proceedings to enjoin or abate the violation. [Ord. 85-0002; Ord. 85-0028A; Ord. 99-0147; Ord. 2008-0230]