# CHAPTER 7 – DISTRICT REGULATIONS

## 7.01 General Regulations

No person shall violate any provision of the Oregon Criminal Code.

## 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 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;

(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 Manager;

(L) Hit golf balls on or into District property; or

(M) Disobey any reasonable direction or request of a District Employee or peace officer based on the DCP or during an emergency situation.

**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 and portable stove use confined to established picnic areas where fires are allowed.

(C) No fire on District property may be left unattended and every fire must be extinguished by the user before leaving District property.

(D) The 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 permission.

**7.06 Model Devices**

(A) No person shall operate motorized model cars, rockets, aircraft, boats or similar devices on District property except by District approval in areas specifically designated for that purpose.

(B) No person shall operate such devices that emit loud noises, foul odors and visible emissions.

**7.07 Alcohol and Controlled Substances**

No person shall:

(A) Display, possess or consume any alcoholic beverages while on District property except by District permit issued by the Manager. A District permit may contain conditions the Manager believes promote the peaceful use of District property by patrons; or

(B) Sell, buy, use or have in possession any drug or narcotic prohibited by state law while on District property.

**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, or surfaces not intended for their use on District property; and

(4) Shall not be left so as to obstruct pedestrian traffic on a path, trail, disabled access ramp, or building entrance on District property.

(B) No person shall:

(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 maintenance or law enforcement vehicles; or
(d) Wheel chairs or mobility scooters for the use of a disabled person.

(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 trailers 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;

(4) Park motorized vehicles or trailers in parking lots or other areas on District property or within a public parking lot adjacent to District property while not using District property. Any violations are subject to tow and the owner is responsible for costs of impoundment; or

(5) 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 handicap parking spaces.

**7.09 Firearms and Explosives**

Except when authorized by the Manager, 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;

(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, domestic, exotic or native, onto District property.

(B) No person shall feed any waterfowl or other wildlife on District property.

(C) Except as authorized by the Manager, 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.

(D) No person shall mistreat, torment or molest domestic or wild 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) No person shall allow any non-domesticated animal, horse or livestock to enter District property, unless it is specially posted to allow such use.

(H) Dogs are prohibited on District property areas designated as no dog areas, except guide dogs under state law.

(I) Dogs on District property shall be on a leash not more than eight feet in length or confined in a vehicle and must be kept under control at all times.

(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 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 guide animal.

(M) No person shall ride, lead or keep a horse or livestock on District property.

(N) No person shall tie any animal to any tree or other structure on District property not designated for that purpose.

**7.11 Solicitation / Signs**

(A) Except in specifically designated areas, no person shall erect signs, markers, or inscriptions of any type on District property.

(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.

(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.

**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 Assemblies / Meetings

No person shall organize and hold any religious or political meeting or other assembly on District property without District approval upon request. Such use may be conditioned as to the time and place of holding such meeting or assembly so as not to unreasonably interfere with other activities. Such conditions may be appealed to the Manager if the applicant feels such conditions are unreasonable.

## 7.14 Enforcement of Regulations

(A) Peace officers and District employees are delegated authority to enforce these regulations. This authority includes the issuance of citations as provided by Oregon law to any person who violates any provision of these regulations, to refuse entrance and to exclude persons from District property.

(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 peace officer or District employee.

(D) Violation of these regulations is punishable by exclusion or misdemeanor.

(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 state laws, any peace officer or District employee may exclude from all or a part of the District property any person who violates any regulation or any state 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 arrested and prosecuted for the crime of criminal trespass in the second degree. ORS 164.245.

(C) Written notice signed by the issuing party must be given 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 of the notice to the excluded person.

(D) Variance.

(1) A person excluded may petition in writing to the Manager at any time during the exclusion period for a temporary waiver of the exclusion.

(2) Petitions must be addressed 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 Manager 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 Manager 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 Manager 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 Manager 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, a public hearing will be conducted by the Manager within 21 days after receipt of the appeal and make a decision within 21 days after the hearing.

(3) At any time during the exclusion, a person may petition in writing to the Manager for a temporary waiver of the exclusion.

(4) Unless the presence of the issuing person at the appeal hearing is requested, the Manager may use the issuing person's affidavit as evidence at the hearing.

(5) No peace officer or District employee has the authority to grant an excluded person permission to be in or on District property other than the Manager through the appeal process.

## 7.16 Affiliate Policy

(A) Purpose: In an effort to work with community groups requesting to use District owned and/or operated facilities and to ensure that an emphasis is placed on facilitating responsible in-district constituent use of those facilities, the District has established four classifications for specific users. This four-tiered system primarily determines the fee structure for use of District facilities but it is also a critical component in determining priority for use of the facilities and the associated level of support services provided by the District to the organization.

(B) Classifications: All entities or individuals seeking to use District owned and/or operated facilities shall be categorized and classified based on the established criteria set forth below for each classification level. The purpose of this classification system and the resulting criteria is to ensure that the publicly funded facilities are being used for the benefit of District residents and not for personal or corporate gain.

(1) Affiliates: Provide a service that the District would provide if they did not exist. Must be nonprofit, community based, focused on serving in-district needs and constituents, and meet the Affiliate Criteria listed in Section 7.16 (D) below.

(2) Partners/Associates: Provide a service of community benefit. The District would not provide the activity or benefit if they did not exist. Must be nonprofit and community based, focused on serving in-district needs and constituents. Affiliates operate and exist as a result of Partners/Associates support, licensing or sanctioning.

(3) Renter: Exclusive use of space. Must be for nonprofit use or proceeds must be donated to a charitable foundation/organization. For profit enterprises are not eligible.

(4) Commercial: Exclusive use of space. The District reserves the right to refuse use for profit enterprise by a business or individual.

(C) Affiliate Policy: Organizations classified as Affiliates by the District have priority use of District facilities and property. To be classified as an Affiliate, an organization must demonstrate that:

(1) It supports District goals and objectives related to providing services/programs and facilities for in-district residents.

(2) It is a nonprofit and evidences good governance and enhanced corporate responsibility standards through its adopted by-laws, rules and regulations; and

(3) The organization can meet and adhere to the District Affiliation requirements as outlined in the THPRD Operational Policy and Procedures and as set forth below in Section 7.16 (D).

(D) Affiliate Criteria: Recognized Affiliates must provide evidence they meet the following criteria by January 1 of each year. An organization that does not meet the following criteria and/or does not provide supporting documentation, might not be recognized as an affiliate impacting its ability to use District facilities on a priority basis.

(1) Responsible governance and corporate responsibility policies are implemented.

(2) Compliance with state and federal laws and regulations including but not limited to those directed at nonprofit, charitable organizations.

(3) Provide services to the maximum number of in-district participants with an aim toward 100% in-district participation in recreational clubs and 80% in-district participation for competitive clubs.*

(4) Facilitate unique services that the District or an existing affiliated club or organization does not already provide.

(5) The program/sport/activity sponsored by the organization must be one that the District has sufficient facilities and staff to support or the District must have the ability to reasonably gain access to the necessary facilities and support.

(6) The budgetary impact to the District from the organization's participation as an affiliate must align with the District's facility and operational support funds.

* In-district status for rostering purposes will include residents of both the District and Beaverton School District service areas. Non-district residents will continue to pay an out -of-district assessment.

(E) Implementation Strategy: In addition to the criteria listed in Section 7.16 (D) above, any organization/group wishing to be affiliated with the District must submit the required documentation for review in accordance with the THPRD Operational Policy and Procedures adopted by the Manager.