

BEFORE THE COMMON COUNCIL OF THE CITY OF CANNON BEACH

FOR THE PURPOSE OF AMENDING THE MUNICIPAL) ORDINANCE 20-01
CODE CHAPTER 12.42 PARK CODE)

WHEREAS, Chapter 12.42 of the Cannon Beach Municipal Code the Parks Code, was last updated in 2005; and

WHEREAS, the Parks and Community Service Committee reviewed the Park Code and has recommended amendments to the Cannon Beach City Council;

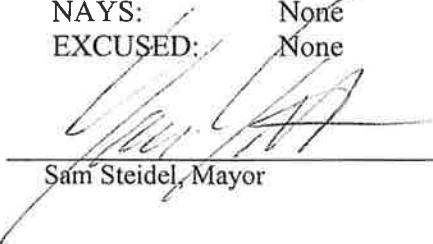
WHEREAS, the Cannon Beach City Council reviewed the recommended amendments and agreed they are necessary.

NOW THEREFORE, THE CITY OF CANNON BEACH COUNCIL ORDAINS AS FOLLOWS:

1. The Cannon Beach City Council amends Chapter 12.42 of the Cannon Beach Municipal Code as described in Exhibit A to this ordinance, which is attached and incorporated by reference.
2. Ordinance 05-13 is repealed when this ordinance becomes effective.
3. This ordinance is effective 30 days from adoption.

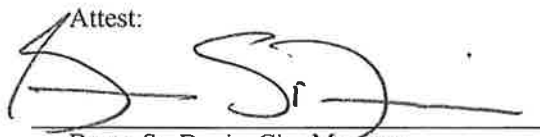
ADOPTED by the Common Council of the City of Cannon Beach this 7th day of January 2020, by the following roll call vote:

YEAS: Councilors Benefield, McCarthy, Ogilvie, Risley and Mayor Steidel
NAYS: None
EXCUSED: None



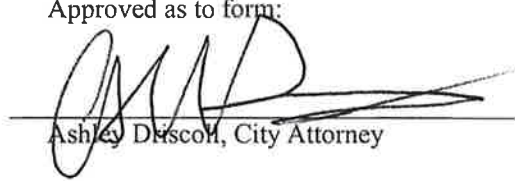
Sam Steidel, Mayor

Attest:



Bruce St. Denis, City Manager

Approved as to form:



Ashley Discol, City Attorney

EXHIBIT A

Chapter 12.42 PARK CODE

12.42.010 Title.

This chapter may be cited as the “Park Code for the City of Cannon Beach.” (Ord. 05-13 § 1)

12.42.020 Purpose.

The parks of this city are established and maintained as areas of recreation, relaxation, and enjoyment for the public. It is intended that they shall be regulated and used to permit enjoyment by a maximum number of people engaged in widely diverse interests and activities as may be practical within the limits of space, design, and accommodations available in each park unit. Limitations may be required to insure the use of park areas in safety and to protect the rights of others in surrounding areas. (Ord. 05-13 § 2)

12.42.030 Definitions.

For the purposes of this chapter, the following terms, phrases, words, and their derivations shall have the meaning given in this section:

“Park” as used in this chapter means and includes all the properties controlled by the city, and operated as parks available for use of the public. These are including but not limited to City Main Park, Les Shirley Park (including the Haney Addition and Ecola Pump Station), Ne Cus’ Park, Ecola Creek Park, Whale Park, Madison Park, Elk Run Park, Sitka Spruce Reserve, Tolovana Hall Property, and the Sewage Lagoon Loop Trail System.

12.42.040 Restrictions.

For the conduct of persons using or frequenting the parks of Cannon Beach, the following rules and regulations to be observed and enforced within the parks are established.

- A. All city ordinances shall apply to and be in full force and effect within the parks of the city.
- B. No person shall cut, remove, or damage any flowers, trees or shrubs without written permission from the Public Works Director.
- C. No person shall build any fire within a park. Private cooking stoves, whether propane or charcoal, are allowed for the preparation of food.
- D. No person shall set up or operate a powered public address system, amplified music speaker system or other means of amplifying sound except such systems may be operated at the bandstand at the city’s main park with written permission from the Public Works Director. Battery-operated portable music players are permitted provided they shall not be operated at a volume or in any manner that can be heard outside of park boundaries.
- E. No person shall set up or construct any temporary structures or enclosures, including, but not limited to, tents, arbors, and other structures. Open-sided canopies up to and including 10 feet x 10 feet in size are allowed if approved under City permitted event application.
- F. No person shall set up, construct, or operate temporary lighting or generators.
- G. No person shall engage in any activity or conduct which is disruptive or incompatible with the appropriate use of the premises or which interferes with the reasonable use and enjoyment of the park by others.

EXHIBIT A

H. No motor vehicle shall be operated, stopped, parked, or left standing any place in a public park except on roads and parking areas provided thereof. This section does not apply to maintenance vehicles, vehicles with city issued permits, emergency vehicles, bicycles, and wheel chairs.

I. No person shall allow horses under their control to enter any Park, city parking lot with the exception of horse trailers, for the temporary loading and unloading of animals, in the west Les Shirley parking lot and the east end of Elk Creek Road.

J. No person shall enter any area in a park that has been designated and posted by the Public Works Director as a “restricted area” or “closed area.” (Ord. 11-4 § 2; Ord. 05-13 § 4)

K. Commercial activities, defined as the exchange of any goods or services for money, are not allowed.

L. Usage of all park facilities is on a “first come – first serve” basis, except for events of 50 or more persons, which must go through the City event permit process.

12.42.050 Violation—Penalty.

A fine not to exceed five hundred dollars shall punish any person violating any of the provisions of this chapter, on conviction thereof before the municipal court. (Ord. 05-13 § 5)