

CHAPTER 9.75 PUBLIC PARKS

9.75.010 Parks and Property Covered

The provisions of this Chapter 9.75 shall apply to all park property and park facilities thereon belonging to the city, including county parks within the corporate limits of the city.

9.75.020 Park Hours

- A. Unless a specific exemption has been granted by the City Council or a special event permit, between the hours of 10:00 P.M. of one day and 5:00 A.M. of the succeeding day, no person other than law enforcement or authorized personnel shall be in a park unless driving, bicycling, walking, or otherwise moving through the park on lawful business within the public street right-of-way or officially designated bicycle path or sidewalk. The Director of the Parks and Recreation Department may temporarily close all or any portion of a park or park facility upon finding that conditions that threaten the welfare or safety of the public exist and the need to preserve their welfare and safety outweighs the public's right of access to the park or park facility. The Director of the Parks and Recreation Department determination shall be by written order, contain findings, set forth the specific area that is closed to entry, the date of closure, and the date upon which it will be reopened. Clearly visible signs shall be posted at park entry points and such other locations deemed appropriate by the Director of the Parks and Recreation Department, advising the public that entry is prohibited and the penalty for violation. No person other than law enforcement officers or authorized personnel may enter or remain within a park or park facility during the closure period set forth in the order of the Director of the Parks and Recreation Department.
- B. In addition to a closure ordered under Subsection (1) of this Section, the Director of the Parks and Recreation Department may restrict vehicular access to a park during regular open hours upon finding that such restriction is necessary for the preservation of the health, welfare, and safety of the citizens of the city. Upon such a determination, the gates at park

entry points may be closed and appropriate signs posted, indicating the hours that vehicular access is prohibited. A closure under this subsection shall not limit the public's right of non-vehicular access to a park or open space between 5:00 A.M. and 10:00 P.M.

9.75.030 Alcohol

- A. "Alcoholic liquor" means any liquid or solid containing more than one-half of one percent alcohol by volume and capable of being consumed by a human being.
- B. Unless the city has authorized the possession and consumption of alcoholic liquor as part of a park use permit, park rental permit, or a special event permit, no person may consume alcoholic liquor in a park or possess a receptacle in a park containing alcoholic liquor that has been opened, had the seal broken, or the contents partially removed.

9.75.040 Animals

- A. No animal shall be left unattended and unsupervised in a park.
- B. Except for assistance animals and assistance animal trainees, as those terms are used in state law, animals are not permitted in parks unless the animal is on a leash no longer than 8 feet in length and under the control of the animal's owner or caretaker.
- C. Notwithstanding subsection B, dogs may be off-leash in areas of a park designated and signed as off-leash dog park areas. A dog's owner or caretaker must be present in the dog park area and is responsible for the dog's behavior at all times while the dog is in the dog park area.
- D. No animal may deposit solid waste matter within a park unless the animal's owner or caretaker immediately removes the solid waste.
- E. No animal may be hitched to a tree or shrub in a manner that damages the tree or shrub.

9.75.050 Skateboarding/Skating

- A. A skateboard includes roller skates, in-line roller skates, roller blades, roller scooters, roller skis, and any similar non-motorized device.
- B. Riding or operating a skateboard is prohibited within any city park including rights-of-way within the boundaries of a park unless the park, or a designated area within a park, has been specifically designated and signed for skateboard use.

9.75.060 Fires and Fireworks

- A. Fires are prohibited in parks, except: (1) as authorized by special city permit; (2) to the extent the fire is confined to park grills provided for that purpose; or (3) to the extent the fire is confined to a portable barbeque grill and used appropriately.
- B. No fire in a park may be left unattended. Every fire must be extinguished by the user before leaving the park.
- C. Unless specifically authorized by the city, the possession, use, explosion, or discharge of fireworks is prohibited in all parks. This prohibition does not apply to fireworks covered by a property issued public display permit under the terms of ORS 480.130 to ORS 480.150. As used in this provision, the term "fireworks" means any device defined at ORS 480.110(1) and ORS 480.127 for which a permit from the State Fire Marshal is required before it may be sold, kept, used, or exploded.

9.75.070 Enforcement

- A. The provisions of the Chapter 9.75 may be enforced by any peace officer or city code enforcement officer under the procedures set out in Newport Municipal Code [Chapter 2.15](#).
- B. The penalty for each violation of these park rules shall be a civil penalty of \$50.

(Chapter 9.75 enacted by Ordinance No. 2028, adopted on January 17, 2012; effective February 17, 2012.)