



## ORDINANCE NO. 26-724

**AN ORDINANCE OF THE CITY OF WINSTON OREGON CITY COUNCIL AMENDING THE WINSTON MUNICIPAL CODE TITLE IX, CHAPTER 93 REGARDING THE REGULATORY AND RECOMMENDING BODY OF THE PARK BOARD AND INTRODUCING THE CREATION OF A PARK VOLUNTEER PROGRAM.**

**WHEREAS** the Winston City Council recognizes the need to prioritize park improvements and new park development with the assistance of community members and volunteer programs; and,

**WHEREAS** an urgent and imperative intent, the Winston City Council finds it necessary to restructure the park board platform to foster progress and ensure success; and,

**WHEREAS** to better solidify all aspects of the parks masters plan, and realize community desire to make all manner of improvements in local parks, changes will hereby be implemented as outlined in this ordinance; and,

**WHEREAS** Ordinance Nos 614, 633, 643 and 694 are hereby amended accordingly.

**NOW, THEREFORE, THE CITY OF WINSTON OREGON CITY COUNCIL HEREBY ORDAINS AS FOLLOWS:**

**SECTION 1.** Chapter 93 of the Winston Municipal Code related to Park Board organization is amended as follows:

**~~PARK BOARD~~ PARK ADVISORY COMMITTEE; MEMBERSHIP**

**§ 93.01 ESTABLISHMENT.**

There is hereby created and established a ~~Park Board~~ Park Advisory Committee. (Ord. 614, passed 4-17-2006; Ord. 633, passed 6-4-2007)

**§ 93.02 MEMBERSHIP.**

(A) Members, generally. The ~~Park Board~~ Park Advisory Committee shall consist of ~~six~~ four voting members and a generally nonvoting Chair, who may vote only in the event of a tie and is selected by the voting members. A City Councilor shall be selected by the City Council to serve as a non-voting liaison to the ~~Board~~ committee, and two ex officio Winston City staff members (designated by the City Manager). Each ex officio staff member shall not hold voting authority. Recommendations from the committee shall not advance to the City Council unless express written approval from ex officio staff members. The Mayor shall appoint the voting members, with confirmation by the City Council. ~~One~~ Any voting member may be appointed, who need not live within the corporate limits of the city. ~~The remainder of the voting members shall live within the corporate limits of the city unless a Board position remains vacant for 90 days. The vacant position can then be filled from outside the corporate limits of the city.~~ One member, selected by the ~~Board~~ Committee, shall serve as Secretary to the ~~Board~~ Committee and shall prepare minutes of each meeting.

(B) Unexcused absences. In the event of three consecutive unexcused absences from the regularly scheduled meetings of the City ~~Park Board~~ Park Advisory Committee, the Mayor shall declare that position vacant and may fill the position as per division (A) of this section. (Ord. 614, passed 4-17-2006; Ord. 633, passed 6-4-2007; Ord. 643, passed - -; Ord. 21-694, passed

3-15-2021).

**(C) Park Volunteer Program. The volunteer program shall be subordinate to the Park Advisory Committee and maintain the duties and responsibilities of fund raising and donation activities. The volunteer program shall have no limitation on participation or activities that directly benefit Winston local parks on all aspects related to projects, activities or monetary functions. The Park Volunteer shall have a designated coordinator appointed by the Park Advisory Committee that reports directly to the committee at least once per month.**

#### **§ 93.03 TERMS.**

The initial terms of the members shall be as follows: Chair for two years, beginning with the first meeting in January of even-numbered years; ~~three members for one year;~~ **the remaining two ~~three~~ members for two years; and ~~two members for three years.~~** Thereafter, all terms shall be for ~~three~~ **two** years. All terms, except the Chair, shall expire on January 31 of the appropriate year. (Ord. 614, passed 4-17-2006; Ord. 633, passed 6-4-2007)

#### **§ 93.04 QUORUM; RULES, REGULATIONS AND PROCEDURES.**

Three voting members of the ~~Park Board~~ **Park Advisory Committee** shall constitute a quorum. The ~~Board~~ **Committee** shall make rules, regulations and procedures as it deems necessary, but all the rules, regulations and procedures shall be consistent with the laws of the state, the City Charter and city ordinances. The ~~Board~~ **Committee** shall meet at least once every three months. (Ord. 614, passed 4-17-2006; Ord. 633, passed 6-4-2007; Ord. 20-687, passed 7-20-2020)

#### **§ 93.05 COMPENSATION.**

Members of the ~~Board~~ **Committee** shall receive no compensation for services rendered, but may be reimbursed for any incidental expenditures approved by the Mayor and City Council. (Ord. 614, passed 4-17-2006; Ord. 633, passed 6-4-2007)

#### **§ 93.06 POWERS AND DUTIES.**

In general, the ~~Board~~ **Committee** shall act in an advisory capacity to the City Council and the City Manager in the creation, development and implementation of park rules, regulations, activities and development, including structures located with the park system. In addition, the ~~Board~~ **Committee** shall have the authority to grant or deny permission for certain activities not allowed or not addressed in the park rules and regulations in place at the time of request. If the ~~Park Board~~ **Park Advisory Committee** recommends a special events contract, there may be a fee passed for the promise of year-to-year reservations. Decisions of the ~~Park Board~~ **Park Advisory Committee** concerning usage can be appealed to the City Council at its next regular meeting upon written request of the applicant or any member of the ~~Park Board~~ **Park Advisory Committee**. All decisions of the City Council in these matters shall be final. (Ord. 614, passed 4-17-2006; Ord. 633, passed 6-4-2007)

#### **§ 93.07 REPORTS.**

The ~~Board~~ **Committee** shall submit copies of its minutes to the City Council and shall, in February of each year, make and file an annual report of its activities to the City Council; and any other reports as from time to time may be requested of it by the City Council. (Ord. 614, passed 4-17-2006; Ord. 633, passed 6-4-2007)

#### **§ 93.08 LIFE OF BOARD COMMITTEE.**

The ~~Park Board~~ **Park Advisory Committee** shall continue in existence so long as directed to do so by the Mayor and City Council. (Ord. 614, passed 4-17-2006; Ord. 633, passed 6-4-2007)

**§ 93.20 RULES AND REGULATIONS.**

**(A) Fires in the park areas shall be confined to:**

- (1) Park camp stoves or fireplaces provided for that purpose;**
- (2) Portable stoves in established campsites and picnic areas where fires are permitted; and**
- (3) No fire shall be left unattended, and every fire shall be fully and completely extinguished before its user leaves the park area.**

**(B) No person shall:**

- (1) Hunt, pursue, trap, kill, injure or molest any birds or animals or disturb their habitats;**
- (2) Discharge any firearm, pellet gun, bow and arrow, slingshot or other weapon capable of injuring any person, bird or animal; or**
- (3) Possess any loaded firearm in any park area except under agreement or special regulation of this city.**

**(C) Flowers, shrubs, foliage, tree or plant life or products of any type shall not be planted, picked, cut, mutilated or removed from any park area without written permission from the ~~Park Board~~ **Park Advisory Committee**.**

**(D) No person shall mutilate, deface, damage or remove any table, bench, building, sign, marker, monument, fence, barrier, fountain, faucet, traffic recorder or other structure or facility of any kind in a park area. This proscription does not include ordinary control or maintenance of park areas or park property by park employees.**

**(E) No person shall, except under special regulation of the ~~Park Board~~ **Park Advisory Committee**, dig up, deface or remove any dirt, stones, rock or other substances whatever, make any excavation, quarry any stone, lay or set off any blast, roll any stones or other objects, or cause or assist in doing any of the things within a park area.**

**(F) No person shall erect signs, markers or inscriptions of any type within a park area without the permission of the ~~Park Board~~ **Park Advisory Committee**.**

**(G) Without prior approval of the ~~Park Board~~ **Park Advisory Committee** no person in a park area may:**

- (1) Operate a concession, either fixed or mobile;**
- (2) Solicit, sell or offer for sale, peddle, hawk or vend any goods, wares, merchandise, food, liquids or services; or**
- (3) Advertise any goods or services by any means whatsoever.**

**(H) Motor vehicles shall be operated only on roads and in parking areas constructed or designated for motor vehicle use. No motor vehicle shall be operated on any trail or in any part of a park not constructed or designated for motor vehicle use, or on any road or trail posted as closed to public. Automobiles, trailer or other vehicles shall be parked only in designated parking areas. This division (H) shall not apply to control and maintenance of park areas or park property by city employees.**

**(I) No bottles, cans, ashes, waste, paper, garbage, sewage or refuse shall be left in the park area without the permission of the ~~Park Board~~ **Park Advisory Committee**.**

**(J) No person shall set up or use a public address system in the park area without the permission of the ~~Park Board~~ **Park Advisory Committee**.**

**(K) No person shall ride, drive, lead or keep a saddle horse or other animal in any park area except on roads, trails or areas designated for that purpose. No horse shall be hitched to any tree or shrub in a manner that may cause damage to the tree or shrub.**

**(L) No person shall operate or use any noise-producing machine, vehicle, device or instrument in a manner that is disturbing to other park area visitors.**

**(M) No person shall operate any motor vehicle within a park area at a speed in excess of 15 mph unless the roadway is posted otherwise.**

**(N) (1) Except for authorized overnight camping in accordance with these Council rules and regulations, no person other than law enforcement officers or authorized personnel shall enter or remain in any park area between the daily closing time and the daily opening time as established by the ~~Park Board~~ **Park Advisory Committee** and posted at the entrance to the park area. (2) Authorized camping is limited to that needed by vendors or security for special events, or by special provisions of a contract with the city. All camping must be in self-contained units and parked only in designated parking areas.**

**(O) No child under the age of five shall be allowed in any park area unless attended by a person responsible as an adult under the circumstances.**

**(P) The use or possession of fireworks on park property is not allowed.**

**(Q) Any security that will be provided must be state certified and approved by the City Police Chief.**

**(R) Rental fees must be paid for all days of use, including setup.**

**(S) No alcohol is permitted on park property unless approved by the ~~Park Board~~ **Park Advisory Committee** and City Council.**

**(T) Parking is only allowed in areas designated for parking on the River Bend park map.**

**(U) Park hours of use shall be posted as daylight to dark. (Only scheduled events with special permission are allowed to conduct activities outside these hours.) (1993 Code, Comp. No. 4-9) (Ord. 197, passed 10-1-1975; Ord. 413, passed 12-21-1987; Ord. 614, passed 4-17-2006; Ord. 633, passed 6-4-2007)**

**SECTION 2.** Chapter 93 of the Winston Municipal Code is amended as set forth above. The additional provision of 93.02(C) is set forth above.

**SECTION 3.** Such supplements shall be deemed published as of the day of its adoption and approval by the Council, and the City Manager is hereby authorized and ordered to insert such supplements into the copy of the Code of Ordinances kept on file in the Office of the Manager.

**SECTION 4.** This ordinance shall go into effect 30 days after its adoption.

**FIRST READING BY THE CITY OF WINSTON OREGON CITY COUNCIL ON THIS 18<sup>TH</sup> DAY OF MAY 2026.**