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**ROSEBURG PARKS AND RECREATION COMMISSION AGENDA
WEDNESDAY, FEBRUARY 7, 2024
8:15 a.m. Regular Meeting**

**In Person at City Hall Third Floor Conference Room
Public Access: www.Facebook.com/CityofRoseburg**

NOTE: IT IS UP TO EACH OF YOU AS COMMISSIONERS TO CALL 541-492-6730 AND LET STAFF KNOW BEFORE THE DAY OF THE MEETING IF YOU WILL NOT BE ATTENDING. THANK YOU.

I. CALL TO ORDER

II. ROLL CALL:

<u>Chair:</u>	Ruth Smith		
<u>Commissioners:</u>	Kyle Bailey	Ryan Finlay	Diana Wales
	Bob Grubbs	Marsha La Verne	Tobiah Mogavero

III. APPROVAL OF MINUTES

A. November 1, 2023

IV. DISCUSSION ITEMS

A. **Parks Rules & Regulations Update**

AUDIENCE PARTICIPATION – At this time, anyone wishing to address the Commission concerning items of interest not included in the agenda may do so. The person addressing the Commission shall, when recognized, give his/her name for the record. All remarks shall be directed to the whole Commission. Comments also can be provided via email to the Commission at pwd@cityofroseburg.org or hand delivered to City Hall, 900 SE Douglas Avenue in Roseburg **prior to 12:00 pm on Tuesday, February 6, 2024.** Comments must include the person’s name and address for the record. The Commission reserves the right to delay any action requested until they are fully informed on the matter.

V. INFORMATIONAL

VI. BUSINESS FROM THE COMMISSION

VII. NEXT MEETING DATE: March 6, 2024

VIII. ADJOURNMENT

***** AMERICANS WITH DISABILITIES ACT NOTICE *****

Please contact the Office of the City Administration Office at least 48 hours prior to the scheduled meeting date if you need accommodations in accordance with the Americans with Disabilities Act. TDD users please call Oregon Telecommunications Relay Service at 800-735-2900.

**CITY OF ROSEBURG
PARKS AND RECREATION COMMISSION
NOVEMBER 1, 2023**

MINUTES

CALL TO ORDER: The meeting of the City of Roseburg Parks and Recreation Commission was called to order at 8:17 a.m. Wednesday, November 1, 2023, in the Third Floor Conference Room at City Hall, Roseburg, Oregon.

ROLL CALL: Present: Commissioners Bob Grubbs, Marsha La Verne, Diana Wales, and Tobiah Mogavero

Absent: Chair Ruth Smith and Commissioners Kyle Bailey and Ryan Finlay

Attending Staff: Public Works Director Dawn Easley, Parks and Recreation Program Manager Val Ligon, and Department Technician Chanelle Rogers

Others Present: None

APPROVAL OF MINUTES: Commissioner Wales moved to approve the minutes of the October 4, 2023 Parks and Recreation Commission meeting. Motion was seconded by Commissioner Mogavero and approved with the following vote: Commissioners Grubbs, La Verne, Wales, and Mogavero voted yes. No one voted no.

DISCUSSION ITEMS:

Parks Maintenance Equipment Purchase: Easley stated the Parks Maintenance Division is budgeted to replace two pickups this fiscal year. Easley informed the two pickups that are being replaced are a 2007 Ford F-150 with 84,928 miles and a 2013 Ford F-150 with 124,887 miles. Easley said staff utilized the Oregon Buys state pricing system and compared capabilities and pricing of various comparable models and recommend purchasing two 2024 Chevrolet Silverado 2500HD 4WD Double Cab gas engine pickups. The Equipment Replacement Fund includes \$125,000 for purchase of Parks Maintenance equipment; the total cost for both pickups is \$122,017.12. Currently staff does not have a delivery estimate, as the dealership needs the purchase order first, recent vehicle purchases have taken six to twelve months. Commissioner Mogavero questioned if they will be equipped with wenchers, as he feels those could be helpful. Easley stated she was not sure if they would or not. Commissioner Grubbs asked if staff knew why the older truck had less miles. Easley said she wasn't sure but it might have been the one that was mainly used around Stewart Park. Commissioner Grubbs also inquired what happens with the trucks that are being replaced. Easley stated they would be put up for auction.

MOTION: Commissioner Mogavero moved to recommend the City Council authorize the purchase of two 2024 2500HD Chevrolet 4WD Double Cab Gas Engine pickups with service body from Dick Hannah Chevrolet for \$122,017.12. Motion was seconded by Commissioner La Verne and approved with the following vote: Commissioners Grubbs, La Verne, Wales, and Mogavero voted yes. No one voted no.

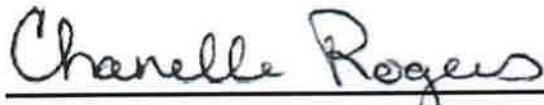
AUDIENCE PARTICIPATION: None

INFORMATIONAL: Ligon informed she was getting the tennis grant started and working on the purchase of the property for Brown Park.

BUSINESS FROM THE COMMISSION: Commissioner Wales questioned what all the construction vehicles were for that were parked on the side street by Brown Park. Staff replied that is the staging area for the work that is being done on W. Harvard Ave.

NEXT MEETING DATE: December 6, 2023

ADJOURNMENT: Meeting adjourned at 8:23 a.m.

A handwritten signature in cursive script that reads "Chanelle Rogers". The signature is written in black ink and is positioned above a horizontal line.

Chanelle Rogers, Public Works Department Technician

CITY OF ROSEBURG
MEMORANDUM



DATE: February 7, 2024
TO: Parks & Recreation Commission
FROM: Dawn Easley, Public Works Director
SUBJECT: Parks Rules & Regulations Update

ISSUE STATEMENT AND SUMMARY

Staff wanted to adjust the recent Parks Rules and Regulations update to remove language designating an assembly area to solicit, protest, proselytize, petition, and canvass.

BACKGROUND/ANALYSIS

In November 2023, staff updated the Park Rules and Regulations to remove the restriction of distributing written or printed materials in the park. When we made the change, we added language designating a park assembly area to solicit, protest, proselytize, petition, canvass, or distribute written or printed materials. After additional research by the City Attorney, it has been determined that this language is too restrictive and may infringe on First Amendment rights. Therefore staff is updating the Park Rules and Regulations to remove some restrictions.

The proposed changes include the following;

Under 1.6 ~~Soliciting, protesting, proselytizing, petitioning, canvassing, or D~~distributing written materials that does not unreasonably interfere with or impede access to the park or an event in the park may occur in the designated assembly-distribution area.

Under 1.7 The Stewart Park designated assembly-distribution area is located near the southernmost entrance of Stewart Park off Stewart Parkway, south of the parking area. The Fir Grove Section of Stewart ~~Park~~ Park's designated assembly-distribution area is in the northeast corner near the ~~entrance to the Stewart Park Drive Bridge Stewart Park Drive Bridge entrance~~ and the parking area. The Sunshine Park designated assembly-distribution area is ~~located~~ above the outfield of field two near the park's entrance at the first light pole. The assembly-distribution areas of any other park can be requested from the Parks and Recreation Department.

TIMING ISSUES

None.

COMMISSION OPTIONS

The Commission has the following options:

1. Recommend the City Council adopt the attached resolution repealing and replacing the City of Roseburg Parks Rules and Regulations; or
2. Request additional information; or

3. Not recommend the City Council adopt the attached resolution repealing and replacing the City of Roseburg Parks Rules and Regulations.

STAFF RECOMMENDATION

Staff recommends the Commission approve the attached revised City of Roseburg Parks Rules and Regulations and forward a recommendation to Council for adoption by resolution.

SUGGESTED MOTION

I move to recommend the City Council approve the revised Parks Rules and Regulations and adopt a resolution repealing and replacing the City of Roseburg Parks Rules and Regulations.

ATTACHMENTS

1. Revised City of Roseburg Parks Rules and Regulations
2. Resolution No. 2024-03

CITY OF ROSEBURG PARKS RULES AND REGULATIONS

The following City of Roseburg Parks Rules and Regulations, adopted by the Roseburg City Council on November 13, 2023, via Resolution No. 2023-21, shall be observed within the public parks of the City of Roseburg, Oregon effective immediately. As used herein, the words “public park” shall mean and include all property now or hereafter owned and/or controlled by the City of Roseburg, Oregon, and operated as a park or an area of City beautification available for the use of the public. As used herein, the definition of “vehicle” shall be from Oregon Revised Statute 801.590.

1. GENERAL RULES OF CONDUCT IN CITY PARKS. The following rules and regulations for the conduct of persons using the public parks of the City of Roseburg, Oregon are hereby established and shall be observed and enforced within said public parks:

- 1.1 No person shall build any fire within any public park except as permitted in a stove or fireplace designed and provided therefore.
- 1.2 No overnight camping will be permitted in any park or part thereof without prior approval by the Public Works Director unless allowed by Roseburg Municipal Code (RMC) 7.02.100.
- 1.3 No person will be permitted to park overnight in a park parking lot unless an exception is allowed by RMC 7.02.100.
- 1.4 No person may erect signs, markers or inscriptions of any type within a public park, except in a specifically designated area, without permission from the Public Works Director.
- 1.5 Soliciting, protesting, proselytizing, petitioning, canvassing, or distributing written materials in a manner that unreasonably interferes with or impedes access to the park or an event scheduled in the park is prohibited.
- 1.6 ~~Soliciting, protesting, proselytizing, petitioning, canvassing, or D~~distributing written materials that does not unreasonably interfere with or impede access to the park or an event in the park may occur in the designated assembly- distribution area.
- 1.7 The Stewart Park designated assembly-distribution area is located near the southernmost entrance of Stewart Park off Stewart Parkway, south of the parking area. The Fir Grove Section of Stewart ~~Park-Park's~~ designated assembly-distribution area is in the northeast corner near the ~~entrance to the Stewart Park Drive Bridge Stewart Park Drive Bridge entrance~~ and the parking area. The Sunshine Park designated assembly-distribution area is ~~located~~ above the outfield of field two near the park's entrance at the first

light pole. The ~~assembly-distribution~~ areas of any other park can be requested from the Parks and Recreation Department.

- 1.8** The following activities are prohibited in all public parks unless specifically authorized by the Public Works Director:
 - 1.8.1** The solicitation of, or engagement in, the sale of any merchandise or service, the operation of any concessions or catering, within any public park without a permit from the Public Works Director.
- 1.9** Smoking or other use of tobacco products is prohibited on all public park property. "Smoking" as used herein shall include: electronic smoking devices, tobacco, marijuana, cigarettes, cigarillos, cigars, pipes, chew, snuff, smokeless tobacco and any burning or smoldering substance in any form. City-owned Stewart Park Golf Course is excluded.
- 1.10** No person shall permit any domestic animal owned by, or in the custody of the person, to run at large within any park or enter any pond, fountain or stream thereof, and all domestic animals within any public park shall be kept in control at all times on a leash not more than eight (8) feet in length (Happy Tails Dog Park excluded). Also, no person shall tease, annoy or injure any animal within any park facility including ponds, streams or fountains. No person shall ride or drive any horse or other livestock, or permit any horse or other livestock, to go upon any portion of a public park at any time except as authorized by the Public Works Director.
- 1.11** No person shall be permitted within a public park between dusk and dawn with the following exceptions:
 - 1.11.1** As permitted for special occasion upon application and approval by the Public Works Director.
 - 1.11.2** Organized events that the City has approved such as Music on the Half Shell, Movies in the Park, Legion Baseball, Little League activities at Gaddis Park, scheduled softball leagues and tournaments.
 - 1.11.3** Events sponsored by Umpqua Valley Arts Association and Umpqua Actors Community Theater, held at the Arts Center and the Betty Long Unruh Theater.
 - 1.11.4** As allowed by RMC 7.02.100.
- 1.12** No person shall swim, wade, bathe or operate a watercraft of any kind in any area of a public park except in those areas so designated.

- 1.13** No person shall operate any public address or loudspeaker system, or operate a radio or other electronic audio device, in any public park in a manner that violates RMC 7.02.140 Noise Disturbances; this does not include sounds arising from and consistent with any activity approved by City sponsorship or for which a permit has been issued by the Public Works Director.
- 1.14** Car washes and garage/yard sales are prohibited on public park property.
- 1.15** No person shall interfere with or disrupt any activity in a public park which has been authorized by City permit.
- 1.16** Except for First Responders, park maintenance, public utility and other vehicles judged necessary by the Public Works Director for the construction, maintenance and safety of City parks and utilities therein, no vehicles shall be operated, stopped, parked or left standing in a public park, other than on public roads, and parking lots specifically designated and designed for vehicle use. Any vehicle(s) in unauthorized areas, such as inside a park system, riparian zones, mitigated wetlands, multiuse paths, trails, and any other areas that are designated parking lots and public roads, may be immediately impounded by the Police Chief or their designee. The Public Works Director may impose reasonable conditions on park use when exempt vehicles are authorized within a park. Electric assist bicycles are considered bicycles and are permitted on multi-use pathways in City parks if the motor that does not exceed 750 watts and has functional pedals.
- 1.17** No person shall operate a motorized vehicle, or a bicycle, skateboard, roller-skates, roller blades, or any other type of vehicle, in any public park in a manner that endangers, or would be likely to endanger any person or damage any property. The speed limit on all multi-use paths is 15 miles per hour.
- 1.18** Persons desiring to use park property to picket or protest activities authorized by City permit shall be allowed to occupy the sidewalks and bicycle / pedestrian pathway abutting Stewart Parkway only. If the number of people using the designated area is ten (10) or more, the activity must also comply with City parade regulations.
- 1.19** The playing or practicing of golf is prohibited in any City park other than Stewart Park Golf Course, unless authorized by the Public Works Director.
- 1.20** Any activity that is not authorized by a City permit which is incompatible with or disrupts the general public use of park property is prohibited.
- 1.21** No vehicle shall remain in a parks parking lot for more than 12 hours within any 24-hour period.

2. RULES SPECIFIC TO SPECIAL EVENTS (NOT SPONSORED BY THE CITY)

In addition to the General Park Rules & Regulations, Persons issued a Parks & Recreation Special Event Permit are responsible for seeing that the following rules and/or regulations are followed, met and adhered to:

- 2.1** A special event is defined as gatherings/events that involve a large group of people (compared to the usual occupancy of the site), and
- Are advertised to the public and do not occur regularly on the site, or
 - Impact or use city streets (including curb or parking lane) sidewalks, and public right-of-way, or
 - Use of City facilities or property such as city buildings, parks, parking lots, etc.

Examples of special events include: concerts, festivals, parades, markets, carnivals, street fairs, runs/walks, bike races, church services, volunteer work group events, etc.

- 2.2** All special events in parks require a permit. Permit applications must be submitted to the Public Works Department at least two weeks prior to the date of the event. Payment of all fees/deposits is due at the time of application.
- 2.3** Permittee must submit a list of all vendors (those taking part in the solicitation of, or engagement in, the sale of any merchandise or service, or in the operation of any concessions) to be approved by the Public Works Director. All vendors who wish to sell food or products in conjunction with a special event must also enter into a separate agreement with the City per Section 1.3.2.
- 2.4** Mobile vendors/food trucks to be utilized in conjunction with special events shall comply with all rules specific to those businesses as outlined in Section 5.
- 2.5** At least one week prior to the event, Permittee shall provide the City with proof of General Liability Insurance as outlined in Section 6.
- 2.6** The sales, dispensing and/or consumption of alcoholic beverages during special events is prohibited without a special occasion liquor license obtained from the Oregon Liquor Control Commission **and** approved by the City Manager. The license shall be presented to the City *thirty* days prior to the event to allow sufficient processing time.
- 2.7** Permittee must pay a permit deposit at least two weeks prior to the date of the event to cover the cost of City services such as police, parks and public works crews if these services are required. The amount of the deposit will

be determined on an event by event basis. A final accounting for these services will be done by the City within 10 days following the event, at which time the Permittee will be reimbursed for any over payment or billed for costs in excess of the amount deposited.

- 2.8** Permittee must provide, at its own expense, all traffic control and security needed throughout the duration of the event. The minimum traffic control and security will be determined by the City on an event by event basis. Vehicles parked in/around the Legion Field area must keep out of the fire lanes and not be double parked.
- 2.9** For crowds over 1,000 Permittee must:
- Provide additional trash containers at a general rate of one (1) trash can per every 50 people (over 1,000).
 - Utilize recycling stations.
 - Provide an adequate number of portable toilets to meet crowd demands.
- 2.10** The decibel level of any sound produced as part of or as a result of the event shall be limited to 95 decibels.
- 2.11** Permittee shall be held liable and responsible for any damage beyond normal wear and tear upon the facilities used during the event. Climbing on the band shell structure for any reason is strictly prohibited.
- 2.12** Due to limited availability of parking space, if Permittee anticipates an extra-large crowd, Permittee is encouraged to provide shuttle bus service to the park.
- 2.13** All events must conclude no later than 9:30 PM unless approved by the Public Works Director.

3. RULES SPECIFIC TO CITY SKATEBOARD PARK FACILITY. In addition to the Park Rules & Regulations, the following rules apply to the City Skateboard Park:

- 3.1** No motorized vehicles shall be operated in the skateboard park.
- 3.2** No pets shall be allowed in the skateboard park.
- 3.3** Bicycles are allowed from dawn until noon on Sunday, Tuesday, and Thursday only. This time is for bicycles exclusively. Skateboards shall not be used in the park during the bicycle time.

4. RULES SPECIFIC TO INFLATABLE STRUCTURES IN CITY PARKS.

- 4.1 Persons planning to have an inflatable must first obtain a Park Permit for the use of the park.
- 4.2 Permittee shall provide the City with proof of General Liability Insurance as outlined in Section 6.
- 4.3 Inflatables must be freestanding and weighted. Stakes are prohibited.
- 4.4 Inflatables may not be tied to trees, tables or other park amenities.
- 4.5 Inflatables must be under adult supervision at all times.
- 4.6 Between June 1st and August 31st, inflatables are limited to a maximum of 2 hours. For the remainder of the year, inflatables are limited to a maximum of 4 hours.

5. RULES SPECIFIC TO MOBILE VENDORS/FOOD TRUCKS IN CITY PARKS

- 5.1 Mobile vendors/Food trucks may be allowed in conjunction with permitted special events only. Mobile Vendors/Food Trucks must be approved by the Public Works Director. If denied, a written appeal must be filed within five (5) days after the date of the notice of the action. The written appeal filed with the City Manager must state the basis for the appeal. The decision of the City Manager shall be final.
- 5.2 Mobile vendors/food trucks must have a valid City Business Registration/License.
- 5.3 Mobile vendors/food trucks must comply with the General Liability Insurance requirements as outlined in Section 6.
- 5.4 Vendor shall park in designated area only. Obstructing or parking in a public travel lane, fire lane, bike lane, or blocking access to any driveway access, walkway, fire hydrants, parking facilities, or loading zone is prohibited.
- 5.5 Drive-up windows are prohibited.
- 5.6 All tables, chairs, trash bins, wash stations, etc. shall be removed from the site when the vendor vacates the site.
- 5.7 The vendor shall not place any signage in the park or adjacent right-of-way except which is directly affixed to the vending unit.

5.8 No vendor permitted under this section shall sell, consume, or distribute alcoholic beverages.

6. INSURANCE REQUIREMENTS General Liability Insurance. Permittee shall maintain a broad form general liability insurance policy with coverage of not less than \$2,000,000 combined single limit per occurrence, with aggregate of \$4,000,000, for bodily injury, personal injury, or property damage with an insurance carrier licensed to do business in the State of Oregon. Such policy shall contain a contractual liability endorsement to cover indemnification obligations under any agreement or permit subject to this rule and shall entitle the City to not less than thirty (30) days written notice of any material change, non-renewal, or cancellation.

The policy shall also contain an endorsement naming the City as an additional insured, in a form satisfactory to the City, and expressly provide that the interest of the City shall not be affected by the Permittee's breach of policy provision. Such policy must be maintained in full force and effect for the duration of this permit. Failure to do so shall be cause for immediate termination of this permit by the City. Claims made policies will not be accepted. Evidence of this coverage may be requested by the City, however, not requesting the proof does not eliminate the requirement that the coverage be in force.

7. PENALTY FOR VIOLATION A violation of these rules and regulations constitutes a violation under Roseburg Municipal Code Chapter 1.06 and may also constitute an offense under Roseburg Municipal Code Chapter 7.02. Penalties for such violations are set forth in Roseburg Municipal Code Chapter 1.06. The City reserves the right to exclude and/or ban, from any and all park facilities, any person who has been found guilty of violating any of these rules and regulations or who has vandalized, damaged or taken park property or facilities, or attempted to do so.

RESOLUTION NO. 2024-03

**A RESOLUTION REPEALING AND REPLACING RESOLUTION NO. 2023-21
REGARDING THE CITY OF ROSEBURG PARKS RULES AND REGULATIONS.**

WHEREAS, general rules and regulations for the City of Roseburg's parks system were approved by the Roseburg City Council through the adoption of Resolution 2023-21 on November 13, 2023; and

WHEREAS, the current park rules and regulations restrict soliciting, protesting, proselytizing, petitioning, and canvassing to a designated assembly area; and

WHEREAS, the City of Roseburg Parks & Recreation Commission determined that the Park Rules and Regulations should be updated to remove the restriction of soliciting, protesting, proselytizing, petitioning, and canvassing to a designated assembly area; and

WHEREAS, these changes are intended to address areas of Park Rules and Regulations that restrict soliciting, protesting, proselytizing, petitioning, and canvassing to a designated assembly area; and

WHEREAS, it has been determined to be most advantageous to have all rules and regulations relating to the general use of all City parks incorporated into one document.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROSEBURG that:

Section 1. Resolution No. 2023-21 as adopted on November 13, 2023, is hereby repealed.

Section 2. The City of Roseburg Parks Rules and Regulations, attached hereto as Exhibit "A," are hereby adopted and enforceable under Roseburg Municipal Code Chapter 1.06.

Section 3. This resolution shall become effective immediately upon adoption by the Roseburg City Council.

**ADOPTED BY THE ROSEBURG CITY COUNCIL AT ITS REGULAR MEETING
ON THE 12th DAY OF FEBRUARY, 2024.**

Patty Hitt, City Recorder