

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

In the Matter of Amending the Rules and)
Regulations Governing Columbia County)
Forests, Parks, Beaches, Docks and Other)
Recreational Facilities Subject to Ordinance)
No. 94-9 and Amending the Application and)
and Insurance Requirements for the)
Reserved Use of of Park Facilities)

ORDER No. 7 – 2012

WHEREAS, pursuant to § 5 of the Columbia County Forest, Parks & Recreation Ordinance, Ordinance No. 94-9, the Board of County Commissioners, hereinafter "Board", may enact rules and regulations and adopt fee schedules for the use of Columbia County forests, parks, beaches, docks and other recreational facilities; and

WHEREAS, the Columbia County Forest, Parks and Recreation Advisory Commission has recommended that the Rules, Regulations and Fee Schedule adopted by Board Order No. 9 - 2011 for calendar year 2011 for the use of Columbia County forests, parks, beaches, docks and other recreational facilities remain the same for calendar year 2012; and

WHEREAS, the Board has identified the need to amend the Park's rule prohibiting alcoholic beverages in or on Columbia County forests, parks, beaches, docks and other recreational facilities so that the rule may be waived by the Parks Director without Board Order if certain conditions are met; and

WHEREAS, by Order No. 52 - 2010, the Board adopted a Facility Use Application & Agreement and an Insurance Requirements FAQ sheet; and

WHEREAS, the change to the Park's rule with regard to alcohol use requires changes to the Facility Use Application & Agreement and the Insurance Requirements FAQ;

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

1) The Forest, Parks and Recreation Director is authorized to waive the Park rule prohibiting alcohol in Columbia County forests, parks, beaches, docks and other recreational facilities if all of the following are met:

a) The sponsor of the event and the Forest, Parks and Recreation Director must sign an approved Facility Use Application & Agreement;

b) The sponsor of the event must submit proof of the required insurance to the Forest, Parks & Recreation Department at least 60 days prior to the event;

c) The proof of insurance is reviewed and approved by the Office of County Counsel.

2) The Rules and Regulations for the use of Columbia County forests, parks, beaches, docks and other recreational facilities as amended in the attached Exhibit 1, which is incorporated herein by this reference, are hereby adopted and shall remain in full force and effect until amended or repealed by the Board of County Commissioners.

3) The fee schedule for the use of Columbia County forests, parks, beaches, docks and other recreational facilities adopted by Board Order No. 9 - 2011 shall remain in full force and effect until amended or repealed by the Board of County Commissioners.

4) The Rules & Regulations shall become effective and have the force of law when notice thereof is given by posting copies as outlined in Paragraph 6, below.

5) All previous Rules & Regulations are repealed and superseded by this Order.

6) The Forest, Parks and Recreation Director, or his/her designee, shall give notice of the enactment of these amended Rules and Regulations by posting copies of them at or by the park host's residence at the parks, if applicable, or on signs placed or erected near the main entrance to any forest, park, beach, dock or other County recreational facilities.

7) The Forest, Parks and Recreation Director shall certify in writing to the Board of County Commissioners the date and method of providing such notice.

8) The Facility Use Application & Agreement and the Insurance Requirements FAQ sheet as amended in the attached Exhibits 2 and 3, respectively, which are incorporated herein by this reference, are hereby adopted and shall remain in full force and effect until amended or repealed by the Board of County Commissioners.

Dated this 22nd day of February, 2012.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

Approved as to form

By: [Signature]
Office of County Counsel

By: [Signature]
Anthony Hyde, Chair

By: [Signature]
Earl Fisher, Commissioner

By: [Signature]
Henry Heimuller, Commissioner

COLUMBIA COUNTY, OREGON

Forests, Parks, and Recreation Department



EXHIBIT 1

1054 Oregon Street
St. Helens, Oregon 97051

Reservation Number: (503) 366-3984

Telephone Number: (503) 397-2353

Facsimile Number: (503) 397-7215

E-Mail Address: parksdept@co.columbia.or.us

Web Page Address: www.co.columbia.or.us

WELCOME TO COLUMBIA COUNTY PARKS!

THIS PARK IS MAINTAINED AND OPERATED FOR YOUR ENJOYMENT.
IN ORDER TO PROTECT THE ENVIRONMENT OF THE PARK AND THE
RIGHTS OF OTHER PARK VISITORS, WE ASK THAT PARK VISITORS
ADHERE TO ALL RULES AND REGULATIONS LISTED BELOW.

WE HOPE THAT YOU ENJOY YOUR STAY AND COME BACK TO SEE US AGAIN!

2012 Columbia County Park Rules and Regulations

1. Columbia County parks are open to the public. All park users should take precautions to safeguard their personal property. The County will not be responsible for lost, stolen or damaged property, or for the personal safety of campers or other visitors. Park users should notify the park host of suspicious persons or activities, or call 911 in case of an emergency. Individual or group security and safety is not the responsibility of the County. Due to poor cell phone coverage, an emergency phone is available at Camp Wilkerson.
2. For overnight camping parks, campers may check in at or after 2:00 p.m. Campers must check out by 12:00 p.m. on the day of departure.
3. Overnight camping is limited to seven (7) nights in any ten (10) day period unless prior permission is given by the Director of the Department of Forests, Parks and Recreation, the Board of County Commissioners, or their designee.
4. Visitors and campers shall pay all applicable fees upon making reservations. First come, first serve campers shall pay all applicable fees upon entering the park, unless otherwise directed by the Park Host. In all cases, however, no person shall leave the park without paying all applicable fees. (15-20 minutes is allowed to view the park without charge.) Group Camping Deposits (equal to one night's stay) are non-refundable. A five-day advance cancellation notice is required for other camping deposit refunds. Wedding packages are non-refundable. A \$10.00 handling fee will be deducted from all refunds.
5. At all hours, especially during quiet hours (10:00 p.m. to 7:00 a.m.), campers shall respect the rights of others to peace and quiet.
6. No vehicle, device, instrument or noise-producing machine of any type may be used in any manner that is disturbing to other park visitors or area residents.

- 7 Group use of any recreational area shall be limited to a maximum of 50 persons without prior approval of the Director of the Department of Forests, Parks and Recreation, the Board of County Commissioners, or their designee.
- 8 Motor vehicles are not to exceed five (5) miles per hour in the park unless otherwise posted.
- 9 ~~ALCOHOLIC BEVERAGES ARE NOT ALLOWED IN THE COUNTY PARKS UNLESS PRIOR PERMISSION IS GIVEN IN WRITING, BY THE BOARD OF COUNTY COMMISSIONERS.~~ unless a FACILITY USE APPLICATION & AGREEMENT has been signed both by the sponsor of the event and by County personnel authorized to sign such an Agreement by the Board of County Commissioners, and the sponsor has complied with the insurance requirements.
- 10 Fires are permitted in authorized camp stoves, fireplaces or fire rings only. No fire shall be left unattended or be permitted to cause damage to park facilities or areas. Every fire shall be extinguished before its users leave the park area.
- 11 At the discretion of the State Forestry Department, fires normally permitted in park areas may be restricted or prohibited due to high fire hazard conditions.
- 12 No person shall endanger the public health, safety and/or welfare of another visitor or a Park Host, and no person shall harass or intimidate another park visitor or Park Host. Persons violating this rule are subject to immediate eviction from the park.
- 13 No person within a park area shall possess any loaded firearm or discharge any firearm, pellet gun, bow and arrow, slingshot or other weapon capable of injuring any person or wildlife.
- 14 Possession, discharge or the causing to be discharged of any firecrackers, explosives, rockets, fireworks or other substances which could be harmful to park visitors, neighbors or resources is prohibited.
- 15 Trapping, and/or hunting of animals and destruction of animal habitat is prohibited in the parks. Hanging of game may be allowed in designated camping areas of Big Eddy and Scaponia parks only.
- 16 Mutilation, destruction, damage, defacing or removal of any flora or fauna, including but not limited to trees, shrubs, reed-grass, snake grass, mushrooms, squirrels, birds, deer, elk, etc.; or park structures, including but not limited to buildings, signs, fences, tables, benches, fountains, etc.; is prohibited. Fishing is permitted subject and according to Oregon Department of Fish and Wildlife regulations.
- 17 Moving tables from other campsites/day-use areas is prohibited. If additional tables are needed, contact the Park Host. A \$25.00 deposit may be applied for damage and/or failure to return tables to the original position.
- 18 Horses are allowed in designated areas of Camp Wilkerson only. There may be additional designated areas in the future. Until then, horses and other large animals are not allowed in any other park without the written permission of the Director of the Department of Forests, Parks and Recreation, the Board of County Commissioners, or their designee. Horses at Camp Wilkerson, dogs, and other small animals are permitted subject to Rule #19, below.
- 19 All animals (horses, dogs, cats, birds, etc.), must be in a pet container or on a leash/lead line (one end attached to the animal, the other end attached to a human or man-made stationary structure), which restricts the animal to the site where the owner is camping, picnicking, etc. No animal shall be allowed to infringe upon another visitor. Infringement includes loud and/or repetitive noise being made by the animal, especially during the "quiet hours" of 10:00 p.m. to 7:00 a.m. Owners are

responsible for picking up their pets' waste immediately after each occurrence. Livestock droppings will need to be picked up in camp area and trail riders will be expected to spread the livestock's droppings.

- 20 All bottles, cans, ashes, waste, paper, garbage, and other rubbish shall be placed in proper designated receptacles. Park receptacles are to be used by park visitors for rubbish generated at the park only.
- 21 Visitors and campers shall leave all park restrooms and grounds in a clean and tidy condition after use.
- 22 Vehicles may only be parked in authorized parking areas. Day-use camp users and visitors may not park in the camping area without authorization from the Park Host. Abandoned vehicles, or those not parked in authorized areas, may be towed at the owner's expense.
- 23 Motorized vehicles are allowed on designated roads only.
- 24 Washing of vehicles in the park is prohibited.
- 25 County equipment is not available for towing of park visitor/camper vehicles.
- 26 No all-terrain vehicles (ATV's), dirt bikes or other off-road vehicles may be operated in the park (except 4-wheel drive vehicles fully equipped and licensed for legal use on public streets, roads and highways). A special daily or annual pass may be granted by the Director of the Department of Forests, Parks and Recreation, the Board of County Commissioners, or their designee, for those supplying documentation of a physical/medical condition, necessitating motorized mobility.
- 27 Operation of concessions are not allowed except by special permit from the Board of County Commissioners.
- 28 Public address systems may not be used without prior permission from the Director of the Department of Forests, Parks and Recreation, the Board of County Commissioners, or their designee.
- 29 Nudity is prohibited within the park, except by children under three (3) years of age, in restrooms, or in private accommodations (i.e., tents, trailers and recreational vehicles).

(For the purpose of this rule, nudity means the uncovered, or less than opaquely covered, human genitals, pubic areas, buttocks or the human female breast below a point immediately above the top of the areola.)

- 30 The Adirondack areas at Camp Wilkerson are posted and designated for group use. When all of the Adirondacks are rented, the area is not meant for general public use. The County is not responsible for assuring that the general public does not enter into these group use areas. If additional markings are necessary, the group shall provide such markings and remove them prior to leaving the park. Children must be accompanied by a sufficient number of adults to assure the adequate supervision and safety of the children.
- 31 Prescott Beach Park hours of public use are as follows:

November 1st through the last day of February:
March 1st through May 31st:
June 1st through August 31st:
September 1st through October 31st:

5:30 a.m. to 6:30 p.m.
5:30 a.m. to 9:00 p.m.
5:00 a.m. to 10:00 p.m.
5:30 a.m. to 9:00 p.m.

NO OVERNIGHT CAMPING AT PRESCOTT BEACH PARK WITHOUT PRIOR WRITTEN PERMISSION FROM THE BOARD OF COUNTY COMMISSIONERS OR ITS DESIGNEE.

- 32 For each boat using the boat launch at Beaver Boat Ramp, a two dollar (\$2.00) boat launch fee shall be paid prior to launch. If County Park personnel are not collecting the fee, then fees shall be paid into a collection box located next to the boat launch, or as otherwise instructed by Park personnel or official notice.
- 33 Boat launch yearly passes for Beaver Boat Ramp are available for purchase at the Columbia County Forests, Parks and Recreation Department, 1054 Oregon Street, St. Helens, Oregon 97051. Yearly passes must be clearly visible in the towing vehicle during each boat launch or a \$2.00 boat launch fee shall be paid.
- 34 There shall be no diving from County docks, boat ramps, tie-ups, walkways or other boat dock facilities.
- 35 There shall be no swimming within fifty (50) feet of County docks, boat ramps, tie ups, walkways, or other boat dock facilities.
- 36 Anglers must yield to boats and other water vessels under way that are utilizing or attempting to utilize County docks, boat ramps, tie-ups, walkways or other boat dock facilities. Persons violating this rule are subject to immediate eviction from boat dock facilities.
- 37 Fishing lines and equipment, camping gear, and other similar items may not block or interfere with boats or other water vessels during launches or retrievals at County boat ramps, approaches to or moorings at docks or tie-ups, or the use by boats or other water vessels of any other County boat dock facilities, or block foot traffic on County boat dock facilities.
- 38 No person may place any written, printed or painted advertisement, bill, notice, sign, picture, card or poster, in any property under the authority of the Columbia County Forests, Parks and Recreation Department, without the prior written permission from the Columbia County Forests, Parks and Recreation Department. A Columbia County Forest, Parks and Recreation official may lawfully remove or destroy, without resort to legal proceedings, any advertisement, bill, notice, sign, picture, card or poster placed in violation of this rule.
- 39 In addition to these rules and regulations, visitors and campers at the park shall obey all federal and state statutes, administrative rules and regulations, County ordinances, orders, resolutions, rules and regulations, including those governing fishing.

The above rules and regulations will be enforced by the Director of the Department of Forests, Parks and Recreation, his/her designee, and the Columbia County Sheriff's Office and any other person authorized by the Board of County Commissioners. Any person violating any of the above rules may be instructed to leave the park by a park caretaker (Park Host), the Director of the Department of Forests, Parks and Recreation, or his/her designee, any on-duty Oregon State Police Officer, any Columbia County Sheriff's deputy, or Columbia County Commissioner, according to the Columbia County Forests, Parks and Recreation Ordinance No. 94-9 as amended. Failure to abide by the rules and regulations set forth herein may result in penalties under the Columbia County Enforcement Ordinance, and other criminal penalties as provided for under state and federal law.

EXHIBIT 2**COLUMBIA COUNTY FORESTS, PARKS AND RECREATION****FACILITY USE APPLICATION & AGREEMENT**

Return to: Columbia County Forests, Parks and Recreation, 1054 Oregon Street, St. Helens, OR 97051

APPLICATION & PERMIT FOR FACILITY USE	
Full Name:	Organization:
Address:	Phone (h): (w): (c):
City: State: Zip Code:	E-mail:
EVENT INFORMATION	
Type (wedding, organized group camp, etc.)	Estimated Attendance:
Arrival Date and Time:	Departure Date and Time:
Do you plan to serve alcohol? <input type="checkbox"/> Yes <input type="checkbox"/> No Do you plan to sell alcohol? <input type="checkbox"/> Yes <input type="checkbox"/> No If so, when (date and time)? NOTE: Alcohol is not allowed at park facilities without prior approval from the Board of Commissioners. To serve alcohol, you must request and receive a waiver of the no alcohol park rule from the Board; sign the following Rental Conditions Agreement and submit proof of the required insurance which is accepted/approved by County Counsel.	Contact Person (day/s of event): Contact Person Phone #:
REQUESTED PARK OR FACILITY _____ REQUESTED AREA(S) RESERVED _____	

I certify that the above information is true and accurate.

Applicant Signature: _____

Date: _____, 20__

RENTAL CONDITIONS AGREEMENT

In consideration of permission to use the park facility, the applicant agrees to the following terms and conditions:

1. General
 - a) Reservations will be accepted on a first-come, first-served basis.
 - b) A reservation request will not be accepted and processed without a thoroughly completed application.
 - c) Reservations will be confirmed only after County staff have approved the application.
2. Rental Fee
 - a) Refer to "Facility Reservation Rates" sheet for fees or contact Columbia County Parks for fee information.
 - b) Rental fee is due at the time of reservation.
 - c) Cancellation Terms: The Applicant must notify Columbia County Parks of any reservation cancellation no later than 30 days prior to the rental date in order to be refunded the full rental fee (NOTE: a \$10.00 cancellation fee will be deducted from all refunds.) For cancellation notices that are less than 30 days prior to the rental date, the rental fee for the first day will not be refunded.
3. Insurance Requirement – The Applicant must have liability insurance for the entire event and must provide proof of insurance satisfactory to the County as described in the attached "Insurance Requirements - Frequently Asked Questions." If alcohol
4. Activities Requiring Board of Commission Approval
 - ~~a) Columbia County park rules prohibit the possession and consumption of alcoholic beverages within Columbia County parks; however, the Applicant may apply to the County Board of Commissioners for a waiver from the no alcohol park rule or other park rules:~~

b) Proposed activities deemed hazardous by Columbia County park staff will require the approval of the Columbia County Board of Commissioners before being allowed in the requested park site.

5. Compliance With Columbia County Park Rules

- a) Columbia County reserves the right to establish rules for the use and occupancy of park sites and facilities covered by this application.
- b) The Applicant agrees to comply with the established park rules and insure that guests/invitees are made aware of and also comply with the park rules.

6. Hold Harmless Agreement

"I, the undersigned applicant, agree to release, defend, indemnify and hold harmless Columbia County, its officers, agents, and employees, successors and assigns from all claims, suits, actions, liability, damage, loss, cost or expense, including but not limited to attorney fees, that Columbia County, its officers, agents, and employees, successors and assigns may sustain or incur on account of: 1) any damage to or destruction of any property that Columbia County may own or in which it may have an interest; 2) any damage to or destruction of any property belonging to any other person, firm or corporation; and 3) injury to or death of any person or persons as a result of any errors or omissions or other negligent, reckless or intentionally wrongful acts of Applicant, its officers, agents, and employees, members and/or invited guests arising in any manner out of Applicant's use of such facilities."

By signing this application I certify that I have read and understand the terms and conditions of this agreement.

Applicant Signature: _____ Date: _____, 20__

Columbia County
Forests, Parks and Recreation Director: _____ Date: _____, 20__

Notice pursuant to ORS 105.688:

Any fee paid as part of this application is for the reservation of the specific area, at the specific time, and for the specific recreational use identified in this application. Pursuant to ORS 105.682 and ORS 105.688(4), Columbia County is not liable in contract or tort for any personal injury, death or property damage that arises out of the use of the park for any other recreational purposes, during any other time, or in any other area of the park.

OFFICE USE ONLY

Rental Fee: \$ ____/day Deposit Received: \$ _____ Date: _____, 20__

Use Approved: ____ Use Denied: ____ By: _____ Date: _____, 20__

Proof of insurance received and accepted this ____ day of _____, 20__.

Office of County Counsel

INSURANCE REQUIREMENTS

Frequently Asked Questions (FAQ)

The following are answers to the most frequently asked questions regarding the insurance requirements for events in Columbia County Parks.

Is insurance required for my event?

Yes, if any of the following applies:

- Your event will include 50 or more people;
- The group sanctioning your event is an organized sports group or a business, nonprofit, governmental or commercial entity;
- Alcohol will be served at the event; or
- Your event will require waiver of a Park rule, such as the "No-Alcohol Bows and Arrows Rule." (NOTE: A waiver of a Park rule requires approval by the Columbia County Board of Commissioners. To ensure that you receive a waiver in time for your event, submit your request for a waiver as soon as possible).

If none of the above applies, insurance is not required for your event.

My event requires insurance. What kind of insurance will I need?

The County requires **general liability insurance** coverage in an amount of not less than \$1,000,000 combined single limit for the entire event. If alcohol will be served at your event, you must also have **liquor liability** coverage.

The County will accept a declaration page of your homeowner's or renter's insurance showing coverage in an amount of not less than \$1,000,000 instead of the general liability insurance described above, if your event:

- Will include less than 50 people, but requires a waiver of a Park rule; and
- Is NOT sanctioned by an organized sports group, or business, nonprofit, governmental or other commercial entity.

Where can I get the required insurance?

There are several options:

- If an organization is sanctioning your event, it may already have a blanket insurance policy that will cover the event. Check with your organization's office.
- Check with your insurance agent about purchasing a special event or commercial insurance policy to provide liability coverage for the duration of your use of the park facility.
- There are also a number of insurance companies that you can find through the internet that provide special event insurance policies, such as but not limited to TULIP (www.ebi-ins.com/tulip) and Gales Creek Insurance Agency (www.eventinsurancenow.com).

Once I get insurance, then what?

You must submit to the Parks Department no later than 30 60 days prior to your event, a Certificate of Insurance (COI) and an Additional Insured Endorsement (AIE) from the insurance company. The name on the Facility Use Application and Agreement must match the name on the COI and AIE. In addition, the COI and AIE must:

- Name "Columbia County" as the certificate holder;
- Name "Columbia County, its officers, agent, and employees" as additional insureds;
- Include a statement that the County shall be given no less than 30 days written notice of any cancellation; termination, expiration or material modification of the policy;
- Indicate whether the event includes an overnight stay; and
- Indicate whether alcohol will be served.

More questions?

Contact the Forest, Parks and Recreation Department at (503) 397-2353.