

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

In the Matter of An)
Ordinance Regulating) ORDINANCE NO. 88-5
the Use of Columbia County)
Docks)
_____)

The Board of County Commissioners for Columbia County, Oregon ordains as follows:

SECTION 1. AUTHORITY.

This Ordinance is adopted pursuant to ORS 203.035.

SECTION 2. TITLE.

This Ordinance shall be known as Ordinance No. 88-5.

SECTION 3. PURPOSE.

The purpose of this Ordinance is to assure access to county docks by setting reasonable time limitations on moorage at the docks and to preserve the recreational purpose of the docks by limiting their use to recreational boats or vessels.

SECTION 4. DEFINITIONS.

As used in this ordinance, the term "county docks" means all publicly-owned or publicly built docks under the jurisdiction and control of Columbia County including, but not limited to the following:

- a) Courthouse docks, located in the Columbia River at St. Helens Landing adjacent to and below the Columbia County Courthouse in St. Helens, Oregon, and consisting of the left (northern) half of the center walkway and the three (3) floating docks immediately to the left (north) of, and attached to, the center walkway of said St. Helens Landing.
- b) Coon Island docks, located in the Multnomah Channel at Coon Island (also sometimes known as Watts Island) approximately two (2) miles upstream of the mouth of the Gilbert River, and located approximately in Section 4, T3N, R1W, Willamette Meridian.
- c) Gilbert River Landing, located in the Multnomah Channel at the mouth of the Gilbert River as it empties into the Multnomah Channel from Sauvie Island and consisting of floating docks, walkway and boat ramp.
- d) Gilbert River docks, located in the Multnomah Channel approximately 1/2 mile upstream of the mouth of the Gilbert River as it empties

into the Multnomah Channel from Sauvie Island and consisting of free-floating docks.

- e) Beaver docks and boat ramp, located in the Clatskanie River in Clatskanie, Oregon.

SECTION 5. USE OF COUNTY DOCKS.

For the purposes of this ordinance, use of county docks includes:

- a) Mooring or tying a boat or vessel directly to a county dock;
- b) Locating a boat or vessel within 5 feet of a county dock;
- c) Mooring or tying a boat or vessel to a boat or vessel which is moored or tied to a county dock or located within 5 feet of a county dock;
- d) Mooring or tying a boat or vessel to one or more of a group of boats or vessels, one of which is moored or tied to a dock or located within 5 feet of a county dock.

SECTION 6. TIME LIMITATIONS.

- a) The Courthouse docks shall not be used by a boat or vessel in excess of forty-eight (48) consecutive hours for any one usage.
- b) If any boat or vessel uses the Courthouse docks in excess of twelve (12) consecutive hours for any one usage, that boat or vessel may not use the docks again for a period of at least six (6) consecutive hours.
- c) Notwithstanding subsections a) and b) above, the Board may, by order, in its sole discretion, waive the above-mentioned time limitations for specific events or for specific periods.

SECTION 7. COMMERCIAL PURPOSES.

The county docks shall not be used by tugboats, barges or boats or vessels for "commercial purposes" as defined in ORS 506.006(4), a copy of which is attached hereto labeled Exhibit "A", and incorporated herein by this reference. For the purposes of this ordinance, the county docks are used for commercial purposes if they are used by boats or vessels which are, on the date of such usage, operated or occupied, or equipped to be operated or occupied, for "commercial purposes." For the purposes of this ordinance, a boat or vessel is equipped to be operated or occupied for commercial purposes if it contains any gear unlawful for "angling" as defined by ORS 506.006(1), a copy of which is attached hereto, also labeled Exhibit "A", and incorporated herein by this reference.

SECTION 8. EXCEPTIONS.

Upon good cause shown, in the sole discretion of the Board of County Commissioners or any one of them, or the Columbia County Sheriff or any

specifically authorized Deputy Sheriff, temporary exceptions to this ordinance may be granted not to exceed forty-eight (48) hours for any one exception. Such exceptions shall be put into writing, in duplicate, on a form available from the County Sheriff and shall include at a minimum the following information:

- a) Name of boat or vessel;
- b) State license or registration number if any;
- c) Federal documentation number, if any;
- d) Name, address and phone number of owner or owners of boat or vessel;
- e) Name, address, phone number, driver's license number and state, temporary local address and message phone of operator or operators of boat or vessel, if any;
- f) Length of time, not to exceed forty-eight (48) hours, of exception granted;
- g) Reason for granting the exception;
- h) Release from liability;
- i) Signature or signatures of operator or operators, and owner, if available;
- j) Signature of the Board of County Commissioners, or any one of them, or the County Sheriff or any specifically authorized Deputy Sheriff; and
- k) Date and hour that exception is authorized to begin.

SECTION 9. PENALTIES.

Violation of Sections 6 or 7 of this Ordinance, or the provision of any false information under Section 8 of this ordinance, shall be punishable as provided in ORS 203.065, a copy of which is attached hereto labeled Exhibit "B" and incorporated herein by this reference, or as provided in ORS 30.315, a copy of which is attached hereto labeled Exhibit "C" and incorporated herein by this reference.

SECTION 10. CITATION.

Any peace officer, as defined in ORS 161.015, may enforce this ordinance by issuing a citation for suspected violations of this ordinance in the name of the boat or vessel according to the vessel markings, and/or the operator, if known, and/or the owner, if known.

SECTION 11. REPEALER.

Ordinance Nos. 88-4 and 87-5 are repealed.

SECTION 12. EMERGENCY.

This ordinance being immediately necessary to maintain the public welfare, health and safety, an emergency is declared to exist and this ordinance takes effect immediately upon its adoption.

REGULARLY PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS FOR COLUMBIA COUNTY, OREGON THIS 15th DAY OF June, 1988.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

Attest:

Roberta Stubbs

Recording Secretary

First Reading: 6/15/88

Second Reading: 6/15/88

Effective Date: 6/15/88

By: Not present
Chairman

By: Max W. Dillard
Commissioner

By: Jack R. Wilson
Commissioner

STATE OF OREGON
COLUMBIA COUNTY
RECORDS

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RETA C. KERRY, CO. CLK
BY E. Mason .DEP.