

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

An Ordinance Regulating)	
Parking on the Columbia)	NO. <u>76-4</u>
County Courthouse Grounds.)	
<hr/>		COURTHOUSE PARKING ORDINANCE

The above matter came on regularly before the Board of County Commissioners for Columbia County, Oregon on the 24th day of November, 1976.

WHEREAS, ORS 203.035 grants to each county within the State of Oregon authority to enact ordinances over matters of county concern; and

WHEREAS, the parking of motor vehicles by employees, citizens and visitors upon county property while visiting, working or conducting business at the Columbia County Courthouse is of county concern; now, therefore

THE BOARD OF COMMISSIONERS OF COLUMBIA COUNTY ORDAINS AS FOLLOWS:

SECTION 1. ILLEGAL ACTS

It shall be unlawful for anyone operating a motor vehicle, as defined in ORS 483.014(3), to park said motor vehicle on the grounds of the Columbia County Courthouse,

A. in areas marked thirty (30) minute parking if said motor vehicle remains therein for a period in excess of thirty (30) minutes;

B. in a manner contrary to, or outside the bounds

of, marked, and designated parking spaces;

C. in an area marked "NO PARKING";

D. for a period in excess of twenty-four (24) hours.

Should it be desired by the operator to park a motor vehicle in the courthouse parking lot for a period in excess of this time limit, then the operator shall first obtain a permit from the Columbia County Sheriff. This permit shall be displayed in the parked motor vehicle and shall be valid only for the period designated on the face thereof;

E. in an area marked "EMPLOYEES ONLY" unless said vehicle has displayed thereon a valid permit as issued by the Board of County Commissioners. Furthermore, no motor vehicle displaying a valid employee permit shall park in an area not designated "EMPLOYEES ONLY" for a period in excess of two (2) hours;

F. in an area designated "POLICE VEHICLES ONLY".

SECTION 2. ENFORCEMENT

A. The Board of County Commissioners shall authorize the designation of certain areas to be restricted parking pursuant to this ordinance. Authorization shall be by sign, painted parking control lines on the parking lot surface or painted parking control area designations on the parking lot surface.

B. The Columbia County Sheriff and his deputies are hereby authorized to remove and tow away, or have removed and

towed away by commercial towing service, any car or other motor vehicle illegally parked in any place where such parked motor vehicle creates or constitutes a traffic hazard, blocks the use of fire hydrants, or obstructs or may obstruct the movement of any emergency vehicle.

Motor vehicles so towed away for illegal parking shall be stored in a safe place and shall be restored to the owner or operator of such motor vehicle upon payment of a fee of Twenty dollars within twenty-four (24) hours after the time such motor vehicle was removed, plus five dollars for each additional twenty-four (24) hours or fraction thereof.

C. The Columbia County Sheriff, his deputies and sworn designees of the Board are hereby authorized to issue citations to violators of this ordinance. Said citations shall include the following information, to-wit:

1. the make or description of the illegally parked motor vehicle;
2. the name of the owner of the illegally parked motor vehicle, where possible;
3. the license number;
4. the time of the illegal parking;
5. the date of the illegal parking;
6. the name of the citing officer; and
7. the time, place and manner of appearance of the operator of the illegally parked motor vehicle.

SECTION 3. PENALTY

A. Any person, firm or corporation violating any provision of this chapter shall be fined not less than Five

Dollars, nor more than Two Hundred Dollars for each offense.

B. The fact that a motor vehicle which is illegally parked is registered in the name of a person shall constitute prima facie proof that such a person was in control of the motor vehicle at the time of such parking.

C. Any person accused of a violation of this ordinance prohibiting parking a motor vehicle in designated areas or restricting the length of time a motor vehicle may be there parked, may settle and compromise the claim against him or her for such illegal parking by paying to the Columbia County Clerk the sum of \$5.00 for the first and second violation and \$10.00 for subsequent violations. Any settlement or compromise must be made within five (5) days of the time such illegal offense was committed. Such payment may be made at the Columbia County Clerk's office, Columbia County Courthouse, St. Helens, Oregon. Payment may be in person or by mail. A receipt therefore shall issue for all money so received, and such money shall be promptly turned over to the County Treasurer to be credited to General fund.

D. Any person, firm or corporation accused of violating this ordinance, may appear before the Board of County Commissioners or its designee at the time and place designated on the appropriate citation and be heard on said matter. At such time the Board or its designee shall:

1. conduct an evidentiary hearing on the merits of

2. the alleged offense;
2. render a decision on the guilt or innocence of the accused violator;
3. assess an appropriate fine, where guilt is found, commensurate with Section 3.A hereof; or
4. dismiss the citation.

Any appeal from the decision of the Board or its designee shall be by Writ of Review to the Circuit Court of the State of Oregon for the County of Columbia.

E. Failure of the accused to settle or compromise the immediate claim or to appear before the Board of County Commissioners at the appropriate time on the immediate claim, may be pursued by the County by filing a claim for an appropriate amount in the Small Claims Division of the District Court of the State of Oregon for Columbia County. Said action in the Small Claims Division may be to collect on all previous violations wherein the accused did not comply herewith.

SECTION 4. SEVERABILITY

If any provision of this ordinance, or its application to any person or circumstance is held invalid, the remainder of this ordinance, or the application of the provision to other persons or circumstances is not affected.

SECTION 5. DECLARATION OF EMERGENCY

An emergency is declared to exist and therefore the terms and provisions of this ordinance shall become effective upon enactment of this ordinance.

REGULARLY PASSED AND ADOPTED BY THE BOARD OF COUNTY
COMMISSIONERS FOR COLUMBIA COUNTY, OREGON this 24th
day of November, 1976.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

Marion Salvey
Recording Secretary

Read in full: 11-24-76

Read - title only: 11-24-76

Chairman Foshaug:
X aye nay

Commissioner Horn:
X aye nay

Commissioner Minkoff:
X aye nay

Paul Foshaug
Chairman

Clas W. Horn
Commissioner

Jack Minkoff
Commissioner