

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

In the Matter of an Ordinance )  
Closing Dibblee Beach to )                             ORDINANCE NO. 88-12  
Overnight Use )  
\_\_\_\_\_ )

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. 88-12.

SECTION 3. PURPOSE.

The purpose of this ordinance is to close the area known as Dibblee Beach to overnight use.

SECTION 4. DEFINITION.

For the purposes of this ordinance, Dibblee Beach means those county-owned lands described in Exhibit "A", which is attached hereto and incorporated herein by this reference, and as shown by Exhibit "B", which is also attached hereto and incorporated herein by this reference.

SECTION 5. PROHIBITED USE OF DIBBLEE BEACH.

Except as specifically permitted by a "person in charge" as defined below, no person shall enter or remain, or allow their property or property under their control to enter or remain, on Dibblee Beach between the hours of 10:00 p.m. and 5:00 a.m. each day.

SECTION 6. ENFORCEMENT.

Any on-duty Oregon State Police Officer, the Columbia County Sheriff, any of his deputies, and any Columbia County Commissioner are designated as "persons in charge" within the meaning of ORS 164.205(5) (1987 Replacement Part) for the purpose of supervising county-owned lands at Dibblee Beach.

SECTION 7. PENALTIES.

A person shall be considered a trespasser: 1) who enters or remains on Dibblee Beach during the hours such lands are closed under the terms of this ordinance; or 2) who fails to leave Dibblee Beach when so requested by a "person in charge".

Trespassers are subject to the provisions of ORS 164.245, Criminal Trespass in the Second Degree.

SECTION 8. POSTING OF NOTICES.

By January 1, 1989, the County Roadmaster/Public Works Director shall post signs in conspicuous places on the county's property limits at Dibblee Beach. Such signs shall declare that Dibblee Beach is closed for use between the hours of 10:00 p.m. and 5:00 a.m., and that trespassers shall be prosecuted.

SECTION 9. SEVERABILITY.

If any provision of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holdings shall not affect the validity of the remaining portions thereof.

SECTION 10. EMERGENCY.

This ordinance being immediately necessary to maintain the public health, safety and welfare, an emergency is declared to exist and this ordinance takes effect on January 1, 1989.

REGULARLY PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS FOR COLUMBIA COUNTY, OREGON THIS 23rd DAY OF November, 1988.

BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

By: Michael J. Dykes  
Chairman

By: Max W. Dillard  
Commissioner

By: John R. Olson  
Commissioner

Attest:

Cherri Maylan  
Recording Secretary

First Reading: 11-23-88  
Second Reading: 11-23-88  
Effective Date: 01-01-89

EXHIBIT "A"

Beginning at a point where the Northerly boundary of the Spokane, Portland & Seattle Railway right of way intersects the West boundary of the James Dobbins Donation Land Claim in Section 12, Township 7, North, Range 3 West of Willamette Meridian, Columbia County, Oregon; thence South  $44^{\circ}47'57''$  East 1555.86 feet; thence following a curve the long chord which bears South  $45^{\circ}32'47''$  East 208.17 feet; thence following a curve the long chord which bears South  $50^{\circ}18'19''$  East 334.68 feet; thence following a curve the long chord which bears South  $55^{\circ}03'52''$  East 208.17 feet; thence South  $55^{\circ}48'42''$  East 344.75 feet; thence North  $1^{\circ}31'24''$  East to the meander line of the Columbia River; thence Northwesterly following the meander line of the Columbia River to a point where said meander line intersects the West boundary line of Dobbins Donation Land Claim; thence South  $1^{\circ}31'24''$  West along the West boundary line of Dobbins Donation Land Claim to the point of beginning.

CANCELLED PL.  
303  
302

SEE MAP  
(ISLANDS)

COLUMBIA

RIVER

3-05

SECTION 7 T7N. R2W. W.M.  
COLUMBIA COUNTY  
1" = 400'

7  
B INDEX

EXHIBIT "B"

WASHINGTON

3-05

SEE

MAP

7

2

7

3

SEE

7

7

7

7

COLUMBIA

