

**Advance Packet for
Monday, May 23, 2016 City Council Meeting**

1. Ordinances

- a. Ordinance 16-O-758, Adding Sub Sections E And F To Section 10.10.070, Prohibited Parking, Title 10, Vehicles And Traffic Of The Brookings Municipal Code.

Documents: [PROHIBITED PARKING CAR.PDF](#), [PROHIBITED PARKING.ATT.A.PDF](#)

- b. Ordinance 16-O-759, Amending Brookings Municipal Code Section 12.25.020 Public Parks And Recreational Areas, Exceptions, Adding An Exemption To Park Operating Hours For The Mill Beach Access.

Documents: [MILL BEACH ACCESS. CAR.PDF](#), [MILL BEACH ACCESS.ATT.A.16-O-759.PDF](#), [MILL BEACH ACCESS.ATT.B.12.25.012.PDF](#)

2. Public Notice

Documents: [5-23-16 PN ORD TITLE ONLY.PDF](#)

*Obtain [Public Comment Forms](#) on this website or at City Hall prior to the meeting. Return completed forms to the City Recorder before the start of meeting or during regular business hours.

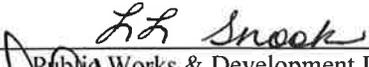
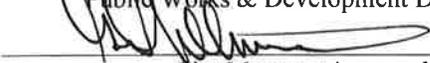
All public meetings are held in accessible locations. Auxiliary aids will be provided upon request with 10 days advance notification. Please contact 469-1102 if you have any questions regarding this notice.

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: May 23, 2016

Originating Dept: PWD


Public Works & Development Director

City Manager Approval

Subject: Adoption of Ordinance No. 16-O-758

Recommended Motion: Adoption of Ordinance No. 16-O-758 revising Chapter 10, Vehicles and Traffic, of the Brookings Municipal Code (BMC) .

Financial Impact: None

Background/Discussion: This matter was discussed at the April 11, 2016 Council meeting. Staff was directed to craft an ordinance to provide for language in the BMC that would

1. Provide authority to the Police Department to enforce parking limitations on City owned or leased parking lots as well as in developed parking along street right-of ways.
2. Prohibit the parking of detached trailers in city-owned or leased parking lots.

Adoption of Ordinance No. 16-O-758 will add the following language to Chapter 10, Vehicles and Traffic, Section 10.70, Prohibited Parking, of the BMC.

E. A vehicle in violation of the Oregon Vehicle Code or in violation of a parking limitation device. Where maximum parking time limits are designated, moving a vehicle to another parking space within the same block or parking lot shall not extend the time limits for parking.

F. A non motorized vehicle or trailer that is not connected to a tow vehicle in City owned or leased parking lots .

Policy Considerations: In keeping with the Long Term Strategic Plan, Goal 3, Influence economic growth by attracting tourists to stop in downtown .(by providing adequate parking).

Attachment(s): Ordinance No. 16-O-758

IN AND FOR THE CITY OF BROOKINGS
STATE OF OREGON
ORDINANCE 16-O-758

IN THE MATTER OF ORDINANCE 16-O-758, AN ORDINANCE ADDING SUB SECTIONS E AND F TO SECTION 10.10.070, PROHIBITED PARKING, TITLE 10, VEHICLES AND TRAFFIC OF THE BROOKINGS MUNICIPAL CODE.

Sections:

- Section 1. Ordinance identified.
- Section 2. Adds Sub Section E and F to Section 10.10.070

The City of Brookings ordains as follows:

Section 1. Ordinance Identified. This ordinance adds Sub Section E and F to 10.10.070, Prohibited Parking, Section 10, Vehicles and Traffic.

Section 2. Adds Sub Sections E and F to read as follows:

E. A vehicle in violation of the Oregon Vehicle Code or in violation of a parking limitation device. Where maximum parking time limits are designated, moving a vehicle to another parking space within the same block or parking lot shall not extend the time limits for parking.

F. A non motorized vehicle or trailer that is not connected to a tow vehicle in City owned or leased parking lots.

First Reading: _____ Passage: _____
Second Reading: _____ Effective Date: _____

Signed by me in authentication of its passage this _____, day of _____, 2015

ATTEST:

Mayor Ron Hedenskog

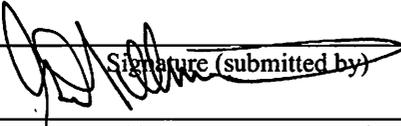
City Recorder Teri Davis

CITY OF BROOKINGS

COUNCIL AGENDA REPORT

Meeting Date: May 23, 2016

Originating Dept: City Manager


Signature (submitted by)

City Manager Approval

Subject: Ordinance 16-O-759 Amending Brookings Municipal Code Section 12.25.020 adding an exemption to park operating hours for the Mill Beach Access.

Recommended Motion:

Motion to adopt Ordinance 16-O-759 amending Brookings Municipal Code Section 12.25.020 adding an exemption to park operating hours for the Mill Beach Access.

Background/Discussion:

The City Council discussed the application of Brookings Municipal Code Section 12.25.020 to the Mill Beach Access at its meeting of May 9. BMC 12.25.010 provides as follows:

Except as provided in BMC 12.25.020, all city-owned public parks and city-owned public recreational areas located within the city of Brookings shall be open for use by the public from one-half hour prior to sunrise to one-half hour past sunset. [Ord. 94-O-505 § 1.]

Staff received general direction to return to the City Council with an Ordinance lifting this restriction as to the Mill Beach Access. The concept of installing a gate prohibiting vehicle access to the parking area adjacent to the beach and/or applying less restrictive hours while prohibiting overnight use of the parking area were also discussed. The upper section of the road serving Mill Beach Access is also the access road for the adjacent condominiums, and the lower section of the road also serves as an emergency fire access for the adjacent condominiums. There is no provision for a turn-around area past the condominium access, other than the beach parking lot. During the May 9 discussion, there did not appear to be a general direction concerning selecting alternative closure hours.

Ordinance 16-O-759 would add a provision in the Exemptions section of Chapter 12.25 providing that the Mill Beach Access would remain open for public use 24-hours/day, year round.

With the proposed change, other provisions of BMC 12.25.012 would remain in effect in the parking and picnic area, including provisions prohibiting camping, fires, amplified sound and skateboarding. These provisions would not apply to the adjacent beach.

Staff recommends retaining the current provision. The Mill Beach access road is a narrow, winding road with no lighting, presenting a liability exposure risk for vehicles and pedestrians using the road at night. The current “dawn to dusk” restriction also assists in discouraging overnight transient use of the parking lot and picnic area.

Attachment(s):

- a. Ordinance 16-O-759
- b. Brookings Municipal Code Chapter 12.15.012

IN AND FOR THE CITY OF BROOKINGS
STATE OF OREGON
ORDINANCE 16-O-759

IN THE MATTER OF ORDINANCE 16-O-759, AN ORDINANCE AMENDING BROOKINGS MUNICIPAL CODE SECTION 12.25.020 PUBLIC PARKS AND RECREATIONAL AREAS, EXCEPTIONS, ADDING AN EXEMPTION TO PARK OPERATING HOURS FOR THE MILL BEACH ACCESS.

Sections:

- Section 1. Ordinance identified.
- Section 2. Amends Section 12.25.020

The City of Brookings ordains as follows:

Section 1. Ordinance Identified. This ordinance amends Section 12.25.020 of the Brookings Municipal Code.

Section 2. Amends Section 12.25.020 : Section 12.25.020 Public Parks and Recreational Areas, Exceptions is amended to read as follows:

The city manager may, upon prior application, permit use of a city-owned public park or city-owned public recreational area at times other than the times that the premises are open for use by the public. [Ord. 94-O-505 § 2.]

The city manager has designated a permanent exemption to park operating hours for the Mill Beach Access road which will be open and available for public use 24 hours/day, year-round.

First Reading: _____ Passage: _____
Second Reading: _____ Effective Date: _____

Signed by me in authentication of its passage this _____, day of _____, 2016

ATTEST:

Mayor Ron Hedenskog

City Recorder Teri Davis

12.25.012 Rules and regulations specific to city-owned parks.

A. The following activities and uses are prohibited in all city parks, except by city park employees, volunteers or contractors in the performance of authorized maintenance or construction:

1. Camping.
2. Parking or use of motorized vehicles, other than wheelchairs, on walkways, landscaped areas, natural vegetation areas, playgrounds and sports fields, except for authorized maintenance or the purpose of set-up or tear-down of an event.
3. Possession or use of fireworks or explosives; unlawful possession or use of firearms.
4. Throwing of rice or seeds, including bird seed.
5. Damage to or removal of any vegetation.
6. Modification or painting of any structure, equipment or furniture.
7. Bicycles, skateboards, skates or roller blades, except in designated areas.
8. Unleashed dogs, except in designated areas.
9. Failure to remove animal excrement by the animal owner.
10. Attaching signs to any city sign post, trees or other vegetation.
11. Any use of the park for an organized event without having first obtained an approved park use permit. An organized event includes weddings, memorials, athletic activities, concerts, holiday displays, picnics where the host wishes to reserve a specific area, use of the snack shack, bandshell or Capella, and the conduct of business activities.
12. Amplified sound and/or music at a level that is not contained within the immediate area of the activity, subject to BMC 8.15.080.
13. Placement of any sign without first having obtained approval by the city manager or his designee.
14. Failure to remove signs within two hours of the conclusion of an event.
15. Fires, except fires in camp stoves, portable barbeques or fireplaces provided for such purposes.

16. The use of camp stoves or portable barbeques except in designated picnic areas.
17. Unattended fires, camp stoves or portable barbeques.
18. Leaving the location of a fire until the fire is completely extinguished with no hot coals remaining.
19. The use of amplified sound at Bankus Park.
20. The use of Bankus Park for more than single-day events, except as approved by the parks and recreation commission.

B. Penalties and Fines.

1. The fine for a first offense under subsection (A) of this section is \$50.00, a second violation is \$100.00, and any third or subsequent violation shall be the maximum allowed under Chapter 1.05 BMC, General Penalty.
2. Upon a third violation/conviction, the offending person may be prohibited from using or entering all city-owned parks for a period of one year.
3. If a person is given a citation for violating subsection (A) of this section, he or she must immediately cease the offending conduct. If the person given the citation continues the offending use or activity, he or she will be subject to additional citations and/or immediate trespass under ORS 164.245. [Ord. 13-O-708 § 2; Ord. 10-O-667 § 2.]



Legal

To Publish: May 18, 2016

Public Notice

NOTICE IS HEREBY GIVEN that on May 23, 2016, at 7:00pm in City Hall Council Chambers, 898 Elk Drive, during a regular Common Council meeting, Brookings City Council will consider for adoption by title only the following:

- Ordinance 16-O-758, adding Sub Section E and F to Section 10.10.070, Prohibited Parking, Title 10, Vehicles and Traffic of the Brookings Municipal Code.
- Ordinance 16-O-759, amending Brookings Municipal Code Section 12.25.020 Public Parks and Recreational Areas, Exceptions, adding an exemption to park operating hours for the Mill Beach Access.

All persons wishing to address these matters may do so in person at the meeting, or by submitting prior written evidence to the City Recorder, City Hall, 898 Elk Drive, Brookings, OR 97415. Copies of the ordinance and associated staff report will be available for inspection in the City Recorder's office, at the Chetco Community Library, and at www.brookings.or.us, under Council Agendas.

All public City meetings are held in accessible locations. Auxiliary aids will be provided upon request with 14 days advance notification.

Please contact 469-1102 if you have any questions regarding this notice.