



**Martha Schrader**  
Chair

**Lynn Peterson**  
Commissioner

**Bill Kennemer**  
Commissioner

**BOARD OF COUNTY COMMISSIONERS**

**PUBLIC SERVICES BUILDING**  
2051 KAEN ROAD | OREGON CITY, OR 97045

# AGENDA

**Wednesday, July 18, 2007 – 9:30 AM**  
**Board of County Commissioners**

Special Business Meeting

**I. PUBLIC HEARING**

1. Adoption of Ordinance No. 08-2007 , Amending Clackamas County Code 6.06.04.01 to Give County Administrator or Designee Authority to Regulate Possession of Alcoholic Beverages at County Parks when Deemed Necessary to Protect the Public Health or Safety, and Declaring an Emergency (Steven Lounsbury)



**OFFICE OF COUNTY COUNSEL**

**Public Services Building**  
2051 KAEN ROAD | OREGON CITY, OR 97045

July 17, 2007

**Steven R. Lounsbury**  
County Counsel

Board of Commissioners  
Clackamas County

**David W. Anderson**  
**Dexter A. Johnson**  
**Michael E. Judd**  
**Edward S. McGlone III**  
**Kathleen J. Rastetter**  
**Scot A. Sideras**  
**Chris Storey**  
**Kimberley Ybarra-Cole**  
Assistants

Members of the Board:

**ADOPTION OF ORDINANCE #08-2007, AMENDING CLACKAMAS COUNTY CODE  
SECTION 6.06.04.01, TO GIVE COUNTY ADMINISTRATOR OR DESIGNEE  
AUTHORITY TO REGULATE POSSESSION OF ALCOHOLIC BEVERAGES AT COUNTY  
PARKS WHEN DEEMED NECESSARY TO PROTECT THE PUBLIC HEALTH OR  
SAFETY,  
AND DECLARING AN EMERGENCY**

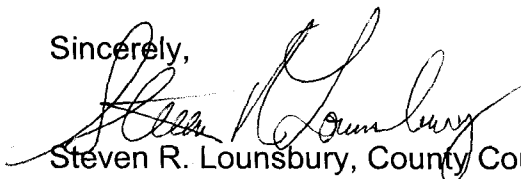
The proposed amendment to Clackamas County Code, Section 6.06.04.01 would authorize the County Administrator or designee to prohibit or further limit possession of alcoholic beverages in County parks as a limitation on recreational use whenever such action is deemed necessary to protect the health or safety of the public. The need for the emergency is based on the July 9, 2007 memorandum from Undersheriff, Charley Bowen, reporting the recent disturbances at Carver Park related to drunken behavior. The proposed amendment would enable the County Administrator or designee to limit or prohibit possession of alcoholic beverages in County parks if such measures are deemed necessary in the discretion of the County Administrator or designee to protect the public health or safety.

Pursuant to ORS 203.045(4), the proposed Code amendment may be adopted by the Board in a single meeting, and be effective immediately, if it is read first in full and then by title, and is adopted by unanimous vote of all members of the governing body present, provided they constitute a quorum.

**RECOMMENDATION**

Staff respectfully recommends that the Board adopt the proposed amendments to Section 6.06.04.01 of the Clackamas County Code.

Sincerely,

  
Steven R. Lounsbury, County Counsel

**ORDINANCE NO. 08-2007**

**An Ordinance Amending Chapter 6.06, Park Rules, of the Clackamas County Code and Declaring an Emergency**

WHEREAS, there have been recent disturbances at county parks related to drunken behavior; and

WHEREAS, the Board finds that the proposed amendment would protect the health and safety of park users by allowing the County Administrator or designee to limit or prohibit alcohol at county parks; now, therefore;

The Board of Commissioners of Clackamas County ordains as follows (new text is underlined; deletions bracketed):

**Section 1:** Section 6.06.04.01 of the Clackamas County Code is hereby amended to read as follows:

- A. The Division is hereby authorized to close to the public use of any County [P]park area or portion thereof, restrict the times when any County park area shall be open to such use, and limit or prohibit a recreation use whenever such action is necessary to protect the health or safety of the public, or the safety of the park area or its facilities. Cause for park area closure or limitation, or prohibition, on park area or recreational use includes, but is not limited to: tire hazard, dangerous weather, water conditions, and sanitary protection of the watershed, park area construction or repairs, conservation of fish and wildlife, excessive traffic, unsafe or overcrowded shoreline, ramp, parking or road conditions, the prevention of damage to the park or any of its facilities, or any dangerous, unsafe or unhealthful conditions.
- B Notwithstanding Section 6.06.07, the County Administrator or designee may prohibit or restrict possession or consumption of alcoholic beverages in any County park area or portion thereof, where such action is deemed necessary to protect the health or safety of the public. Violation of any such restriction or prohibition shall be treated as a rule violation for the purposes of Section 6.06.15. Any person authorized to enforce park rules is further authorized to confiscate and destroy any alcohol and its container that is used in a manner that violates a restriction imposed under this section.

**Section 2:** Emergency Clause

The Board of Commissioners hereby finds and declares that an emergency exists inasmuch as the immediate effect of this Ordinance is necessary for the peace, health and welfare of the residents of the County. Accordingly, this Ordinance shall be effective upon its adoption.

ADOPTED this 18<sup>th</sup> day of July, 2007.

BOARD OF COUNTY COMMISSIONERS

  
Chair

  
Recording Secretary