

ARTICLE 19a Open Space Park Program

Section 1. Creation, Powers and Duties An Open Space Park Program is hereby created to be administered by the Ashland Park Commission. The Park Commission shall make recommendations to the City Council concerning priorities for land and easement acquisitions for the Open Space Park Program. After dedication of land to the Open Space Park Program, the Ashland Park Commission shall be responsible for the administration, development and operation of such lands.

Section 2. Land and Easement Acquisition Procedures Both the Ashland Park Commission and the City Council must agree upon land or easements to be acquired for open space park purposes. Before any land or easements that have been acquired for the Open Space Park Program are disposed of and released from the Program there shall be a public hearing. Disposal shall be by Ordinance, which shall not contain an emergency clause, thus giving to the people of the City of Ashland the opportunity to petition for a referendum. Land or easements acquired for open space park purposes shall be dedicated by the City Council for such purposes. Such dedicated lands or easement shall be under the control and management of the Ashland Park Commission. The City Council shall not use the power of condemnation to acquire fee simple ownership of any land for Open Space purposes or for trails. (Amended 8-14-90)

Section 3. Resources Monies dedicated to the Open Space Park Program shall be expended only for Open Space lands or easements, for costs of acquisition and for such other purposes pertinent to the Open Space Park Program as the Council and Park Commission may jointly determine. All monies dedicated for acquisition of Open Space Park Program lands shall remain under the financial management of the City of Ashland.

The tax measures for funding for land acquisition for the Open Space Park Program shall be approved by the voters, and the tax rates approved therein by the voters shall not be altered for Open Space purposes by the City Council without further approval by the electorate. Said tax measures for funding of the Open Space Park Program shall expire on December 31, 2010, unless extended by a vote of the electorate. (Amended 8-14-90)

Section 4. Definition and Purpose of Open Space Park Lands The definition and purpose of open space park lands shall be as defined in State Law, ORS 308.740, or as modified by Ordinance of the City of Ashland. (Amended 5-15-90).