



# Council Business Meeting

Jan 16, 2024

<b>Agenda Item</b>	Second Reading – 3226 -An ordinance establishing Hours of Parks Closure	
<b>From</b>	Leslie Eldridge	Interim Parks Director
<b>Contact</b>	<a href="mailto:Leslie.eldridge@ashland.or.us">Leslie.eldridge@ashland.or.us</a>	541-552-2251
<b>Item Type</b>	Requested by Council <input type="checkbox"/> Update <input type="checkbox"/> Request for Direction <input type="checkbox"/> Presentation <input type="checkbox"/> Consent <input type="checkbox"/> Public Hearing <input checked="" type="checkbox"/> New Business <input type="checkbox"/> Old Business <input type="checkbox"/>	

## **SUMMARY**

Second reading of a proposed ordinance to establish Parks Hours for all city parks, trails, and open space lands. The presented ordinance language was unanimously recommended to City Council by the Parks and Recreation Commissioners on Oct 11, 2023. City Council approved the first reading of the proposed ordinance language on Dec 19, 2023 and sent to second reading.

## **POLICIES, PLANS & GOALS SUPPORTED**

Council Priorities: Public Safety Services: Code enforcement (building safety, public nuisances, neighborhood, and environment infractions).

## **BACKGROUND AND ADDITIONAL INFORMATION**

Over the last decade, Ashland Parks and Recreation has seen an increasing amount of vandalism and damage to public property, improper use of public restrooms, and security/public safety issues in our parks, parks facilities and open spaces. These incidents have largely been occurring during nighttime hours. Managing these issues has resulted in significant maintenance and financial burdens to APRC, as well as challenges to the Ashland Police Department (APD) enforcement efforts for public safety.

Currently, the Ashland Municipal Code (10.68.380) has an established “Curfew” **only** for Lithia Park between the hours of 11:30PM and 5:30AM. The remaining parks and parklands within the APRC system do not have any formal hours of closure.

The proposed amendment to the AMC would establish hours of parks closure in all City parks. The Ashland Municipal Code (10.68.010) defines the term “Parks” as inclusive of all parks, trails, and open space lands.

Ashland Parks and Recreation Board of Commissioners reviewed the proposed ordinance on October 11, 2023 and recommended the ordinance move forward for City Council consideration. City Council reviewed the proposed ordinance on the November 7, 2023 Business Meeting, and did not approve the First Reading. Council requested more information on the implications of the proposed ordinance for parks properties where more limited hours may be necessary, such as Skate Park. Parks staff consulted on this question with the Legal Department to ensure that the proposed ordinance neither adversely affects the proposed camping ordinance nor prevents parks staff from further restricting park hours on any other APRC property, using signage and/or internal parks





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policies. After addressing these concerns, Council approved the proposed language for first reading on Dec 18, 2023 and sent to second reading.

## Key Points:

- The proposed ordinance establishes baseline hours of closure that apply to all parks, trails and open spaces. It does **not** prevent APRC from establishing operating hours or additional restrictions on specific parks, facilities, or equipment.
- The proposed ordinance has been developed in collaboration with Ashland Police and Legal Departments and will not affect the proposed camping ordinance.
- The proposed ordinance allows for transit through park lands during nighttime hours, as well as sanctioned after-hours activities with a special event permit.

## **FISCAL IMPACTS**

No fiscal impacts

## **SUGGESTED NEXT STEPS**

Staff recommends that Council approve Second Reading of Ordinance No 3226.

## **REFERENCES & ATTACHMENTS**

- AN ORDINANCE AMENDING AMC CHAPTER 10.68 PUBLIC PARKS AND ESTABLISHING PARK HOURS FOR ALL CITY PARKS

**ORDINANCE NO. 3226**

**AN ORDINANCE AMENDING SECTION 10.68 OF THE ASHLAND MUNICIPAL  
CODE: CURFEW**

Annotated to show deletions and additions to the Ashland Municipal Code sections being modified. Deletions are ~~bold lined through~~, and additions are **bold underlined**.

**THE PEOPLE OF THE CITY OF ASHLAND DO ORDAIN AS FOLLOWS:**

**10.68.380 ~~Curfew~~ Hours of Parks Closure**

- A. ~~Except for City officials or their designees on official business, no one shall be in Lithia Park between the hours of 11:30 P.M. and 5:30 A.M. Unless otherwise provided by the Ashland Municipal Code, no person shall remain in any City park, as defined in AMC 10.68.010, between the hours 12:00 AM (midnight) and 5:00 AM, except authorized city personnel or as authorized by the Ashland Parks and Recreation Director or designee consistent with established parks rules and regulations.~~**  
**Unless otherwise provided by the Ashland Municipal Code, no person shall remain in any City park, as defined in AMC 10.68.010, between the hours 12:00 AM (midnight) and 5:00 AM, except authorized city personnel or as authorized by the Ashland Parks and Recreation Director or designee consistent with established parks rules and regulations.**
  
- B. ~~Any person who violates any provision of this Chapter is subject to Section 1.08.020 of the Ashland Municipal Code. Any violation of this section is a Class IV violation. (Ord. 3137, amended, 2017; Ord. 3026, amended, 08/03/2010). Any violation of this section is a Class IV violation subject to the penalties and procedures in AMC 1.08.030.~~**  
**Any violation of this section is a Class IV violation subject to the penalties and procedures in AMC 1.08.030.**

PASSED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

ATTEST:

\_\_\_\_\_  
Alissa Kolodzinski, City Recorder

SIGNED and APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

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Tonya Graham, Mayor

Reviewed as to form:

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Douglas M. McGeary, Acting City Attorney