

Title 12

STREETS, SIDEWALKS AND PUBLIC PLACES

Chapters:

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Chapter 12.04

EXCAVATIONS

Sections:

12.04.010 Permit required.

12.04.020 Issuance by recorder.

12.04.030 Deposit.

12.04.040 Violation--Penalty.

12.04.010 Permit required.

No person shall dig, excavate, or in any way disturb the surface of any street or road within the boundaries of the city without first obtaining a permit from the city. (Ord. 193 § 1, 1985)

12.04.020 Issuance by recorder.

The city recorder is authorized to issue permits for digging or excavating on the streets or roads within the city when the permit is recommended by the street commissioner. (Ord. 193 § 2, 1985)

12.04.030 Deposit.

Prior to issuance of a permit, the person or persons applying for the permit shall deposit with the city recorder a bond or cash in an amount sufficient to guarantee the repair, within a reasonable time, of any damage caused by the digging or excavating. The bond or cash shall be refunded after examination of repairs and the approval of the same by the street commissioner. In the event that the repairs are not made in a satisfactory manner or within a reasonable time, the street commissioner may make the repairs, the cost of which shall be deducted from the bond or cash deposit. If the permit specifies a time when repairs are to be completed, that shall be considered a "reasonable time" for purposes of this chapter. (Ord. 193 § 3, 1985)

12.04.040 Violation--Penalty.

A violation of a provision of this chapter is punishable by a fine not to exceed five hundred dollars (\$500.00). Each day that a violation continues is a separate offense. (Ord. 193 § 4, 1985)

Chapter 12.08

PARADES

Sections:

- 12.08.010 Prohibited activity.
- 12.08.020 Parade permit.
- 12.08.030 Offenses against parade.
- 12.08.040 Permit revocable.

12.08.010 Prohibited activity.

No person shall organize or participate in a parade that may disrupt or interfere with traffic without obtaining a permit. A permit shall always be required of a procession of people using the public right of way and consisting of twenty (20) or more persons or ten (10) or more vehicles. (Ord. 192 § 33, 1985)

12.08.020 Parade permit.

A. Application for parade permits shall be made to the council at least fourteen (14) days prior to the intended date of the parade, unless the time is waived by the council.

B. Applications shall include the following information:

1. The name and address of the person responsible for the proposed parade;
2. The date of the proposed parade;
3. The desired route, including assembling points;
4. The number of persons, vehicles and animals that will be participating in the parade;
5. The proposed starting and ending time.

C. The application shall be signed by the person designated as chairperson.

D. The council shall issue a parade permit conditioned on the applicant's written agreement to comply with the terms of the permit unless the council finds that:

1. The time, route and size of the parade will disrupt the movement of other traffic to an unreasonable extent;

2. The parade is of a size or nature that requires the diversion of so great a number of police officers to properly police the line of movement and contiguous areas that allowing the parade would deny reasonable police protection to the city;

3. The parade will interfere with another parade for which a permit has already been issued;

4. Information contained in the application is found to be false or a material detail is omitted;

5. The applicant refuses to agree to abide by or comply with all conditions of the permit.

E. If one or more of the conditions listed in subsection (D) of this section, other than subsection (D)(5), exists, the council may impose reasonable conditions in the permit, including but not limited to:

1. Requiring an alternate date;

2. Requiring an alternate route;
3. Restricting the size of the parade.

F. The city administrator shall notify the applicant of the decision within five days after receipt of the application. (Ord. 309 § 3, 2002; Ord. 192 § 34, 1985)

12.08.030 Offenses against parade.

A. No person shall unreasonably interfere with a parade or parade participant.

B. No person shall operate a vehicle that is not part of a parade between the vehicles or persons comprising a parade. (Ord. 192 § 35, 1985)

12.08.040 Permit revocable.

The council may revoke a parade permit if circumstances clearly show that the parade can no longer be conducted consistent with public safety. (Ord. 192 § 36, 1985)

Chapter 12.12

CITY PARKS

Sections:

- 12.12.010 Definition.
- 12.12.020 Sales and solicitations.
- 12.12.030 Animals prohibited.
- 12.12.040 Picking flowers, injuring trees, etc.
- 12.12.050 Damage to structures, trails and landscape.
- 12.12.060 Throwing, batting, etc.
- 12.12.070 Certain conduct prohibited.
- 12.12.080 Use of motor vehicles.
- 12.12.090 Fires, stoves, etc.
- 12.12.100 Park hours.
- 12.12.110 Reservation of park facilities.
- 12.12.120 Violation--Penalty.

12.12.010 Definition.

As used in this chapter, "park" means any public grounds under the supervision or control of the park commissioner, whether within or without the corporate limits of the city. (Ord. 197 § 1, 1985)

12.12.020 Sales and solicitations.

No person shall sell or expose for sale any merchandise, article or thing, food or other concession, or solicit any collection, donation or charge in any park, unless a permit has been obtained from the council or the park commissioner. The granting or refusal of the permit is within the discretion of the

council or commissioner, except that no permit shall be issued unless the applicant complies with any other applicable ordinances pertaining to the activity. (Ord. 197 § 2, 1985)

12.12.030 Animals prohibited.

A. Except as allowed by this section, no person shall permit any domestic or other animal under control of the person to enter upon or go at large in any park.

B. No person shall keep or permit in the park any dog unless the dog is on a leash, and in no case shall the dog be permitted in any area where it is designated unlawful to do so.

C. Horses, when ridden, may be taken into the park only along paths designated by the park commissioner. (Ord. 197 § 3, 1985)

12.12.040 Picking flowers, injuring trees, etc.

No person shall pick flowers, foliage, or fruit; or cut, break, dig up, or in any way mutilate or injure any tree, shrub, plant, grass, or turf in any park; or carve, paint, mark, or paste upon any foliage or post any bill, notice, poster, or advertisement upon any tree, rock, or other piece of landscape in a park. (Ord. 197 § 4, 1985)

12.12.050 Damage to structures, trails and landscape.

No person shall alter, deface, mutilate, destroy, or remove any building, bench, barrier, sign, trail, road, or other facility or structure; or alter, remove, or excavate any natural or man made trail, rock, soil or other part of the landscape in a park. (Ord. 197 § 5, 1985)

12.12.060 Throwing, batting, etc.

No person shall throw, bat, hit, or otherwise project any stone, rock, stick, ball, or other missile from, into, within, or upon any park, except in such place as may be designated for a specific activity in which the ball or other object customarily is used. (Ord. 197 § 6, 1985)

12.12.070 Certain conduct prohibited.

No person shall:

A. Cause, attempt to cause, or bring about any public disturbance or create a public nuisance.

B. Pursue, hunt, trap, molest, or kill any bird or animal.

C. Dive, swim, or engage in any water activity in an unsafe or hazardous manner.

D. Dump household or commercial garbage brought from lands outside the park.

E. Deposit any rubbish, garbage, glass, or other litter, except in receptacles designated for that purpose. (Ord. 197 § 7, 1985)

12.12.080 Use of motor vehicles.

No person shall drive or take any automobile or other motor vehicle into or upon any park except on the driveways or roadways, as provided and designated for that purpose, and then only when the vehicle is operated pursuant to rules and regulations of the council and the park commissioner. This shall not prohibit the council from granting a permit to any individual or group to take motor vehicles upon other areas of the park after an application is made to the council and the council is satisfied that

no damage to the park will result from the use nor will the requested use be detrimental to the purpose and intent of the public park. (Ord. 226 § 2, 1988: Ord. 197 § 8, 1985)

12.12.090 Fires, stoves, etc.

A. No person shall build, light, or maintain in a park any fire, except in a stove, pit, or fireplace designated for such purpose, and then only when the fire is built and maintained in a safe operating condition.

B. No person shall leave unattended in a park a fire built, lighted, or maintained by that person. (Ord. 197 § 9, 1985)

12.12.100 Park hours.

The council of the city shall set, by resolution, the hours that the park shall be open to the general public. The council may, at its discretion, waive or allow a longer use of the park upon application to the council by a person or a group of people. (Ord. 229 § 1, 1989: Ord. 197 § 10, 1985)

12.12.110 Reservation of park facilities.

A person or a group of people upon an application to the council may request to reserve the park facilities for a set period of time. The reservation request shall be made by application to the city and the decision to reserve the park facilities shall be at the sole discretion of the council or its designee. The council may, by resolution, set a fee for the use and reservation of the park facilities. (Ord. 229 § 2, 1989: Ord. 197 § 11, 1985)

12.12.120 Violation--Penalty.

A violation of a provision of this chapter is punishable by a fine not to exceed five hundred dollars (\$500.00). (Ord. 197 § 12, 1985)

Chapter 12.16

CITY BRIDGES

Sections:

- 12.16.010 Title.
 - 12.16.020 Purpose.
 - 12.16.030 Definitions.
 - 12.16.040 Prohibitions.
 - 12.16.050 Enforcement responsibility and authority.
 - 12.16.060 Violations.
 - 12.16.070 Permitted conduct.
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- 12.16.010 Title.

This chapter shall be known as the city of Mill City bridge ordinance and may be so cited and pleaded. (Ord. 340 § 1 (part), 2006)

12.16.020 Purpose.

The purpose of this chapter is to protect public health, safety and welfare from the dangers presented by persons congregating on, loitering on or jumping from city bridges. This includes physical dangers to the persons on or jumping from the bridges, the traveling public and adjoining property owners, as well as problems associated with disorderly conduct, drinking, drugs, trespass, damage to public and private property and parking in a hazardous manner as set out in ORS 819.120(1997). (Ord. 340 § 1 (part), 2006)

12.16.030 Definitions.

As used in this chapter:

“City bridge” means any bridge structure and the approaches thereto located in the city of Mill City within the jurisdiction of the city.

“Jumping” means leaping, falling, diving or otherwise projecting oneself from a city bridge and includes but is not limited to bungee jumping.

“Motor vehicle” means any vehicle which is, or is designed to be, self-propelled. (Ord. 340 § 1 (part), 2006)

12.16.040 Prohibitions.

A. No person shall jump, or cause another person to jump, leap, fall, dive or otherwise be projected, from a city bridge.

B. No person(s) shall congregate on or loiter on a city bridge. This prohibition shall not apply to persons within or on a designated pedestrian walkway that is constructed as part of a bridge and is separate from the motor vehicle lanes of travel. This prohibition shall also not apply to persons crossing a city bridge provided that the persons do not congregate or loiter on the bridge.

C. No person shall fish from a city bridge except within or on a designated pedestrian walkway that is constructed as part of a bridge and is separate from the motor vehicle lanes of travel.

D. No person shall park a motor vehicle within a posted area of a city bridge or on or near a city bridge in a manner that creates a hazard or obstruction for the traveling public under ORS 819.120 and 819.550 to 811.560(1997) or that blocks or impedes access to private properties or to mailboxes. In addition to any penalties provided for in this chapter, vehicles that constitute a hazard or obstruction to motor vehicle traffic using the road or highway may be taken into immediate custody and removed pursuant to the provisions of ORS 819.120(1997).

E. No person shall remove signs, deface, paint, destroy or otherwise damage a city bridge or the appurtenances thereto. (Ord. 340 § 1 (part), 2006)

12.16.050 Enforcement responsibility and authority.

This chapter shall be enforced by the Linn County sheriff’s office or any law enforcement agency with whom the city of Mill City has a cooperative law enforcement agreement. (Ord. 340 § 1 (part), 2006)

12.16.060 Violations.

Violation of any provision of this chapter is an infraction as provided in Section 1.16.010 of the Mill City Municipal Code. (Ord. 340 § 1 (part), 2006)

12.16.070 Permitted conduct.

A. This chapter shall not be interpreted to prohibit people from assembling together in a peaceful manner to consult for their common good; nor from instructing their elected representatives; nor for applying to the elected officials for redress of grievances.

B. This chapter shall not be interpreted to restrain the free expression of opinion, or restrict the right to speak, write, or print freely on any subject whatever; but every person shall be responsible for abuse of this right. (Ord. 340 § 1 (part), 2006)