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191989

Ordinance

Amend Parks and Recreation Code to align with the amended City Charter approved by voters in Portland Measure 26-228 and to update park rules (replace Code Title 20)

Passed

The City of Portland ordains.

Section 1. The Council finds:

1. Portland's parks and recreation system is a treasured community asset, providing an array of valuable ecological, social, public health, and economic benefits, including access to recreational opportunities and programming.
2. Code Chapter 20.12 prescribes the rules of conduct for park visitors, focused on the behavioral, societal, and civil conduct that impacts the visitor experience, park resources, and park safety.
3. Some rules in Chapter 20.12 are dated or unclear, and some have not kept pace with new and emerging issues and technology such as motorized scooters and unmanned aerial vehicles (UAV's).
4. Recent changes to state law and changes to Code have made certain sections of Chapter 20.12 in conflict with other chapters or sections of the Code.
5. Code amendments will provide clarity to visitors and park staff concerning park rules and aims to ensure that park spaces are safe and welcoming. A copy of the amended Title 20 is attached as Exhibit A.
6. Portland Parks & Recreation (PP&R) reviewed the substantive changes with the Portland Parks Board and a sub-committee of the Board provided feedback. PP&R supports these Code amendments and the project goal to improve staff safety, resource protection, and visitor experience.
7. PP&R has developed a proposed Park Rule Code Compliance Civil Penalty program to promote code compliance as an alternative to Exclusions and Ejections where appropriate. The goal of this program is to enhance park safety through consistent enforcement actions for violations related to animals, docks, major permits violations, dumping, and park damage.

Introduced by

[Mayor Ted Wheeler](#)

City department

[Parks & Recreation](#)

Contact

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Requested Agenda Type

Regular

Date and Time Information

Requested Council Date

December 4, 2024

Changes City Code

8. It is the City's goal to align the amended City Code with the Park Rule Code Compliance Civil Penalty program as the safety of the public, protection of park resources, and efficient resolution to code violations are priority. A copy of the proposed administrative rule for the program is attached as Exhibit B.
9. On November 8, 2022, voters approved Portland Measure 26-228 (the "Measure"). The Measure significantly amended Portland City Charter. The Measure generally established a Mayor-Council form of government with a City Administrator, created four new geographic districts with three councilors representing each district, and called for a new system of electing City officials using ranked-choice voting.
10. City Code currently reflects the Commission form of government and must be updated to conform to the changes adopted by the voters in the Measure, including reflecting new responsibilities of the legislation-focused City Council, the executive Mayor, and the City Administrator.
11. As a result, Title 20 will require comprehensive amendments to conform to the Measure as well as other technical updates such as removing repetitive code regarding administrative permits, clarifying authority and process, reflecting new City organizational units labels, or making grammar and punctuations corrections. These conforming amendments are included in Exhibit A.

NOW, THEREFORE, the Council directs:

- A. Repeal and replace City Code Title 20 as shown in Exhibit A. Exhibit A will be effective on January 1, 2025.
- B. The City Administrator is authorized to formulate, adopt and amend as required, administrative rules pertaining to City parks, and may adopt the "Park Rules Code Compliance Civil Penalty Program" administrative rules in a form similar to Exhibit B, for effective date of January 1, 2025.

Exhibits and Attachments

 [Exhibit A](#) 225.44 KB

 [Exhibit B](#) 237.61 KB

An ordinance when passed by the Council shall be signed by the Auditor. It shall be carefully filed and preserved in the custody of the Auditor (City Charter Chapter 2 Article 1 Section 2-122)

Passed by Council
December 4, 2024

Auditor of the City of Portland
Simone Rede

Impact Statement

Purpose of Proposed Legislation and Background Information

The purpose of this legislation is to amend Parks and Recreation Code Title 20 in its entirety for the following purposes: to revise the Code to clarify various sections, modernize the code to align with park resource protection and safety goals, and correct various inconsistencies; and to make Charter Reform required code amendment necessitated by Measure 26-228. The code will also be updated to clarify the authority of the City Administrator over administrative rulemaking and enforcement as authorized by the Charter Reform. Some of the code update include:

- Improve readability and clarity for various code sections that have not been updated for many years to match changing demands and needs;
- Align codes related to unmanned aerial vehicles to match with recent state law changes;
- Remove references to fireworks being permitted in parks, to align with recent changes to the Fire code;
- Clarify the rules around animals in parks, including specifically addressing what types of animals are permitted in parks to ensure the safety of visitors and the protection of park resources;
- Improve prohibitions on dumping in parks to better address litter and trash;
- Remove chapters which differentiated property management and permitting requirements that are no longer necessary;
- Clarify the rules and improve the administration of the appeal process when a permit is denied, to better serve customers whose permits have been denied or altered;
- Clarify code enforcement and civil penalty authority of the City Administrator, as authorized by the 2025 new Charter, to address certain park rule violations where ejections or exclusions are not appropriate and compensation to PP&R is due from damage; and,
- Clarify rulemaking authority to better manage parks, including when and where motorized scooters and devices are permitted in parks, to provide the Bureau with the ability to change as new and emerging technology comes to Portland.

Financial and Budgetary Impacts

None noted.

Economic and Real Estate Development Impacts

Not applicable

Community Impacts and Community Involvement

This legislation is an administrative update to improve the enforcement of park rules and policy-making procedures and to make Charter Reform required conforming code amendments. Portland Parks & Recreation staff presented these updates to the volunteer Portland Parks & Recreation Board and received feedback on the proposal.

100% Renewable Goal

The legislation has no direct impacts on this goal.

Financial and Budget Analysis

This action aligns Parks and Recreation Code with the updated City Charter and makes other technical edits.
This action to amend code has no fiscal impact.

Document History

Agenda	Council action
November 20, 2024 Regular Agenda City Council	Passed to second reading Passed to second reading December 4, 2024 at 9:30 a.m.
December 4, 2024 Regular Agenda City Council	Passed Aye (4): Mingus Mapps, Dan Ryan, Rene Gonzalez, Ted Wheeler Absent (1): Carmen Rubio