



HUMAN SERVICES COMMITTEE

Agenda

Tuesday, December 17, 2013

2:00 pm

Madison Avenue Meeting Room
500 SW Madison

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| Discussion/ Possible Action | I. Council Policy Review and Recommendation: 07-4.16, "Code of Conduct for Patrons at Parks and Recreation Facilities, Events, and Programs" (Attachment) |
| Information | II. Other Business |

Next Scheduled Meeting

Tuesday, January 7, 2014 at 2:00 pm

Madison Avenue Meeting Room, 500 SW Madison Ave

Agenda

None at this time.



MEMORANDUM

To: Human Services Committee
From: Karen Emery, Director Parks and Recreation *KE*
Stephen DeGhetto, Assistant Director Parks and Recreation *AD*
Date: December 18, 2013
Subject: Review of Council Policy CP 07- 4.16. Code of Conduct for Patrons at Parks and Recreation Facilities, Events and Programs

Issue:

Council Policy CP 07-4.16, Code of Conduct for Patrons at Parks and Recreation Facilities, Events and Programs, is due for review, and this memorandum reflects the suggested revisions.

Background: This policy establishes rules and regulations to protect the rights and safety of the community.

Discussion: Parks and Recreation staff suggest minor grammatical and punctuation revisions to update the policy. No other revisions are deemed necessary at this time.

Recommendation: Staff recommends that the Human Services Committee recommend that Council approve the suggested minor changes to CP 07- 4.16 Code of Conduct for Patrons at Parks and Recreation Facilities, Events and Programs.

Attachment:

Council Policy CP 07- 4.16 Code of Conduct for Patrons at Parks and Recreation Facilities, Events and Programs

CITY OF CORVALLIS
COUNCIL POLICY MANUAL

POLICY AREA 4 - LEISURE AND CULTURAL ACTIVITIES

CP 07- 4.16 **Code of Conduct for Patrons at Parks and Recreation Facilities, Events and Programs**

Adopted July 2, 2007

Revised October 20, 2008

Revised December 20, 2010

Revised January XX, 2014

4.16.010 **Purpose**

This policy establishes rules and regulations to protect the rights and safety of the community and to allow the City staff to perform their jobs at all City-owned or managed Corvallis Parks and Recreation Department facilities and at all events or programs sponsored by Corvallis Parks and Recreation Department.

Corvallis is a community that honors diversity. The City and those in its employ; do not have a policy, practice or procedure which directly or indirectly discriminates. This policy applies to everyone.

Parks are traditional forums for the exercise of free speech. This policy is not intended to interfere with the exercise of free speech in Corvallis Parks. This policy applies regardless of the message a person may wish to convey.

4.16.020 **Definitions**

Parks. For purposes of this policy, Parks are defined as any property or facility owned or controlled by the City, set aside and maintained by the City for the recreation and relaxation of the public, managed by the Parks and Recreation Department.

Facilities. For purposes of this policy, Facilities are defined as offices, buildings, and structures managed by the Parks and Recreation Department, whether or not the City owns the facility. Facilities include the Senior Center, the Osborn Aquatic Center, the Walnut Community Room, the Corl House, picnic shelters, playgrounds, playing fields when being used for organized team sports, park restrooms, the Starker Arts Amphitheater and stage, and temporary structures or temporary enclosures permitted by the City. Facilities do not include open areas,

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sidewalks or paths not within some structure or enclosure. Facilities do not include playing fields which are not reserved for use for organized team sports.

4.16.030 Policy

The following are prohibited in any Park or Park Facility:

1. Violation of any City Park Regulation set out in Chapter 5.01 of the Corvallis Municipal Code.
2. Intentionally causing public inconvenience, annoyance, or alarm, or recklessly creating a risk of public inconvenience, annoyance or alarm, by engaging in fighting or behaving in a violent, tumultuous or threatening manner.
3. Possessing a weapon, except as permitted by ORS 166.370.
4. Smoking, chewing, inhaling, or ingesting by any other means tobacco or tobacco like products; i.e., cigarette, cigar, pipe tobacco, smokeless tobacco, chewing tobacco, or any other form of tobacco which may be utilized for smoking, chewing, inhaling or ingesting, inside City facilities or in any City parks (Municipal Code 5.03.080.160.02). This does not include designated parking areas.
5. Consumption of alcohol, except as allowed by a permit issued as part of a facility or park rental (Municipal Code 5.03.040.010.06).
6. Aggressive Panhandling. Begging, demanding funds, or soliciting alms or charity, knowing that a reasonable person would find the manner of the begging, demand or solicitation to be alarming or threatening (Municipal Code 5.03.080.150).
7. The use of any City staff offices, equipment, computers or phones, without the express permission by of on-duty staff.
8. Unlawful or unauthorized removal of City equipment or supplies from facilities or recreation programs.
9. Engaging in any activities prohibited by law.
10. Destroying, damaging, or defacing City property.

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11. Failing to leave a designated area or designated facility subject to a priority use permit when asked to do so by the person holding the priority use permit.
12. Failing to leave a Park or Facility when the Park or Facility is closed without having a permit to do so.
13. Interfering or preventing the use of a Park or Facility by another person, without having a priority use permit.
14. The City Manager may develop patron behavior expectations for the following Parks and Recreation Facilities and programs for the safe operation and use of the facility and programs:
 - Senior Center
 - Osborn Aquatic Center
 - Recreation programs

Violation of patron behavior expectations for a specific facility or recreation program is prohibited by this policy.

4.16.040 Enforcement

The Parks and Recreation Department and Corvallis Police Department staff will implement the Code of Conduct rules. Unlawful activities will be reported to the Corvallis Police Department. People who violate the Code of Conduct will be asked to stop the action immediately and may be ordered to immediately leave the Parks and Recreation Department program or facility. If the prohibited behavior continues or the behavior is a crime or infraction, they may also be subject to arrest and/or citation. Refusal to leave when properly directed by staff may result in arrest for trespassing.

- 4.16.041 The Parks and Recreation Department may deny a person who has violated the non-criminal Code of Conduct rules from entering any Department program or City facility until a written agreement is reached to discontinue the behavior or action, for a specific time, from one week up to one year, or permanently. If an individual is removed from a program or facility, a certified letter will be sent from the Parks and Recreation Department Director or her/his designee or hand-delivered by a City of Corvallis employee within 48 hours outlining the occurrence, the length of time of the removal plus the appeal and reinstatement process. If an address is not attainable, the certified letter will be hand delivered at the time of next contact. If, in the judgement of the Department Director, the person constitutes a threat to the safe operation of a program or a City facility, or is involved in repeated incidents of criminal behavior, the person may be permanently excluded from all

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City of Corvallis Parks and Recreation Facilities, Events, and Programs. If the violation is criminal, a trespass notice will be issued by Corvallis Police Department staff at the time of the violation or if not present, at the time of next contact.

4.16.050 Trespass Durations

Criminal behavior may result in the following trespass durations:

<u>Criminal Behavior</u> Infraction	<u>Trespass Duration</u> One Week - 7 Days
Crime (Non-Person) - Misdemeanor	One Month - 30 Days
Crime (Trespass) - Misdemeanor	Three Months - 90 Days
Crime (Person) - Misdemeanor	One Year - 365 Days or permanent exclusion
Crime - Felony	One Year - 365 Days or permanent exclusion

Repeated incidents of criminal behavior will subject offender to additional trespass periods consecutive to original trespass duration.

4.16.060 Appeal

Anyone receiving notice of restricted access to Parks and Recreation Department programs and facilities may request a meeting to have the incident reviewed. The request must be in writing and filed at the Corvallis Parks and Recreation Department within 48 hours (exclusive of weekends) of receipt of the notice.

The incident review will be informal and the Parks and Recreation Director will consider information from City employees involved in the incident, the person requesting the hearing and from other witnesses to the incident(s). At the conclusion of the meeting, the Parks and Recreation Director may affirm, modify, or cause the notice to be canceled. A written copy of the decision will be delivered or mailed to the person requesting the meeting on the date issued. This decision may be appealed to the City Manager or the City Manager's designee.

4.16.070 Review and Update

This policy shall be reviewed and updated every three years by the Parks and Recreation Department Director, for City Council approval.