

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

In the Matter of Adopting the Columbia  
County Facility Parking Ordinance

ORDINANCE NO. 2024-4

The Board of County Commissioners for Columbia County, Oregon, ordains as follows:

SECTION 1. TITLE.

This Ordinance shall be known as Ordinance No. 2024-4 and may also be cited and referred to as the "Columbia County Facility Parking Ordinance."

SECTION 2. AUTHORITY.

This Ordinance is adopted under the authority of ORS 203.035.

SECTION 3. PURPOSE.

The purpose of this Ordinance is to regulate parking on County controlled property other than road right of way. Parking on road right of way shall continue to be governed under Ordinance 2019-5, the Columbia County Parking and Towing Ordinance.

SECTION 4. APPLICATION.

This Ordinance shall apply to all real property, land and public facilities owned, leased (by or to the County), controlled, or managed by the County except for property subject to Columbia County Parking and Towing Ordinance.

SECTION 5. ADOPTION.

The Columbia County Facility Parking Ordinance, which is attached hereto as Exhibit A and incorporated herein by this reference, is hereby adopted.

SECTION 6. SEVERABILITY.

If any provision of this Ordinance, including Exhibit A, is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the remaining portions thereof.

SECTION 7. SCRIVENER'S ERRORS.

Scrivener's errors in any portion of this Ordinance may be corrected by Order of the Board of County Commissioners.

SECTION 8. EMERGENCY.

This Ordinance being immediately necessary to maintain the public health, safety, and welfare, an emergency is declared to exist, and this Ordinance shall take effect upon adoption.

DATED this 29 day of May, 2024

BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

Approved as to form:

By: [Signature]  
Office of County Counsel

By: Not Present  
Casey Garrett, Chair

By: [Signature]  
Kellie Jo Smith, Commissioner

Attest:  
By: [Signature]  
Recording Secretary

By: [Signature]  
Margaret Magruder, Commissioner

First Reading: 5/29/24  
Second Reading: 5/29/24  
Effective Date: 5/29/24

# Exhibit A

## Section 1. Definitions.

For the purposes of this Ordinance:

- a) **“County Property”** includes all real property, land and public facilities owned, leased (by or to the County), controlled, or managed by the County except for property subject to Columbia County Parking and Towing Ordinance.
- b) **“County Employee”** means an individual employed by Columbia County including any Columbia County elected official and the Columbia County District Attorney.
- c) **“Employee”** means a County Employee or a State Court Employee.
- d) **“Director”** means the Columbia County General Services Director, or such other County employee designated in an order adopted by the Columbia County Board of Commissioners. In the case of the Columbia County Fairgrounds, “Director” means the Columbia County Fair Board, or any individual designated by an order adopted by the Columbia County Fair Board.
- e) **“Law Enforcement Officer”** means the Columbia County Sherriff, Columbia County Sheriff Deputies, any Oregon State Police Trooper, and any Police Officer employed by a City in which the County Property at issue is located.
- f) **“Park”** means to stop or cause to remain stopped any Vehicle other than momentary stops for the expeditious loading or unloading of passengers.
- g) **“Parking Control Device”** means any sign, standard, painted area, marking, or any device, inscription, or designation giving notice of, delineating, controlling, or restricting Parking on County Property.
- h) **“Parking Facility”** means the portion of any County Property designated for Vehicle Parking.
- i) **“State Court Employee”** means an individual employed by the Oregon Judicial Department who is assigned to work in the Columbia County Circuit Court including any judge of that court or state circuit court judge or senior judge assigned to work in the Columbia County Circuit Court.

- j) **“Vehicle”** means every device in, upon, or by which any person or property is or may be transported or drawn upon any street or highway except devices moved exclusively by human power.

## **Section 2. Regulation of Parking.**

- a) The Director is authorized to designate the location and type of Parking facilities using appropriate Parking Control Devices so that county operations can run efficiently, and county services can be provided effectively. The Director shall work with county departments and, when appropriate, the Trial Court Administrator for the Columbia County Circuit Court, in performing these functions. The Director is also authorized to issue permits that allow a person to Park a Vehicle on a Parking Facility in a location where Parking is only allowed with a valid permit.
- b) Any Parking restriction imposed by the Director shall become effective only upon the posting of Parking Control Devices providing notice of that restriction.
- c) The owner of a Vehicle Parked in violation of this chapter shall be responsible for the violation, except where the use of the Vehicle was secured by the operator without the owner’s consent. In an enforcement proceeding against the Vehicle owner, proof that at the time of the alleged violation, the Vehicle was registered with the appropriate motor Vehicle licensing authority as belonging to the defendant shall raise a rebuttable presumption that the defendant was the owner in fact.

## **Section 3. Prohibitions.**

- a) No person shall Park a Vehicle on County Property that has not been designated a Parking Facility without written permission of the County. This provision does not apply to publicly owned or leased Vehicles, or to County Employee Vehicles Parked on County Property in the performance of the employee’s job.
- b) No person shall Park a Vehicle on a Parking Facility in a manner contrary to any Parking Control Device.
- c) No person shall Park a Vehicle on a Parking Facility for more than 48 continuous hours without express written permission from the county. This provision does not apply to publicly owned or leased Vehicles, or to employee Vehicles otherwise Parked in compliance with this Ordinance.

- d) No person shall Park a Vehicle on a Parking Facility if that Vehicle creates a hazardous condition or blocks access to or from the Parking Facility.
- e) No person shall Park a Vehicle on a Parking Facility that requires a permit without displaying the permit in a in a prominent position easily visible from outside the Vehicle.
- f) No person shall drive a Vehicle more than 10 miles per hour on a Parking Facility.
- g) No person other than the Director or a designee of the Director shall remove or attempt to remove an immobilization device placed under the provisions of Section 5 of this ordinance.

#### **Section 4. Enforcement.**

- a) Violation of this Ordinance shall be a violation enforceable under the Columbia County Enforcement Ordinance, however the fine for each violation of Section 3 subsections (a) through (f) shall not exceed \$100.00/per violation nor be less than \$35.00/per violation. The maximum fine for each Violation of Section 3, subsection (g) shall not exceed \$500.00/per violation nor be less than \$150.00/per violation. Each violation of this chapter shall constitute a separate violation.
- b) Pursuant to Section 11 of the Enforcement Ordinance, the Director, any Law Enforcement Officer, any member of the Board of County Commissioners, and any other person that the Board specifically approves is authorized to issue citations under this Ordinance.
- c) Any citation issued under this Ordinance may be served by personal service on the owner of the vehicle or by placing the citation on the vehicle.

#### **Section 5. Impoundment of Vehicles.**

- a) The following Vehicles may be impounded under this Ordinance:
  - i. Any vehicle that is parked on county-owned property in violation of Sections 3(a), 3(c) or 3(d) of this ordinance.

- ii. Any vehicle that is parked on county-owned property in violation of this Ordinance if ten or more citations have been issued under this ordinance against the vehicle, its operator or owner within the previous 180 days.
- b) A vehicle may be impounded by either towing or by immobilization.
- i. Towing- The County may contract the services of one or more competent towing service companies for the removal and storage of motor vehicles. A towed vehicle shall be processed and disposed of pursuant to the procedures for abandoned vehicles set forth in ORS 819.110 to ORS 819.260, inclusive. The Director shall require the company towing any vehicle to conduct an inventory of its contents.
  - ii. Immobilization-A motor vehicle may be immobilized by installing on or attaching to the vehicle a device designed to restrict the normal movement of the vehicle. The Director shall conspicuously affix to an immobilized vehicle a written notice that shall contain:
    - 1) A description of the vehicle and its location;
    - 2) A statement of the reason for the temporary immobilization of the vehicle including a reference to the section of this ordinance violated;
    - 3) Where to go and how to obtain release of the vehicle;
    - 4) The date and time after which the County may have the vehicle towed as provided in Section 3(b)(i);
    - 5) The statement that any attempt to remove the immobilization device or removing it or attempting to remove or removing the vehicle before it is released as authorized by this ordinance is a separate offense.
  - iii. The Director or a designee of the Director shall authorize the release of a towed vehicle or removal of an immobilization device when the owner, operator, or person in charge of the vehicle:
    - 1) If the vehicle has been towed, posts bail, pays all outstanding fines and bail for all citations issued under this ordinance against the vehicle, its operator or owner and pays the towing and storage fees imposed by the towing company ; or

- 2) If the vehicle has been immobilized posts bail, pays all outstanding fines and bail for parking citations issued against the vehicle, its operator or owner and pays an immobilization fee of in an amount \$150.00; or
- 3) If the vehicle was towed after first being immobilized then the owner, operator, or person in charge of the vehicle must pay the \$150.00 immobilization fee in addition to the amounts required to be paid to release a towed vehicle.