BOARD OF COUNTY COMMISSIONERS
OF BAKER COUNTY

IN THE MATTER OF	)	**Ordinance 2025-07**
AN ORDINANCE REGULATING THE USE OF BAKER COUNTY PARKS; PROHIBITING CERTAIN ACTIVITIES; REPEALING PRIOR ORDINANCES; DECLARING AN EMERGENCY	)	Repealing OR 87-4, Ord. 91-02, Ord. 93-01, Ord. 93-04, Ord. 98-02, Ord. 04-01, Ord. 2005-05, and Ord. 2022-03

WHEREAS, Baker County Board of Commissioners finds that regulation of activities in Baker County parks is necessary for the public's safety and enjoyable use of county parks, and to protect park facilities, natural, and historic features;

WHEREAS, there is need to update the Baker County Parks Ordinance to ensure public safety, accommodate changing needs of the community, and incorporate order and structure into the Ordinance;

NOW THEREFORE, THE BAKER COUNTY BOARD OF COMMISSIONERS ORDAINS AS FOLLOWS:

SECTION 1. Baker County Parks Ordinance 2022-03, and all prior Ordinances known as Baker County Parks Ordinance, are hereby repealed.

SECTION 2. This Ordinance shall be known as the "Baker County Parks Ordinance," Ordinance No. 2025-07 including the accompanying Attachment A, which is incorporated herein by reference.

SECTION 3. This Ordinance is adopted pursuant to ORS 203.035, 203.045 and 203.065.

SECTION 4. If any part of this Ordinance, including any part of its attachment, is found to be invalid or unenforceable in any respect for any reason, the validity and enforceability of such provision in any other respect and of the remaining provisions of this Ordinance will not in any way be impaired.

SECTION 5. EMERGENCY CLAUSE; EFFECTIVE DATE
It being necessary for the immediate preservation of the public health, peace, safety and welfare of the County and its inhabitants, this Ordinance is deemed an Emergency Ordinance and shall take effect immediately, as prescribed by ORS 203.045. The Ordinance will become effective immediately after filing with the Clerk of the County.

ADOPTED BY THE BAKER COUNTY BOARD OF COMMISSIONERS
on this 3rd day of December, 2025.

BOARD OF COUNTY COMMISSIONERS
OF BAKER COUNTY

BAKER COUNTY BOARD OF COMMISSIONERS:

Shane Alderson, Commission Chair

Christina Witham, Commissioner

Michelle Kaseberg, Commissioner

BAKER COUNTY PARKS ORDINANCE
Exhibit A

ARTICLE 1. PURPOSE AND POLICY

A. **Purpose and Policy.** The purpose of this Ordinance is to provide maximum public safety and satisfaction, and to preserve park facilities, natural features, and history for all users of these public spaces. Enforcement of the rules and prohibitions established by this Ordinance should be accomplished in a manner that is reasonable, accounting for the perspectives of all park users.

B. **Title.** This Ordinance may be cited as the "Baker County Parks Ordinance."

C. **Application.** The provisions of the Ordinance shall apply to that area encompassed by the boundaries of Hewitt Park, John Holcomb Park, Hells Canyon Information Wayside, Halfway Wigwam, Wingville Cemetery, Fizz Spring, Sumpter Valley Dredge Tailings, and Bishop Spring Rest Area located in Baker County, Oregon.

ARTICLE 2. ADMINISTRATON AND ENFORCEMENT

The Baker County Parks Department (the Department) and the Baker County Sheriff, under the direction of the Board of Commissioners, shall be responsible for the administration of this Ordinance. The Baker County Sheriff and Oregon State Police shall have the authority to do all things necessary to enforce provisions of this Ordinance. This authority in no way limits the legal jurisdiction of any federal, state or local law enforcement agency.

ARTICLE 3. REGULATIONS AND PROHIBITIONS

A. **Overnight Camping—Hewitt and Holcomb Parks**

1. Overnight camping shall be limited to designated spaces. The numeric designation of each space is marked. A fee per space per night shall be assessed based on amenities available in the space, regardless of whether the amenities are used. No person shall place, maintain or use camping equipment except in a place specifically designated or provided for such equipment.
2. Recreational Vehicle (RV) sites at Hewitt Park and Holcomb Park are limited to (1) RV vehicle, (1) tow vehicle or trailer, and (1) tent (if there is room within the site). Tow vehicles may be asked to park in the day use parking area depending on the size and will be at the discretion of the Park Staff. Extra vehicles or trailers require additional fees.
3. Tent sites are numbered and are limited to (2) tents, or a maximum of (6) people. Each tent site shall include a parking permit for (1) vehicle. Extra vehicles or trailers require additional fees. No electrical hook-ups may be used at any tent site

that is not designated for that use. Electrical use is allowed in the tent area at the upper gazebo site. Tents may be placed in RV sites for electrical and water hookups and will pay the cost of those amenities. No tent shall be staked to the asphalt. Tents are not allowed on the grassy areas at Holcomb Park.

4. All campsites must be occupied for a minimum of (6) hours in any 24-hour period.
5. Overnight camping by any individual camper shall be limited to (21) consecutive nights and then the individual camper must change campsites. Any request for extension for additional nights will be at the discretion of the Parks Director.
6. Noise curfew hours shall be observed between 10:00 pm and dawn. Excessive or loud noise is prohibited during these hours. Examples of excessive or loud noise include but are not limited to: music, generator noise, motorbike/ATV noise, running of boat motors or other motors, parties, demonstrations, etc.
7. The person registering for the campsite is responsible for adhering to all regulations of this Ordinance affecting the campsite and for any violation of the Ordinance with reference to the use and condition of the campsites during, or as a result of, occupancy under the permit, but this shall not be construed as a defense for any other person who actually caused or participated in causing the violation.

B. **Overnight Camping – Fizz Spring and the Baker County owned portion of the Sumpter Valley Dredge Tailings**
Overnight Camping is permitted on County property on both sides of the road. This area is for dispersed camping only. There are no restrooms or garbage facilities. All campers must follow current Oregon Department of Forestry fire restrictions. Campers shall be able to remain (14) days and then must move off of the property.

C. **Overnight Camping—All Other Parks.** The following County parks have limited resources available to ensure public safety after dark, so overnight camping is prohibited in these locations: Hells Canyon Information Wayside, Halfway Wigwam, Wingville Cemetery, and Bishop Spring Rest Area. The public is welcome in these locations from dawn until dusk.

D. **Vehicles.**
1. No person shall operate a motor vehicle in contravention of the Oregon Motor Vehicle Code.
2. All drivers shall adhere to posted speed limits in all areas including picnic areas, campgrounds, and parking lots.
3. No person shall park an automobile, trailer, or other vehicle in any place marked "No Parking," or in any location reserved for the parking of emergency vehicles.
4. No person shall park an automobile, trailer or other vehicle in any place other than a designated parking space.
5. Vehicles must be parked in such a way as not to hinder or impede drivers of other vehicles, block or impede boat ramps, or take more than one parking space per

vehicle. Vehicles that take more than one space will be charged parking/day use fees equivalent to the number of spaces used.

6. All Off Highway Vehicles (OHV) must stay on the roads, within the parking area, or camping areas. Use of OHVs on walking paths or grass is prohibited.
7. All OHVs used within the Parks must be equipped with an effective spark arrestor and muffler.
8. Motorized, mechanical, or electrical vehicles, bikes, skateboards, scooters and similar vehicles must obey all traffic laws and regulations including speed limits.
9. The Parks Department may remove or cause to be removed, any vehicle that is disabled, abandoned, parked or left standing unattended on a road within the park and that is in such a location as to constitute a hazard or obstruction to motor vehicle traffic using the road, as described by ORS 819.120; The Parks Department may also remove or cause to be removed any vehicle, if the Department has reason to believe the vehicle is disabled or abandoned and has been left standing on the public way for more than 24 hours without authorization by the Parks Department, pursuant to ORS 819.110. Procedures for notice, towing, hearings on validity of towing, and disposition of vehicles will be in compliance with ORS Chapter 819.

E. **Boats, Boating and Boat Docks.**

1. The definitions and provisions contained in ORS Chapter 488 relating to boats and boating shall apply to all boats within a County Park. Any violation of any section of that chapter shall be deemed a violation of this Ordinance.
2. No person may launch a boat at any place other than designated launching facilities; nor may they load or unload gear or participate in any activity that causes congestion or unreasonable delays for other users of the boat launch.
3. No person may leave a boat which is under his or her care, custody, and control unattended at a public launching dock or designated area for more than 15 minutes, unless otherwise posted or permitted, or in any other place for more than (4) hours, without prior written consent from the Parks Department. Any boat which has been left unattended contrary to this section may be removed to a designated storage area by the Department at the expense of the owner, and, after (30) days, any such boat will be disposed of in accordance with the provisions set forth by the Oregon State Marine Board.
4. Every reasonable effort will be made to accommodate ADA boaters. Park users and boaters seeking assistance should notify~~ing~~ the Park Staff for assistance and direction.
5. No person may engage in any boat race, regatta, exhibition, or fishing tournament without written approval from the Parks Department.
6. Each dock shall be signed to indicate activities allowed and prohibited on the dock.
7. Horseplay and/or objectionable activities deemed unsafe by the park staff are specifically prohibited on all boat docks.

F. **Swimming and Fishing.**

1. Swimming and fishing are prohibited from all boat slips, boat loading docks and concrete ramps, including from boats tied to boat slips.
2. All children aged 12 and under, with or without an adult, must wear a life jacket while swimming or wading in any County park. Children aged 12 and under must wear a life jacket when on recreational vessels, including fishing vessels.
3. Oregon State fishing laws must be obeyed at all times. This includes licenses, size, and bag limits. All licenses and catches can be checked by law enforcement officers at any time.
4. Fish cleaning is prohibited except at designated fish cleaning stations. All fish guts and carcasses must be deposited into designated receptacles.
5. Glass bottles, metal cans, or other hazardous objects are prohibited in swimming areas.
6. Swimming/wading areas do not have lifeguards on duty; therefore swimmers/waders assume the risk of this activity.

G. Fires and Cooking.

1. All fires shall be in designated fire rings, grills, or pits, attended at all times, and must follow any fire restrictions in place at the time. The Parks Department may prohibit fires at any location or for any reason when necessary for patron safety and/or the protection of park property.
2. A park patron who starts a fire shall be responsible for damage caused by that fire and for the cost of suppressing the fire.
3. Cooking and preparation of food is prohibited in all restrooms, fish cleaning stations, and showers.

H. Pets and Other Animals.

1. Pets shall be kept on a leash at all times. Owners must clean up after their pets in all circumstances and deposit waste in approved receptacles.
2. No person shall allow any pet in his or her custody to annoy or molest any person or pet.
3. No person shall allow any pet in his or her custody to be left unattended in a vehicle, tent, or tied up.
4. No person within the confines of the Hewitt and Holcomb parks, Hells Canyon Information Wayside, Halfway Wigwam, Wingville Cemetery, and Bishop Spring Rest Area shall discharge firearms (including archery), hunt, pursue with dogs, trap, or in any way molest, any wild bird or animal found within the confines of the parks listed. No trapping is allowed in the Sumpter Valley Dredge Tailings.

I. Garbage, Litter and Vandalism.

1. No person shall throw, dump, deposit, or leave for recycling, any trash, sewage, waste material within a park except in containers provided by the Parks

Department for that purpose. Garbage or other materials, whether burnable or not, may not be left in a fire ring upon vacating a campsite.

2. No person shall deposit waste not generated by park use, including household, commercial or industrial waste or refuse, within waste containers in a park area.
3. Garbage receptacles may not be moved to an individual camp site or picnic area for exclusive use.
4. Failure to remove all camping equipment or personal property when vacating a campsite or park property is prohibited and will be disposed of.
5. No person shall cause pollution or waste, as defined by ORS 468B.005 (5), to be introduced into any lake, stream, river or other body of water abutting park property. Washing clothing or other materials in these waterways is prohibited.
6. Violation of Oregon's littering statutes under ORS 164.775 to ORS 164.805 constitutes an independent violation of this Ordinance.
7. No person may pick, cut, mutilate, or remove from any park area, plant life or any natural resources of any kind, including dirt, rock, stone, or artifacts, without written permission from the Parks Department.
8. No person may mutilate, deface, damage, move, or remove any park equipment, including but not limited to tables, benches, fire rings, buildings, signs, barriers, or other structures or facilities of any kind in a park area.

J. Alcohol and Intoxicants.

1. Illegal use, consumption, possession and/or sales of alcohol, alcoholic beverages, intoxicating liquor and/or other intoxicants are prohibited in all County parks.
2. Legal possession and consumption of alcohol, alcoholic beverages and other intoxicants must be reasonable and in compliance with all applicable state laws.
3. Growing marijuana or manufacturing any drug for any use is prohibited in all County parks.

K. Peace Disturbances.

1. No person shall set up or use a public address system or any sound amplifying equipment without prior written approval from the Parks Department, nor may any person use audio equipment, including radios or other devices, or musical instruments, in such a manner as to disturb others.
2. Abusive, lewd, or obscene music, language and/or behavior is prohibited in all County parks.
3. Physical disturbances, brawls, fights or any other type of physical altercations are prohibited in all parks and will be subject to law enforcement actions.

L. Events.

1. The intent and purpose of this section is to provide for the protection of property and the public health, public welfare, and public safety of those persons in attendance at events in the County parks and of those persons who reside near or are located in proximity to the sites of events or are directly affected thereby.

2. An event means a congregation or assembly of people for a specific purpose, in which admission may, or may not be, charged of more than 25 people in an open space, or open air for a continuous period of at least (4) hours (i.e. family reunions, fishing tournaments, etc.)
3. No person shall sponsor or hold any event in a County park unless a permit has been issued to such person by the Parks Department under the provisions of this article. A permit shall be required for each event and is not transferable to other persons.
4. A permit may be revoked by the Department at any time if it is found that the event is being or has been maintained or operated in violation of this Ordinance or that prior to the event, the planning or preparation for the event is not in compliance with this Ordinance. A permit may be revoked upon the request of the permittee or upon the abandonment of the event. A permit will otherwise expire upon satisfactory completion of the post-event cleanup following the close of the event.
5. Application for a permit for an event shall be made to the Department, on a form and in a manner prescribed by the Department, by the person who will organize, sponsor or hold the event. The application shall be filed with the Department at least 30 days prior to the commencement of the event.
6. The Applicant for the permit shall be responsible for ensuring all activities associated with the event are operated in compliance with this Ordinance.

M. General.

1. A person shall observe and abide by all instructions, warnings, restrictions and prohibitions on posted signs and notices, and from Park employees.
2. All fees, permits, and occupancy or time limits issued by the Parks Department authorizing use of a county park or any of its areas or facilities shall be in accordance with schedules posted and/or adopted from time to time by order of the Baker County Board of Commissioners. If the Board of Commissioners does not establish a fee annually, then the fee schedule from the previous year shall continue to be in effect. Fees are required within the park boundaries to the waterline.
3. No person shall use any county park or any of its facilities without first paying the required fee, if any, to the Department and obtaining the applicable permit.
4. For the purpose of determining applicable fees, "Day Use" is considered to be from 5:00 am to 8:00 pm. Before or after those hours is deemed "Camping" and the camping fee will be charged.
5. Permits must be displayed in the vehicle and visible through the windshield or window. Any vehicle permit not displayed shall not be deemed valid.
6. Operating a concession, either fixed or mobile, or engaging in the business of soliciting, selling or peddling any goods or foods, is prohibited without prior written approval of the Parks Department.

7. Operating a boat for hire or guide service from a Baker County Park is prohibited without prior written approval of Parks Department and must follow all state regulations.
8. Advertising in any manner, either by fixed or mobile display, or erecting any sign, marker or inscription is prohibited without prior written approval by the Parks Department.
9. Fireworks, firecrackers, or other explosives are strictly prohibited year-round in all County parks.
10. Non-mechanized, pan and shovel, mining is allowed in the Baker County owned portion of the Sumpter Valley Dredge Tailings. Mining is prohibited on all other parks properties. This includes exploration and/or production mining using manual or mechanized equipment of any type.

ARTICLE 4. ENFORCEMENT AND PENALTIES.

A. Revocation of Permits; Removal

1. The Parks Department is authorized to revoke any permit which has been issued erroneously or when the Department has reasonable cause to believe that the permit holder has violated any of the provisions of this Ordinance. Any person whose permit has been revoked shall immediately leave the park and may be removed without future admission.
2. No person who has been ordered to leave a County park shall remain therein.
3. The Department may refuse to admit any person into a County park who has been previously removed from a County park or has been found to have violated park Ordinances.
4. The Department may take possession of any permit, which has been removed, or which is fictitious, and no person shall refuse to surrender the same to the Department on demand.
5. Law enforcement officers are authorized to remove any person they believe has violated State law or Park Ordinances.

B. Trespass. The following situations are considered criminal trespass in the second degree, a Class C misdemeanor, under ORS 164.245:

1. A person ordered to leave a park property that remains present as a visitor;
2. A person excluded from a park property that enters or remains present as a visitor;
3. A person enters a closed or restricted portion of a park property; and/or
4. A person engages in an activity that has been specifically prohibited or restricted at a park property or a portion of a park property.

C. Other Penalties.

1. In addition to or in lieu of the penalties above, violations of this Ordinance may be punishable as prescribed in ORS 203.065 (Violation of County Ordinance), using the procedure for citation outlined in ARTICLE 5.
2. Violations of this Ordinance shall be punishable, upon conviction, by a fine of not more than $500 for a non-continuing offense and a fine of not more than $2,000 for a continuing offense.
3. In addition to, or in lieu of, the fine described in this subsection, violations may be punishable, at the discretion of the Court, by revoking the privilege of use of Baker County parks for a specified period, up to and including a permanent removal.

ARTICLE 5. CITATION; JURISDICTION; VENUE; PROSECUTION

A. Procedure for Citation. A violation of this Ordinance shall be prosecuted in the name of Baker County, Oregon. Baker County Sheriff's Office and the Oregon State Police have authority to issue citations for any violation of this Ordinance.

B. Jurisdiction. Jurisdiction for violations arising under this Ordinance is vested concurrently in the Baker County Justice Court and Baker County Circuit Court.

C. Venue. An action for an infraction arising under this Ordinance shall be commenced in Baker County, including any offense committed on any body of water located in or adjacent to Baker County.

D. Prosecution. At any hearing or trial involving a violation arising under this Ordinance only, the prosecuting attorney may aid in preparing evidence and obtaining witnesses but shall not appear unless counsel for the defendant appears. As used in this subsection, the "prosecuting attorney" includes the County Counsel or the District Attorney.