

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. 976

Amending MCC §§ 15.813 & 15.999 and Adding §§ 15.335 & 15.820 Relating to Unlawful Bridge Use and Speed Racing, and Declaring an Emergency

(Language ~~stricken~~ is deleted; double- underlined language is new.)

The Multnomah County Board of Commissioners Finds:

a. The County may make rules and regulations for the bridges it operates and maintains. People who unlawfully enter or remain on bridges endanger themselves as well as pose a danger to vehicular and boating traffic, and it is necessary to regulate pedestrian use of county-operated bridges.

b. High speed racing on public roadways is a growing problem for law enforcement and poses an imminent threat to the safety of participants, spectators and the general public. The Board wishes to provide greater deterrents to speed racing by expanding the Oregon Vehicle Code prohibition to include single-car speed exhibitions and spectators and authorizing immediate impound of participant and spectator vehicles.

Multnomah County Ordains as follows:

Section 1. MCC Chapter 15, Sheriff, is amended to add § 15.335 as follows:

§ 15.335* BRIDGE REGULATION

§ 15.335- Prohibited Activities.

It is unlawful for any person, to affix objects to, climb on, hang, swing, or jump from any county operated or maintained bridge over the Willamette River, Willamette Slough, Multnomah

Channel or Sandy River, or remain in areas of the bridges not intended for public access, unless engaged in bridge maintenance work or otherwise authorized or permitted by the county.

Section 2. MCC Chapter 15, Sheriff, is amended to add § 15.820 as follows:

§ 15.820* MOTOR VEHICLES; DRIVING

§ 15.820- Speed Racing Prohibited.

(A) For purposes of this subchapter, the following definitions apply unless the context requires a different meaning:

SPEED RACING is defined as set forth in ORS 811.125.

SPECTATOR is a person who attends a speed racing activity for the purpose of encouraging such activity.

(B) It is unlawful for any person to participate in speed racing upon any street, public or private, or any premise open to the public, within unincorporated Multnomah County.

(C) It is unlawful for any person to be a spectator of speed racing within unincorporated Multnomah County.

(D) Any vehicle utilized within unincorporated Multnomah County in violation of this subchapter, including vehicles belonging to, or under the control of, spectators may be towed without notice and all passengers and occupants promoting or encouraging may be cited, subject to the provisions of MCC § 15.813.

Section 3. MCC § 15.813 is amended as follows:

§ 15.813 Impoundment.

(A) When any motor vehicle is found standing or parked in or upon any street, road or highway or parking area of the county within the jurisdiction of this subchapter in violation of, and contrary to, any of the provisions of this subchapter applicable to stopping, standing or parking of vehicles or in violation of § 15.820 prohibiting speed racing, the owner or person entitled to possession of the motor vehicle or a spectator as defined in § 15.820, may be issued a citation and the vehicle removed or caused to be removed by the Sheriff and held at the expense of the owner or person entitled to possession. If a vehicle is so removed and held, the provisions relating to notice to owner, appraisal of value and owner reclaiming vehicle shall be followed in ORS 809.725 and ORS Chapter 819. If the vehicle is not redeemed within 30 days it will be disposed of as prescribed in ORS Chapter 819.

(B) The Sheriff may authorize another police agency to remove and hold motor vehicles that are found in violation of this subchapter or § 15.820, and may also define the geographical area within which the agency may order such removal. If a vehicle is so removed and held by another police agency, that agency shall provide notice to the owner of the removal in accordance with the procedures of the removing agency.

Section 4. MCC § 15.999 is amended as follows:

§ 15.999 Penalty.

(A) *General penalty.* Any person who violates any provision of this chapter for which no other specific penalty is provided shall, upon conviction, be punished by a fine of not more than the amount provided by state law for a Class A violation ~~\$1,000 or by imprisonment in the county jail for not more than one year, or both. No greater penalty shall be imposed, however, than the penalty prescribed by any state statute for the same act or omission.~~ Each day such violation continues shall constitute a separate offense. This penalty is in addition to and not in lieu of other procedures and remedies provided by this chapter or state law.

(B) *Curfew violations.* Any minor violating any of the provisions of §§ 15.050 or 15.051 may be apprehended and taken into custody as provided in ORS 419.760, and may be subjected to further proceedings as provided therein.

Section 5. This ordinance, being necessary for the health, safety, and general welfare of the people of Multnomah County, an emergency is declared and the ordinance shall take effect upon its execution by the County Chair, pursuant to section 5.50 of the Charter of Multnomah County.

FIRST READING:

January 31, 2002

SECOND READING AND ADOPTION:

February 7, 2002



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Diane M. Linn, Chair

REVIEWED:

THOMAS SPONSLER, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 
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