



NOTICE OF PUBLIC MEETING
CITY OF ALBANY
PARKS & RECREATION COMMISSION
Calapooia Room, City Hall, 333 Broadalbin Street SW
Wednesday September 3, 2008
6:00 p.m.

AGENDA

1. CALL TO ORDER
2. APPROVE MINUTES OF August 6, 2008
3. BUSINESS FROM THE PUBLIC
4. ACTION ITEMS
 - a. NONE
5. DISCUSSION ITEMS
 - a. Continued discussion of changes to AMC related to Parks and Recreation
6. REPORTS AND UPDATES
 - a. Capital Projects report
7. ANNOUNCEMENTS
8. NEXT MEETING DATE
The next regularly scheduled meeting date is Wednesday, October 1, 2008.
9. ADJOURNMENT

City's Web Site: www.cityofalbany.net

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**CITY OF ALBANY
PARKS & RECREATION COMMISSION
Calapooia Room, City Hall
Wednesday, August 6, 2008
6:00 p.m.**

MINUTES

Commission members present: Mike Graham, Sharon Edwards, John Vandepas
Commission members absent: Gordy Gamet, Russ Allen
Staff present: Ed Hodney, Parks & Recreation Director; Tari Hayes, Parks and Recreation Administrative Assistant, Craig Carnagey, Parks and Facilities Maintenance Manager, Dick Conolly, Parks and Facilities Maintenance Manager

Guests present:

1. CALL TO ORDER

Chair Graham called the meeting to order at 6:00 p.m.

2. MINUTES

There were no meetings in June and July. The minutes of May 7, 2008 meeting were approved.

3. BUSINESS FROM THE PUBLIC – none

4. ACTION ITEMS - None

5. DISCUSSION ITEMS

a) Discussion of changes to AMC related to Parks and Recreation – Hodney (handout)

- Copies of the updated AMC related specifically to Parks were handed out (Chapter 7.28). The hand out includes the already approved changes to the Firearms and Hunting section, giving the Director direct authority to respond to special requests (7.28.070) and the additional prohibition of intoxicating beverages at Swanson Park and on the Dave Clark Path (7.28.102).

The commission is asked to review the code from a layperson's perspective. Does it make sense, is it easy to read and understand? Enforcement of the current code can be challenging as it reads now. The Parks and Recreation Department would like to update the code to reflect positive enforcement rather than negative, where possible. Examples include areas of the code where actions are prohibited unless designated. This means that a large amount of signage and related maintenance is required to designate allowed activities such as boating (7.28.060), picnic area use (7.28.080), animals (7.28.120), and hours of operation (7.28.240). The department would prefer to allow activities unless posted as prohibited. Areas highlighted in green on the copies distributed at the meeting are some suggested changes.

As discussed in past Commission meetings, the Albany Police Department (APD) has requested that alcohol be allowed in all parks by permit only (7.28.100, 7.28.102). Enforcement of this section of the current code is particularly difficult, given the varied areas that permits are and aren't required. The APD and the Parks departments realize that requiring a permit may be inconvenient for the average

citizen who wants to enjoy an alcoholic beverage in a smaller setting, such as a picnic or party. The permitting process, including fees, forms and timing, can be reviewed as the code review progresses.

The Commission is asked to bring comments back to the August meeting and a revised code will be created from the feedback. Public comment will be sought during future commission meetings before going to the Council for their approval. The department anticipates bringing a revised code to Council in early 2009.

6. REPORTS AND UPDATES

a) Capital Projects Report – Hodney/Carnagey (handout)

- Riverview Heights has been completed. This was a playground replacement project.
- Community Park Acquisition – progress is being made, awaiting final purchase agreement from attorney. The next step would be to obtain Council approval to sign agreement.
- Eades Park replacement – Next Monday the Parks department goes before the Planning Commission and then the City Council the following week to obtain vacation right-of-way and a conditional use permit. After that, construction bids can be obtained. The park update will be similar to other small park projects, including parking, landscaping, picnic tables, security lighting and playground equipment. The existing meadow will be enhanced. Land is being cleaned up and cleared out on the site now.
- Veteran's Memorial – concrete work is being completed the next two weekends. Great progress has been made in the last couple of months and the site is coming together. The Veteran's group hopes to have most of the work completed by the Northwest Art and Air Festival (NWAAF) in two weeks. Items that still need to be worked out include handicap parking spaces, landscaping and irrigation plans. The commission is encouraged to visit the site during or after NWAAF.
- Kinder Park (formerly Oak St project) – In June the State gave the City a notice to proceed. At the last Council meeting, the city authorized the Parks department to directly appoint a design consultant, one who has been familiar with the project and the property. The Parks department will go before the Council on August 13 to request they accept the grant, in the amount of \$480,000, that was awarded from the state for this project. There will be a neighborhood meeting next Tuesday night at 6:30 at the Boys and Girls Club to discuss designs for the park. The construction schedule is ambitious; with grading and sub-rock work to be completed this fall, construction complete in early 2009. The plan is to have the ball fields ready to go for summer 2009.
- The Parks department continues to evaluate projects and project timelines for feasibility, based on the economic outlook for the City.

b) Bike Park Task Force Report – Hayes (handouts)

- The task force has met 4 times since the May P&R Commission meeting. The group is still enthusiastic although attendance has dropped over the summer. Commissioner Edwards and City Council member Bessie Johnson have attended every meeting. The group will meet back up in late September, after the kids get back in school. The Commission was given the following update:
- Washington Post article (handout): City staff was interviewed by the Washington Post in July. The Post was doing a story on BMX in the Olympics, found the Bike Park project on the city website and was interested in the challenges and opportunities afforded BMX riders in a small town. They also asked lots of question surrounding the City's efforts to build a park to meet the riders needs.

- Location (handout) – the task force discussed many locations and would like the bike park to be in Timber Linn Park, with the space next to the existing skate park as a second option.
- Design – the design group met and laid out a design for the park. The overall lot size needed would be 200' x 60'. The rough design was sketched out and a team member is working on an electronic design at home.
- Fundraising – a consultant group from Independence came and spoke to the group in July. Their primary focus was on funding from public and private sources such as grants and private foundations. The taskforce now has some action items to better position them before seeking out gifts and donations, grants and sponsorships.
- Construction – staff has been approached by a number of national bike/skate park construction and design companies regarding the project. Suggestions and ideas are being compiled and presented to the task force.

7. ANNOUNCEMENTS – None

8. NEXT MEETING

The next regularly scheduled meeting is September 3, 2008 at 6:00 p.m. in the Calapooia Room in City Hall.

9. ADJOURNMENT

The meeting was adjourned at approximately 6:41 p.m.

Respectfully submitted,

Tari Hayes, Administrative Assistant
Albany Parks and Recreation

Chapter 7.28 PARK REGULATIONS

Sections:

- 7.28.010 Definitions.
- 7.28.020 Prohibited acts.
- 7.28.040 Traffic.
- 7.28.050 Swimming regulations.
- 7.28.060 Boating.
- 7.28.065 Public docks – Prohibitions.
- 7.28.070 Hunting and firearms.
- 7.28.080 Picnic areas and use.
- 7.28.090 Horseback riding.
- 7.28.100 Intoxicating beverages – General.
- 7.28.102 Intoxicating beverages – Prohibition – Bryant Park, Bowman Park, Eleanor Park, Monteith Riverpark, Albany Skatepark, and Burkhart Park.
- 7.28.104 Intoxicating beverages – Special permit – Issuance authority.
- 7.28.106 Intoxicating beverages – Special permit – Fees.
- 7.28.108 Intoxicating beverages – Special permit – Conditions.
- 7.28.120 Domestic animals – Responsibility.
- 7.28.160 Fires.
- 7.28.170 Closed areas.
- 7.28.190 Going onto ice.
- 7.28.210 Exhibit permits.
- 7.28.230 Merchandising, advertising and signs.
- 7.28.240 Park operating policy.
- 7.28.245 Overnight camping.
- 7.28.250 Reservation of park facilities – Obtaining a permit.
- 7.28.260 Standards for issuance.
- 7.28.270 Appeal – Apprising.
- 7.28.280 Effect of permit – Bounds of permittee.
- 7.28.290 Liability of permittee.
- 7.28.300 Revocation of permit.
- 7.28.310 Enforcement of chapter.

7.28.010 Definitions.

The following words and phrases, whenever used in this chapter, shall be construed as defined in this section:

- (1) "City" means the City of Albany.
- (2) "Director" means a person immediately in charge of all park areas and their activities, and to whom all park attendants of such areas are responsible.
- (3) "Park" means a park, playground, beach, recreation center or any other area in the City, owned or used by the City, and devoted to active or passive recreation.
- (4) "Person" means any person, firm, partnership, association, corporation, company or organization of any kind.

(5) "Skatepark" means the Albany Skatepark, a facility for the use of skateboards, roller skates and inline roller skates located at 1375 Sixth Avenue SE, Albany, Oregon.

(6) "Vehicle" means any wheeled conveyance, whether motor powered, animal-drawn, or self-propelled. The term includes any trailer in tow of any size, kind or description. Exception is made for baby carriages and vehicles in the service of the City parks. (Ord. 5464 § 1, 2000; Ord. 4585 § 1, 1983; Ord. 3169 § 1, 1964).

7.28.020 Prohibited acts.

No person in a park shall:

(1) Buildings and Other Property.

(a) Dig, or remove any beach sand whether submerged or not, or any soil, rock, stone, tree, shrub, plant, downed timber or other wood or materials, or make any excavation by tool, equipment, blasting, or other means or agency. Exception is made in obtaining a wood permit from the Department with approval of the Director plus a fee in accordance with approved Council policy.

(b) Construct or erect any building or structure of whatever kind, whether permanent or temporary, or run or string any public service utility into, on, or across such lands, except by special written permit and approval by the Director.

(c) Play sports or engage in other activities outside recreation areas set aside for that purpose if the activity is harmful to plant life or interferes with other uses of the park, or during a time when such areas are already reserved by the Department for use, without the permission of the Parks and Recreation Department.

(d) No person may wash any clothing or other material in a park area. (Ord. 4585 § 1, 1983; Ord. 3169 § 3, 1964).

7.28.040 Traffic.

No person in a park shall:

(1) Speed of Vehicles. Ride or drive a vehicle at a rate of speed exceeding 15 miles per hour except upon such roads as designated by posted signs.

(2) Operation Confined.

(a) Drive any vehicle on any area except paved park roads, parking areas or other such areas as may on occasion be specifically designated as temporary parking areas.

(b) Drive any vehicle, truck, trailer or combination thereof upon any paved road or parking area in a park when the gross weight of the vehicle, truck, trailer, or combination thereof shall exceed 10,000 pounds.

(3) Parking.

(a) Park a vehicle in other than an established or designated parking area. Such use shall be in accordance with posted direction thereat and with the instructions of any attendant who may be present.

(b) Double-park any vehicle on any road or parkway unless directed by a park official or traffic officer.

(4) Bicycles.

(a) Ride a bicycle in the Skatepark.

(b) Ride a bicycle on other than a paved vehicular road or path designated for that purpose. A bicyclist shall be permitted to push a bicycle by hand over any grassy area, wooden trail or on any paved area reserved for pedestrian use.

(c) Leave a bicycle lying on the ground or paving, set against trees or in any place or position where other persons may trip over or be injured by it.

(5) Roller Skates, Inline Skates and SkateBoards Only in the Skatepark.

(a) Ride or stand upon within the boundaries of the Skatepark, any device or conveyance other than roller skates, inline roller skates or a skateboard. (Ord. 5464 § 2, 2000; Ord. 4585 § 1, 1983; Ord. 3284 § 1, 1967; Ord. 3169 § 4, 1964).

7.28.050 Swimming regulations.

No person in a park shall:

(1) Designated Areas. Swim, bathe, or wade in any waters or waterway in or adjacent to any park except in such waters and places as are provided therefor and in compliance with such regulations as are herein set forth or may hereafter be adopted. Nor shall any person frequent any waters or places customarily designated for the purpose of swimming or bathing, or congregate there when such activity is prohibited upon a finding that such use of the water would be dangerous or otherwise inadvisable. (Ord. 5026 § 1, 1993; Ord. 4585 § 1, 1983; Ord. 3169 § 5(1), 1964).

7.28.060 Boating.

No person in a park shall:

(1) Designated Areas. Bring into or operate any boat, raft, or other watercraft, whether motor-powered or not upon any waters except those designated for boating. ~~[Change this to allow non-motorized boats anywhere not prohibited and posted]~~ Such activities shall be in accordance with applicable regulations as are now or may hereafter be adopted.

(2) Operation of Boats. Navigate, direct, or handle any boat in such a manner as to unjustifiably or unnecessarily annoy or frighten or endanger the occupants of any other boat.

(3) Prohibition During Closing Hours. Launch, dock, or operate any boat of any kind on any waters between the closing hour of the park at night and the opening hour the following morning. Nor shall any person remain on or in, any boat during the closed hours of a park. (Ord. 4585 § 1, 1983; Ord. 3169 § 5(2), 1964).

7.28.065 Public docks – Prohibitions.

(1) Definitions.

(a) "Boat" is any watercraft in or upon or docked or moored at any place in any waterway within the boundaries of the City.

(b) "City" is the City of Albany.

(c) "Waterway" is any water, waterway, lake, river, tributary, canal, lagoon, or connecting waters within the boundaries of the City.

(2) Swimming. No person shall use a public dock for the purpose of ingress or egress while swimming in the Willamette River or any tributary of the Willamette River.

(3) Moorage. No boat shall be moored at a public dock or adjacent to a City park or parkway for a continuous moorage in excess of 24 hours.

(4) Violation – Penalty. Any violation of provision of this chapter shall be subject to the general penalty provisions as provided in Chapter 1.04 AMC and more particularly AMC 1.04.010. (Ord. 4585 § 1, 1983; Ord. 4540 §§ 1 – 4, 1982).

7.28.070 Hunting and firearms.

No person in a park shall:

(1) Hunting, Trapping or Pursuit of Wildlife at Any Time. Use, carry or possess firearms, air rifles, spring guns, bow and arrows, slings or any other forms of weapons potentially harmful to wildlife and human safety, or any instrument that can be loaded with and fire blank cartridges or any kind of trapping device. Shooting into park areas from beyond park boundaries is forbidden. The exceptions are hunters using a park facility as access for boat hunting. In this exception, hunters must insure that their guns are unloaded.

(2) The restriction provided in subsection (1) of this section shall not apply if all of the following criteria are met:

(a) The Director authorizes, in writing, the activity which would otherwise be prohibited; and

(b) The activity in question promotes a legitimate educational, scientific, historical, or recreational activity; and

(c) The Director reasonably concludes that the activity in question will be conducted in a manner consistent with wildlife and human safety; and

(d) The organization or party applying for the exemption provides the Director with a certificate of liability insurance coverage naming the City as an additional insured and providing coverage limits for the activity in question which are not less than the applicable statutory limits of governmental liability provided by state law.

(3) If the Director denies an application for authorization to engage in an activity which would otherwise be prohibited by subsection (1) of this section, the Director's decision may be appealed within 10 days by a written appeal to the City Manager. The City Manager shall thereafter conduct proceedings as he or she deems appropriate; and upon consideration of the criteria set forth in subsection (2) of this section, may reverse, modify, or affirm the decision of the Director. The decision of the City Manager shall be final. (Ord. 5648 § 1, 2006; Ord. 4585 § 1, 1983; Ord. 3169 § 5(3), 1964).

7.28.080 Picnic areas and use.

No person in a park shall:

(1) Regulations. Picnic or lunch in a place other than those designated for that purpose. [Change to prohibit picnicking in places posted] Attendants shall have the authority to regulate the activities in such areas where necessary to prevent congestion and to secure the maximum use for the comfort and convenience of all. Visitors shall comply with any directions given to achieve this end by park attendants.

(2) Availability. Violate the regulation that use of the individual fireplaces together with the tables and benches follows generally the rule of "first come, first served."

(3) Nonexclusive. Use any portion of the picnic areas, buildings or structures therein for the purpose of holding picnics to the exclusion of other persons, nor shall any person use such area and facility for an unreasonable time if the facilities are crowded. Exception is made by Director-approved reservation as specified and granted by the Department. (See AMC 7.28.250 and 7.28.260.) (Ord. 4585 § 1, 1983; Ord. 3169 § 5(4), 1964).

7.28.090 Horseback riding.

No person in a park shall:

(1) Location. Ride a horse except on designated bridle trails. Where permitted, horses shall be thoroughly broken and properly restrained, ridden with due care and not be allowed to graze or go unattended nor shall any horse be hitched to any rock, tree, or shrub. (Ord. 4585 § 1, 1983; Ord. 3169 § 5(5), 1964).

7.28.100 Intoxicating beverages – General. [Establish all properties as "No alcoholic beverages except by permit".]

No person shall:

(1) Parks. Bring or drink alcoholic beverages, with the exception of beer and wine at any time in the park;

(2) Buildings. Bring or drink alcoholic beverages in City-owned buildings except by a permit issued in accordance with AMC 7.28.104 through 7.28.106. (Ord. 4604 § 1, 1983; Ord. 4585 § 1, 1983; Ord. 3169 § 6(1), 1964).

7.28.102 Intoxicating beverages – Prohibition – Bryant Park, Bowman Park, Eleanor Park, Monteith Riverpark, Albany Skatepark, and Burkhart Park. [Added: Swanson Park and Dave Clark Riverfront Path by Ordinance No.5680 on 7-25-07]

It is unlawful for any person to possess an alcoholic beverage in Bryant Park, Bowman Park, Eleanor Park, Monteith Riverpark, Albany Skatepark, and Burkhart Park without a special permit. For the purpose of AMC 7.28.102 through 7.28.108, an "alcoholic beverage" is any beverage having alcohol content of more than one-half of one percent by volume. (Ord. 5524 § 1, 2002; Ord. 5464 § 3, 2000; Ord. 4925 § 1, 1990; Ord. 4721 § 1, 1986; Ord. 4604 § 1, 1983; Ord. 4585 § 1, 1983; Ord. 4512 § 1, 1982; Ord. 3860 § 1, 1975).

7.28.104 Intoxicating beverages – Special permit – Issuance authority.

Notwithstanding prohibition against the use or possession of alcoholic beverages in City parks set forth in other ordinances of the City, the City Manager shall have the right to issue a special permit for the use and possession of alcoholic beverages in the park. (Ord. 3860 § 2, 1975).

7.28.106 Intoxicating beverages – Special permit – Fees.

Any person or organization may request a permit referred to in AMC 7.28.104, subject to the following conditions:

- (1) Payment of fee in accordance with approved Council policy;
- (2) The name and address of the applicant shall be furnished, together with an estimate of the number of persons who will be participating. (Ord. 4585 § 1, 1983; Ord. 3860 § 3, 1975).

7.28.108 Intoxicating beverages – Special permit – Conditions.

The granting of a permit referred to in AMC 7.28.104 shall be discretionary with the City Manager and, if issued, such conditions may be attached thereto as will be in the best interests of peace, health and safety to all citizens. (Ord. 3860 § 4, 1975).

7.28.120 Domestic animals – Responsibility.

No person in a park shall:

(1) Be responsible for the entry of a dog or other domestic animal into areas other than automobile parking concourses and walks and in such areas as are clearly marked by signs bearing the words "Dogs and Other Domestic Animals Permitted in This Area." Nothing herein shall be construed as permitting the running of dogs at large. [Change to allow unless otherwise posted, or prohibit except in clearly posted areas] (2) Parks and Recreation Department employees and police officers may require a person in charge of an animal to undertake any measure including the removal of the animal from the park area, if necessary, to prevent interference by the animal with the safety, comfort, or well-being of park visitors or resources.

(3) No animal may be hitched to a tree or shrub in a manner that endangers the tree or shrub.

(4) Owners of dogs or other animals shall be responsible for clean-up and removal of all waste deposited in the parks by their animals.

(5) No person shall harass, injure or otherwise harm or remove any existing wildlife from any park or park facility. Exceptions are granted in the case of domestic ducks which may be removed by approval from the Director and written permit issued by the Department at no charge.

(6) No person shall deposit, leave or otherwise abandon any animal either domestic or wild within park boundaries.

(7) Hunt, molest, harm, frighten, kill, trap, chase, tease, shoot, or throw missiles at any animal, reptile, or bird. Nor shall a person remove or have in their possession the young of any wild animal or the eggs, nest, or young of any reptile or bird. Nor shall a person collect, remove,

have in their possession, give away, sell, offer to sell or buy or offer to buy or accept as a gift any specimen alive or dead of any of the group of tree snails. Exception to the foregoing is made in the case of snakes which are known to be deadly poisonous which may be killed on sight.

(8) Give, offer, or attempt to give or offer any animal or bird tobacco, alcohol, or other known noxious substances. (Ord. 4585 § 1, 1983; Ord. 3169 § 6(3), 1964).

7.28.160 Fires.

(1) Fires in park areas shall be confined to:

- (a) Barbecue stands, pits, or fireplaces provided for that purpose; and
- (b) Portable stoves in established campsites or picnic areas where fires are permitted.

(2) No fire in a park area may be left unattended. Every fire must be extinguished by the user before leaving the park area. (Ord. 4585 § 1, 1983; Ord. 3169 § 6(7), 1964).

7.28.170 Closed areas.

No person in a park shall enter an area posted as "Closed to the Public," nor shall any person use, or abet the use of any area in violation of posted notices. (Ord. 3169 § 6(8), 1964).

7.28.190 Going onto ice.

No person in a park shall:

(1) Location. Go onto any iced-over waters except those designated as skating fields and displaying a safety marker. (Ord. 4585 § 1, 1983; Ord. 3169 § 6(10), 1964).

7.28.210 Exhibit permits.

No person in a park shall:

(1) Permit Inspection. Fail to produce and exhibit any permit the park user claims to have following the request of any authorized person who desires to inspect it for the purpose of enforcing compliance with any ordinance or rule. (Ord. 4585 § 1, 1983; Ord. 3169 § 6(12), 1964).

7.28.230 Merchandising, advertising and signs.

No person in a park shall:

(1) Vending and Peddling. Expose or offer for sale any article or thing. Nor shall a vendor station or place any stand, cart or vehicle for the transportation, sale or display of any such article or thing. Exception is made for any regularly licensed concessionaire acting by and under the authority and regulation of the Director.

(2) Advertising. Announce, advertise, or call attention in any way to any article or service for sale or hire. (Ord. 4585 § 1, 1983; Ord. 3169 § 7, 1964).

7.28.240 Park operating policy. {Establish uniform park hours for all properties, e.g. "5:00am-11pm", "dusk to dawn", etc., unless otherwise posted}

No person in a park shall:

(1) Hours. Except for unusual and unforeseen emergencies, parks shall be open to the public every day of the year during designated hours. The opening and closing hours for each individual park shall be posted therein for public information.

(2) Closed Areas. Any section or part of any park may be declared closed to the public by the Director at any time and for any interval of time, either temporarily or at regular and stated intervals (daily or otherwise) and either entirely or merely to certain uses, as the Director finds reasonably necessary.

(3) Lost and Found Articles. The finding of lost articles by park attendants shall be reported to the Department who shall make every reasonable effort to locate the owners. Articles will be considered abandoned and disposed of by ordinance if no claim has been made for the article within 30 days. (Ord. 4585 § 1, 1983; Ord. 3169 § 8(1 – 3), 1964).

7.28.245 Overnight camping.

No person in a park shall:

(1) Authorization. Camp in any park area without the specific authorization of the Director. (Ord. 4585 § 1, 1983).

7.28.250 Reservation of park facilities – Obtaining a permit.

A person shall obtain a permit from the Director before participating in a park activity requiring reservation of facilities. A person seeking issuance of a permit shall file an application with the Department which will state:

- (1) The name and address of the applicant;
- (2) The name and address of the person(s), corporation or association sponsoring the activity, if any;
- (3) The day and hours for which the permit is desired;
- (4) The park or portion thereof for which such permit is desired;
- (5) An estimate of the anticipated attendance; and
- (6) Any other information which the Director shall find reasonable to a fair determination as to whether a permit should be issued. (Ord. 4585 § 1, 1983; Ord. 3169 § 8(4)(a), 1964).

7.28.260 Standards for issuance.

The Director shall issue a permit when it is found:

- (1) That the proposed activity or use of the park will not unreasonably interfere with or detract from the general enjoyment of the park, the promotion of public health, welfare, safety and recreation;
- (2) That the proposed activity or use is not reasonably anticipated to incite violence, crime or disorderly conduct;
- (3) That the proposed activity will not entail unusual, extraordinary or burdensome expense or police operation by the City;
- (4) That the facilities desired have not been previously reserved by another group at the day and hour requested in the application;
- (5) That all permit deposits and fees have been paid prior to the date of the requested park and park facility usage. (Ord. 4585 § 1, 1983; Ord. 3169 § 8(4)(b), 1964).

7.28.270 Appeal – Apprising.

Within three days after receiving an application for a park reservation, the Director shall either approve or deny the permit. If denied, the Director shall apprise an applicant in writing of the reasons for refusing the permit and allow the aggrieved person the right to appeal in writing within 21 days to the City Council, which shall consider the application under the standards set forth in AMC 7.28.260. Based on these standards, the Council will either sustain or overrule the Director's decision within 30 days which shall be final. (Ord. 4585 § 1, 1983; Ord. 3169 § 8(4)(c), 1964).

7.28.280 Effect of permit – Bounds of permittee.

A permittee shall be bound by all park rules and regulations as set forth in this chapter and all other applicable ordinances as though they were inserted in the permits. (Ord. 4585 § 1, 1983; Ord. 3169 § 8(4)(d), 1964).

7.28.290 Liability of permittee.

The person(s) to whom a permit is issued shall be liable for any loss, damage or injury sustained by any person by whatever reason of the negligence of the person or persons to whom the permit has been issued while in or on any park or park facility. (Ord. 4585 § 1, 1983; Ord. 3169 § 8(4)(e), 1964).

7.28.300 Revocation of permit.

The Director shall have the authority to revoke any permit upon the violation of any rule or ordinance, or upon good cause shown. (Ord. 4585 § 1, 1983; Ord. 3169 § 8(4)(f), 1964).

7.28.310 Enforcement of chapter.

(1) Officials. The Director and park attendants shall, in connection with their duties imposed by law, diligently enforce the provisions of this chapter.

(2) Ejectment Period. The Director and any park attendant shall have the authority to eject from any park or the Skatepark any person acting in violation of the Albany Municipal Code or State law. The Director or park attendant ordering the ejectment may prohibit return to the park or the Skatepark for any period of time up to six months and any person entering upon or remaining on the park or the Skatepark in violation of such directive shall be guilty of criminal trespass and subject to prosecution therefor.

(3) Seizure of Property. The Director and any park attendant shall have the authority to seize and confiscate any property, thing or device in the park which is used in violation of this chapter. (Ord. 5464 § 4, 2000; Ord. 4585 § 1, 1983; Ord. 3169 § 9, 1964).

Capital Projects Report

PROJECT	STATUS	PROJECTED COMPLETION DATE	NOTES
53rd Avenue Neighborhood Park development	Completed	<i>Jun-08</i>	
Community Park acquisition	Offer to purchase has been accepted by the owner. Council will consider purchase contract September 10th.	Fall 08	SDC funded
Eades Park replacement	Land use approved. Construction should begin in Fall '08.	Spring '09	Sewer Fund, P&R Fund
East Albany Neighborhood Park Acquisition	In negotiations with landowners	Fall 08	SDC funded
Henderson Park playground replacement	Pending resolution of funding issues. Delayed until next FY.	FY 08-09	Grants, donations, annual appropriations
North Albany Neighborhood Park development	Project tabled due to homebuilding slow-down.	TBD	Park SDC funding
Oak Creek Area Neighborhood Park acquisition	Tabled. New owner, unsure of development plans.	Indefinitely postponed, delayed by developer	Donation of land
Kinder Park (formerly Oak Street Park)	Design process has begun; construction should begin in Fall 08.	Spring 09	Grant of \$480,000 awarded by State
Pineway Park playground replacement	Awaiting grant funding cycle	Spring 09	Grants, donations, annual appropriations
Riverview Heights Park playground replacement	Completed	Summer 08	

Capital Projects Report

Teloh Calapooia Park playground replacement	Awaiting outcome of grant application in September. Playground equipment purchased at 50% discount; stored pending site design and fundraising. Neighborhood meeting held; plan supported	Fall 08	Parks and Rec funds, private gifts and grants
Veterans' Memorial at Timber Linn Park	Progress being made; site furniture has been delivered; completion of most sidewalk work is expected in August.	Construction is expected to be completed in Fall 2008.	Annual budget appropriations for design, private funding for construction; State grant awarded \$22,000
YMCA at Timber Linn Park	CUP issued in July 07; pending land swap and related approvals by State, Feds and City Council; YMCA still raising money	2009-2010	SDC funded

**P&R Commission Topics
through June 30, 2009**

1. AMC changes
2. Recreation Services Plan
3. Revenue Enhancement Plan
4. Pricing Policy
5. Bike Park decisions
6. Dog Park decisions
7. Proposed Operating Agreement between the YMCA and the City (pending authorization by State and Federal agencies and the City Council)
8. Review a proposed Operating Agreement between the Boys & Girls Club of Albany and the City
9. Periodic briefings by staff regarding various department activities and programs
10. Parks SDC update/Parks CIP update
11. FY 2009-20 budget recommendations