

DIVISION 10

GENERAL STATE PARK RULES

736-010-0040

Visitor Conduct

(1) A person shall cause, build, maintain, or accelerate a fire at a park property only in:

(a) Park camp stoves or fireplaces provided for such purpose;

(b) Portions of beach areas designated as permissible for campfires; or

(c) Portable stoves used at established campsites, picnic areas, or beach areas where fires are designated as permissible.

(2) A person who has caused, built, or maintained an allowed fire shall:

(a) Burn only paper products and untreated natural wood free of attached metal, nails, glass or plastic objects;

(b) Burn wood no longer than 24 inches in length;

(c) Attend the fire at all times, breaking it apart and extinguishing it completely with water before leaving the immediate area;

(d) Use no gasoline, diesel or any other petroleum-based products to start or maintain a fire; and

(e) Ensure that any fire that they set does not cause personal injury or damage to private property or park resources.

(3) The park manager may temporarily restrict or prohibit fires in otherwise allowed situations due to high fire hazard conditions, and all persons shall observe such restrictions.

(4) A person may not injure, mutilate, deface, damage, harass, or remove any park resource, property, structure or facility of any kind at a park property, except as provided in OAR 736-010-0055.

(5) A person shall in no manner cause any rubbish, garbage, refuse, organic or inorganic waste, diseased or dead animals, or other offensive matter or any abandoned property or material to be placed or left at a park property, except for:

(a) Recreational vehicle sewage and gray water holding tank contents that are disposed of in designated dump stations;

(b) Garbage, trash, and recyclables generated while using a park property and disposed of in the designated containers provided.

(6) A person may not remove items from containers designated for recyclables, garbage, sewage or waste without authorization of the park manager.

(7) A person may not leave personal property or possessions overnight in a day use area without written permission from the park manager or designated park staff.

(8) While many activities are allowed on park property, the following activities are specifically prohibited at park properties, and a person may not engage in:

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- (a) Using or operating any noise producing machine, vehicle, device or instrument in a manner that disturbs or may disturb other park visitors except as allowed in section 10 below;
- (b) Using a public address system or similar device without written permission of the park manager;
- (c) Possessing, discharging, or causing to be discharged, any firecracker, explosives, torpedoes, rockets, fireworks or other similar materials or substances without the written permission of the park manager or designated park employee;
- (d) Using a metal detector or similar device without written permission of the park manager or designated employee at any park property or portion of a park property not listed on the "Detecting Allowed" list, published on the state park website;
- (e) Obstructing, harassing or interfering with a park employee or peace officer in the performance of their duties;
- (f) Entering or occupying any building, facility or portion of a park property that has been closed to public access; punishable as a Class C misdemeanor pursuant to ORS 164.245;
- (g) Blocking, obstructing or interfering with vehicular or pedestrian traffic on any road, parking area, trail, walkway, pathway or common area; punishable as a Class C misdemeanor pursuant to ORS 164.245;
- (h) Occupying or interfering with access to any structure, office, lavatory or other facility in a manner which interferes with the intended use of such a structure or facility; punishable as a Class C misdemeanor pursuant to ORS 164.245;
- (i) Fighting; or promoting, instigating or encouraging fighting or similar violent conduct which would threaten the physical well-being of any person at the park property;
- (j) Smoking ~~tobacco products except in any areas where the Oregon Indoor Clean Air Act, ORS 433.835 to 433.875, prohibits smoking~~
  - (A) in personal vehicles and camping units;
  - (B) in designated campsites in developed overnight camping areas, unless temporarily suspended by the park manager due to high fire hazard conditions; and
  - (C) where permitted by the park manager for personal use by a member of a federally recognized Oregon tribe as part of their traditional religious, medicinal, or other customary cultural heritage practices;
- (k) Activities or conduct which constitutes a public nuisance or hazard;
- (l) Public indecency as defined in ORS 163.465;
- (m) Base-jumping, hang gliding, paragliding or similar activities without written permission from the park manager except that the use of hang gliders is allowed at Cape Kiwanda State Natural Area;
- (n) Discharging any firearm, bow and arrow, slingshot, pellet gun, or other weapon capable of injuring humans or wildlife or damaging property, except at those park property locations and for those purposes specified in OAR 736-010-0055(7);
- (o) Placing a sign, marker or inscription of any kind, except in designated areas within a park property, without written permission from the park manager;

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(9) A person may only distribute circulars, notices, leaflets, pamphlets or written or printed information of any kind within a park property after they have first obtained permission from the park manager and reported their name, address and number of leaflets to be distributed.

(10) A person must obtain a special use permit from the department for any activity or use as described in OAR 736-016-0005(1), including but not limited to an activity or use within a park property that:

- (a) Is an organized group activity or event attended by over 50 people;
- (b) Uses a portion of a park property to the exclusion of other persons or the department;
- (c) Modifies or embellishes the park property, or places structures, such as tents, chairs, arches, and similar structures on the park property in a manner outside of normal recreational use, as determined by the park manager or enforcement officer;
- (d) Uses public-address, amplification or lighting systems, other than those designed for personal use;
- (e) Charges money for participation or admission;
- (f) Involves the sale of products or services;
- (g) Could disturb the natural, cultural, scenic and recreational resources in the park property or adjacent areas;
- (h) Could pose a safety or access concern for other park users or for those involved in the event or activity.

(11) A person who obtains a special use permit under OAR chapter 736, division 16 must comply with all the provisions of division 16, special use permit conditions, and with instructions from the department.

(12) All money or goods, having a value of \$100 or more and found by the public at park properties, must be turned over to the park manager or a park employee. All found money or goods will be disposed of according to department policy adopted in accordance with ORS 98.005.

(13) The director or designee may close rock formations and cliffs within a park property to descending, scaling or technical rock climbing. A person that engages in such activities at such locations commits a Class C misdemeanor as provided in section (8)(f).

(14) The director or designee may close park access to lakes, streams or waterfalls for kayaking, boating, diving, swimming, or other water recreation activities when the park manager has determined the activity to be a danger to participants. Persons accessing through closed areas to engage in such activities commit a Class C misdemeanor as provided in section (8)(f).

(15) A person using a park property shall pay rates and comply with procedures and restrictions as established in OAR chapter 736, division 15 for use of designated facilities or the purchase of services or products.

Stat. Auth.: OAR 390.124

Stats. Implemented: ORS 390.111, 163.465, 433.835 - 433.875 & 498.006