

BEFORE THE METRO COUNCIL

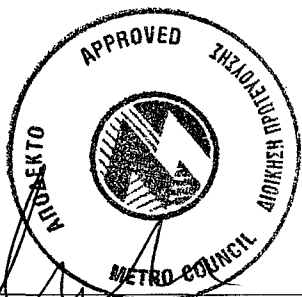
FOR THE PURPOSE OF AMENDING METRO CODE) ORDINANCE NO. 10-1230
 TITLE IV, CHAPTER 4.01 OREGON ZOO)
 REGULATIONS AND METRO CODE TITLE X METRO)
 REGIONAL PARKS AND GREENSPACES, CHAPTER) Introduced by Chief Operating Officer
 10.01 REGULATIONS TO CONFORM METRO CODE) Michael J. Jordan, with the concurrence
 PROVISIONS REGARDING FIREARMS AND OTHER) of Council President David Bragdon
 MATTERS WHERE THE METRO CODE IS)
 INCONSISTENT WITH STATE OF OREGON LAW)
 AND DECLARING AN EMERGENCY)

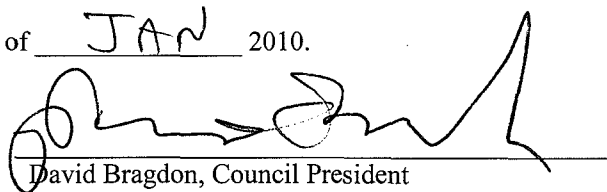
WHEREAS, the Metro Council finds that the Metro Code is in need of amendment to reflect inconsistencies with Oregon Law; now therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. Metro Code Title IV, Chapter 4.01, Section 4.01.060 Rules of Conduct for Public Within Zoo Premises, is hereby amended as referred to in Exhibit A attached hereto and made a part hereof to this Ordinance;
2. Metro Code Title IV, Chapter 4.01, Section 4.01.110 Allocation of Zoo Tax Base, is hereby repealed as referred to in Exhibit B attached hereto and made a part hereof to this Ordinance;
3. Metro Code Title X, Chapter 10, Section 10.01.160 Hunting and Firearms Prohibitions, is hereby amended as referred to in Exhibit C attached hereto and made a part hereof to this Ordinance;
4. Metro Code Title X, Chapter 10, Section 10.01.430 Other Laws Applicable, is hereby amended as referred to in Exhibit D attached hereto and made a part hereof to this Ordinance;
and
5. That this Ordinance being necessary for the health, safety, and welfare of the Metro area because an emergency is declared to exist, and this Ordinance shall take effect immediately, pursuant to Metro Charter Section 39(1).

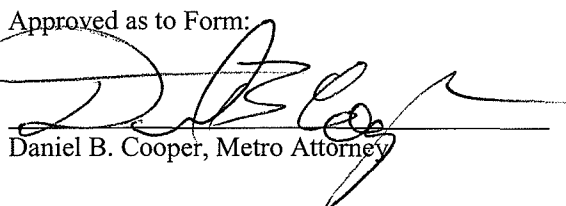
ADOPTED by the Metro Council this 14 day of JAN 2010.




 David Bragdon, Council President

Attest:


 Tony Andersen, Recording Secretary

Approved as to Form:

 Daniel B. Cooper, Metro Attorney

**Exhibit A to Ordinance No. 10-1230
Metro Code Title IV, Chapter 4.01, Section 4.01.060**

4.01.060 Rules of Conduct for Public Within Zoo Premises

The following rules of conduct and regulations shall be applicable to all members of the public within Zoo premises. In addition to penalties provided for herein or by applicable law, adherence to these standards of conduct shall be a condition of admission to the Zoo premises.

(a) Limited Right-of-Entry. Public entry into the Zoo premises is prohibited except during hours of public operation as established pursuant to Section 4.01.040. Members of the public attending special events after normal hours of operation may do so only as specifically authorized by the Zoo Director, and may only enter those portions of the Zoo premises specifically authorized for the conduct of the special event.

(b) Admission Fee Required. All members of the public entering the Zoo shall do so only after payment of the applicable admission fee except as entry may be specifically authorized by the Zoo Director or Chief Operating Officer.

(c) Destruction Prohibited. No member of the public may destroy, damage or remove any property including plants located on Zoo premises.

(d) Protection of Zoo Animals. No member of the public shall:

- (1) Kill, injure, or disturb any animal by any means except to secure personal safety;
- (2) Pet, attempt to pet, handle, move, or remove the animals except where expressly permitted;
- (3) Feed the animals except when and where expressly permitted;
- (4) Catch, attempt to catch, trap, remove, or kill any free roaming animals inhabiting the premises;
- (5) Go over, under, between, or otherwise cross any guardrail, fence, moat, wall, or any other safety barrier; or
- (6) Except as provided in paragraph (3), throw any object or material at any animal or into any animal enclosure or exhibit area.

**Exhibit A to Ordinance No. 10-1230
Metro Code Title IV, Chapter 4.01, Section 4.01.060**

(e) Conformity with Signs and Emergency Directions. Members of the public shall comply with official signs of a prohibitory or directory nature, and with the directions of Zoo employees.

(f) Littering. Littering, dumping or any other disposal of rubbish, trash, or other wastes, at the Zoo by any member of the public other than in designated receptacles is prohibited.

(g) Alcohol. Possession or consumption by any member of the public on the Zoo premises of any alcoholic beverage of any nature whatsoever other than beverages purchased from Zoo employees or as expressly authorized in writing by the Zoo director is prohibited.

(h) Sound Amplification Devices. Possession or use by any member of the public of musical instruments, radios or other electric sound-producing or amplification devices that make or emit sounds audible to anyone other than the user of the device is prohibited.

(i) State and Local Laws. All members of the public on Zoo premises shall comply with all provisions of the Oregon Criminal Code, the City of Portland Police Code, including but not limited to regulations and prohibitions pertaining to firearms and dangerous or deadly weapons, and other provisions of applicable law.

(j) Soliciting, Vending, and the Distribution of Handbills. The soliciting of alms and contributions, commercial soliciting, and vending or distribution of samples of any kind, the display or distribution of commercial advertising, and the disseminating of written materials, and canvassing for political, charitable, or religious purposes by members of the public are prohibited within the Zoo premises.

(k) Animals. Except for assistance animals authorized by ORS 346.685, no animals shall be brought on the premises by any member of the public. Use of assistance animals at the Zoo shall be subject to reasonable guidelines established by the Zoo Director and approved by the Chief Operating Officer.

(l) Photographs for News, Advertising, or Commercial Purposes. No photographs for advertising or any other commercial purpose may be taken on the premises by any member of the public unless officially authorized by the Zoo Director.

Exhibit A to Ordinance No. 10-1230
Metro Code Title IV, Chapter 4.01, Section 4.01.060

(m) ~~Weapons and Explosives~~. No member of the public while on the premises shall:

~~(1) Carry a firearm, loaded or unloaded. "Firearm" is defined to include a pistol, revolver, gun, rifle or other ordinance, including a miniature weapon, which projects a missile or shot by force of gunpowder or any other explosive, by spring or by compressed air.~~

~~(2) Carry a dangerous or deadly weapon. "Dangerous or deadly weapon" includes a firearm, metal knuckles, straight razor, weapon of the type commonly known as a nunchaku, blackjack, sap or sap glove, slingshot, bomb or bombshell, and any type of knife other than an ordinary pocketknife with a blade not longer than three and one-half inches (3 1/2"). When carried with intent to use the same unlawfully against another, "dangerous or deadly weapon" also includes any instrument or device capable of inflicting injury to the person or property of another.~~

~~(3) Carry~~ carry, discharge, or set off any fireworks or explosives of any nature.

(Ordinance No. 92-412A, Sec. 2. Amended by Ordinance No. 02-973, Sec. 1.)

Exhibit B to Ordinance No. 10-1230
Metro Code Title IV, Chapter 4.01, Section 4.01.110

4.01.110 Allocation of Zoo Tax Base - Repealed

~~(a) Upon approval of a tax base submitted on May 15, 1990, to the voters of Metro, the Council shall allocate the entire amount of the tax base to the operation and maintenance of the Zoo. The allocation shall continue until the voters of Metro approve a new tax base or Metro ceases to operate and maintain the Zoo.~~

~~(b) Any constitutionally authorized increase in the tax base approved by the voters on May 15, 1990, subsequently levied by the Council shall be used exclusively to operate and maintain the Zoo.~~

~~(Ordinance No. 90-329, Section 6. Amended by Ordinance No. 98-726, Sec. 7; Ordinance No. 02-973, Sec. 1.)~~

Exhibit C to Ordinance No. 10-1230
Metro Code Title X, Chapter 10, Section 10.01.160

10.01.160 Hunting ~~Prohibited~~ and ~~Firearms Prohibitions~~

~~Hunting is prohibited. No person shall discharge a firearm, air rifle, spring gun, bow and arrow or other weapon in or over any park except in areas specifically designed for that purpose. All weapons which are brought into parks areas shall be completely unloaded and kept in the owner's vehicle at all times.~~

(Ordinance No. 96-659A, Sec. 1.)

**Exhibit D to Ordinance No. 10-1230
Metro Code Title X, Chapter 10, Section 10.01.430**

10.01.430 Other Laws Applicable

This chapter shall in no way be a substitute for or eliminate the necessity of conforming with any and all state laws and rules and other ordinances which are now or may be in the future in effect which relate to the activities regulated in this chapter, including but not limited to City or County ordinances containing regulations and prohibitions pertaining to firearms and dangerous or deadly weapons.

(Ordinance No. 96-659A, Sec. 1.)