

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING METRO)
CODE TITLE IV (OREGON ZOO)
REGULATIONS) AND METRO CODE)
CHAPTER 2.14 (FACILITY RELATED)
PARKING-POLICY AND REGULATIONS))
)
ORDINANCE NO. 13-1320
Introduced by Martha J. Bennett, Chief
Operating Officer, with the concurrence of
Tom Hughes, Council President

WHEREAS, Metro Code Chapter Title IV provides for, among other things, regulations governing the use and operation of the Oregon Zoo parking lot; and


WHEREAS, in the Washington Park Transportation Management Agreement with the City of Portland, Metro terminated its Zoo Parking Lot Lease and Operating Agreement with the City of Portland, effective February 1, 2013, but Metro has retained temporary operations and management responsibility for said parking lot until such time as the City of Portland installs parking meters and begins collecting revenues; and

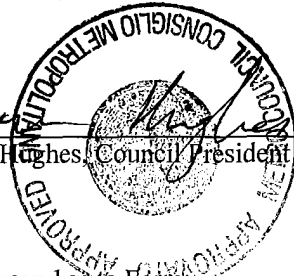
WHEREAS, the City of Portland will install parking meters in the parking lot and begin collecting revenues in January of 2014, at which time the City will assume control of the "Washington Park Parking Lot," delegating limited operational functions to the Zoo; now therefore

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. Metro Code Title IV, Chapter 4.01 is hereby amended as referred to in Exhibit A attached hereto; and
2. Metro Code Chapter 2.14 is hereby amended as referred to in Exhibit B attached hereto; and
3. These amendments shall take effect on the date that the City of Portland, through its Parks Department, begins collecting parking revenues in the Washington Park Parking Lot, but no earlier than 90-days from the date of adoption.

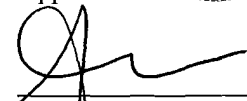
ADOPTED by the Metro Council this 31st day of October, 2013.


Tom Hughes, Council President


Approved as to Form:

Attest:


Kelsey Newell, Recording Secretary


Alison R. Kean, Metro Attorney

TITLE IV

OREGON ZOO *

CHAPTERS	TITLE
4.01	Oregon Zoo Regulations

* Formerly "Metro Washington Park Zoo;" renamed by Ordinance No. 98-726.

CHAPTER 4.01

OREGON ZOO REGULATIONS

SECTIONS	TITLE
4.01.010	Purpose
4.01.020	Definitions
4.01.030	Operating Authority
4.01.040	Hours of Operation
4.01.050	Admission Fees and Policies
4.01.060	Rules of Conduct for Public Within Zoo Premises
4.01.070	Parking Regulations
4.01.080	Rules of Conduct for Members of Public in Zoo Parking Shuttle Parking Lot
4.01.090	Zoo Railroad
4.01.100	Penalties
4.01.110	Allocation of Zoo Tax Base (Repealed Ord. 10-1230, Sec. 2, eff. 01/14/10)

4.01.010 Purpose

The purpose of this chapter is to provide for the operation of the Zoo and to provide for regulations governing the use of the Zoo and Zoo ~~parking-Shuttle~~ areas by members of the public in order to provide protection of Zoo animals, plants, and property, and to protect the safety and enjoyment of persons visiting the Zoo.

(Ordinance No. 92-412A, Sec. 2.)

4.01.020 Definitions

For the purposes of this chapter unless the context requires otherwise the following terms shall have the meaning indicated:

(a) "Director" or "Zoo Director" means the Director of the Zoo, and also includes such subordinate employees of the Zoo or other Metro employees to the extent the Zoo Director or Chief Operating Officer has delegated specific duties in writing.

~~(b) "Parking lot" means that portion of the Zoo outside of the premises including the paved parking lot area adjacent to the Zoo leased from the City of Portland, but not the public~~

~~right-of-way located therein, and also includes the adjacent sidewalks, landscaped areas, and plaza outside of the Zoo gates.~~

(eb) "Premises" means the property, buildings, and grounds within the perimeter fence surrounding the Zoo, the admission and exit gates, the entry plaza, all Zoo buildings including but not limited to the administrative, commissary, haybarn, and shop buildings, the employee parking lot, the Zoo vehicular storage area, including and the Zoo Railroad right-of-way from the Zoo to and including the Metro Washington Park Station, and any portions of the landscaping and, and sidewalk or plaza between the Zoo perimeter fence and Knights Boulevard or the Washington Park parking lot.

(ec) "Public" means any person other than a Zoo employee.

(ed) "Shuttle Parking Lot" means any facility located outside the Zoo and the Washington Park Pparking Lot and designated by the Zoo for overflow parking.

(fe) "Special event" means any event or occasion held on the ~~premises~~Premises other than during normal operating hours as specifically authorized by the Zoo Director and Chief Operating Officer.

(gf) "Zoo" means the Oregon Zoo and includes ~~the parking lot and~~ the premisesPremises.

(hg) "Zoo employee" means any paid employees of the Zoo, any other paid employees of Metro performing tasks or functions at the Zoo at the request or direction of either the Zoo Director, the Metro Council, or the Chief Operating Officer, volunteers performing functions and duties assigned or authorized by the Zoo Director, and any contractors or agents of the Zoo carrying out their duties or obligations to the Zoo.

(ih) "Zoo Railroad" means the equipment, rails, and right-of-way extending from within the Zoo ~~premises~~Premises through the City of Portland park adjacent to the Zoo to a location near the Rose Test Gardens, also known as the Washington Park and Zoo Railway.

(Ordinance No. 92-412A, Sec. 2. Amended by Ordinance No. 98-726, Sec. 5; Ordinance No. 02-973, Sec. 1; Ordinance No. 04-1059, Sec. 1.)

4.01.030 Operating Authority

Operation of the Zoo and management of the Zoo ~~premises~~Premises ~~and parking lot~~ shall be under the general supervision of the Zoo Director except as may be specifically provided to the contrary by the Chief Operating Officer. All Zoo employees shall be directed and controlled by the Zoo Director and Chief Operating Officer subject to the personnel rules and applicable collective bargaining agreements of Metro.

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

4.01.040 Hours of Operation

Hours of operations of the Zoo, including all times the Zoo is open to the public or for special events, shall be established by the Zoo Director and approved by the Chief Operating Officer. In cases of inclement weather, or in any case of emergency, the Zoo may be closed in order to protect the safety of members of the public, Zoo employees or animals, and other Zoo property.

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

4.01.050 Admission Fees and Policies

(a) Regular Fee Schedule

Adult (12 years and over)	\$11.25
Youth (3 years through 11 years)	\$8.25
Child (2 years and younger)	Free
Senior Citizen (65 years and over)	\$9.75

(b) Conservation Admission Surcharge. A twenty-five cent (\$0.25) surcharge will be added to each regular paid admission to go toward the funding of Oregon Zoo conservation initiatives. This surcharge is in addition to the admission fees listed in the Regular Fee Schedule in subsection (a) above.

(c) Free and Reduced Admission

- (1) The Director may set free or reduced price admission rates for groups, special events, or as otherwise in accordance with this Chapter.
- (2) A free admission pass will entitle the holder only to enter the Zoo without paying an admission fee.
- (3) A reduced admission pass will entitle the holder only to enter the Zoo by paying a reduced admission fee.
- (4) Free or reduced admission passes may be issued to the following groups or individuals and shall be administered as follows:
 - (A) Metro employees shall be entitled to free regular Zoo admission upon presentation of a current Metro employee identification card.
 - (B) Metro elected officials shall be entitled to free admission.
 - (C) Free admission passes in the form of volunteer identification cards may, at the Director's discretion, be issued to persons who perform volunteer work at the Zoo. Cards shall bear the name of the volunteer, shall be signed by the Director, shall be non-transferable, and shall terminate at the end of each calendar year or upon termination of volunteer duty, whichever date occurs first. New identification cards may be issued at the beginning of each new calendar year for active Zoo volunteers.
 - (D) The Zoo Director may issue reduced price admission passes to individuals using a TriMet bus or the Metro Area Express (MAX) for travel to the Zoo upon presentation of acceptable proof of fare payment, which includes TriMet passes, MAX tickets and bus

transfer receipts validated on the date of Zoo entry.

- (5) Admission to the Zoo shall be at a reduced rate for all persons during a portion of a day each month, as determined by the Director.

(d) Special Events. The Zoo, or portions thereof, may be utilized for special events designed to enhance Zoo revenues during hours that the Zoo is not normally open to the public. The number, nature of, and admission fees for such events shall be determined by the Zoo Director.

(e) Parking-Shuttle Fee. The Zoo Director may establish, charge and collect a parking-Shuttle fee from Zoo-shuttle users/patrons for transport from parking in the Zoo Parking Lot and-Shuttle Parking Lots and may adjust said parking-Shuttle fee annually.

(Ordinance No. 92-412A, Sec. 2. Amended by Ordinance No. 93-505, Sec. 1; Ordinance No. 94-568; Ordinance No. 98-726, Sec. 6; Ordinance No. 98-735, Sec. 2; Ordinance No. 99-804, Sec. 1; Ordinance No. 01-915, Sec. 1; Ordinance No. 02-949, Sec. 1; Ordinance No. 02-973, Sec. 1; Ordinance No. 03-1016, Sec. 1; Ordinance No. 04-1050; Ordinance No. 04-1059, Sec. 2; Ordinance No. 06-1125, Sec. 1.); Ordinance No. 09-1210, Sec. 1; and Ordinance 12-1287, Sec. 1.)

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 premisesPremises. 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 premisesPremises.

(a) Limited Right-of-Entry. Public entry into the Zoo premisesPremises 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 premisesPremises 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~~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~~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.

(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~~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~~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, except on the sidewalks between the Washington Park parking lot and the perimeter fence surrounding the Zoo; otherwise such activity by members of the public is prohibited. Such activities must be conducted in accordance with the following conditions:

(1) Parking lot entrances, exits, and travel lanes must not be obstructed. Interference with pedestrian traffic flow is prohibited.

(2) Loudspeakers, musical instruments, and other sound-making or amplification devices of any nature are prohibited.

(3) Activity causing a crowd to gather is prohibited if pedestrian or vehicular traffic is obstructed or impeded.

(4) Activity conducted within 20 feet of an admission gate, ticket booth, entrance, or exit is prohibited.

(5) Obstructing Zoo visitors' line of travel or detaining a Zoo visitor or employee against his or her will is prohibited.

(6) Actual or threatened physical harm directed against a Zoo visitor or employee is prohibited.

(7) The sale of food or items of any nature is prohibited.

(k) Animals. Except for assistance animals authorized by ORS 346.685, no animals shall be brought on the ~~premises~~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~~Premises by any member of the public unless officially authorized by the Zoo Director.

(m) Explosives. No member of the public while on the ~~premises~~Premises shall 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; and Ordinance No. 10-1230, Sec. 1)

4.01.070 Parking Regulations

The following rules shall govern all vehicles operated within the area of the ~~Zoo parking Shuttle Parking L~~lot and Zoo ~~premises~~Premises:

(a) It shall be a violation of this Code for the driver of any motor vehicle or bus to ~~fail to pay for parking when required under this Code or to~~ violate any legend or direction contained in any sign, signal, or marking now installed or hereafter installed upon any portion of the Zoo ~~premises~~Premises or ~~parking Sshuttle Parking L~~lot areas. Drivers of all vehicles shall drive in a careful and safe manner at all times, and shall comply with the signals and directions of the police or security officers and all posted traffic signs. Blocking of

entrances, driveways, walks, loading platforms, fire lanes, or fire hydrants is prohibited. Parking without authority, or parking in unauthorized locations or in locations reserved for other persons or contrary to the directions of posted signs, is prohibited.

(b) Security personnel designated by the Chief Operating Officer as serving as a Zoo ~~parking-Shuttle~~ patrol shall have the authority and duty to issue parking citations in accordance with subsection (c) of this section for a violation specified by subsection (a) of this section. The Zoo ~~parking-Shuttle~~ patrol shall have no other policy authority or duty. Persons appointed as Zoo ~~parking-Shuttle~~ patrol shall be special police officers of Metro. As special police officers, the Zoo ~~parking-Shuttle~~ patrol personnel and the Zoo ~~parking-Shuttle~~ patrol supervisor shall have authority to issue citations for violations of parking or non-moving traffic violations occurring on Zoo property or property ~~adjacent to the Zoo~~ leased from or licensed to the Zoo by third parties City of Portland by Metro for for Zoo ~~Shuttle~~ Parking Lot purposes, and particularly they shall have authority to issue citations. To the extent of the power and authority granted in this section, such personnel and their supervisor shall exercise full police power and authority.

(c) Parking Citations

- (1) Form of Citations. All parking citation forms used by the Zoo ~~parking-Shuttle~~ patrol shall be in a form approved by the Metro Attorney and as issued by the Circuit Court for the State of Oregon for Multnomah County. Such parking citations shall, at a minimum, clearly state:
 - (A) The date, place, and nature of the charge;
 - (B) Time and place for the defendant's appearance in court;
 - (C) Name of the issuing officer;
 - (D) License number of the vehicle.
- (2) Procedure for Issuing Citations. Any citation form issued pursuant to this Code section shall either be delivered to the defendant or placed in

a conspicuous place upon the vehicle involved in the violation. A duplicate original of the notice shall serve as the complaint in the case when it is filed with the court. In all other aspects, the procedure now provided by law in such cases shall be followed, but ORS 810.365 does not apply. The officer need not have observed the act of parking, but need only observe that the car was parked in violation of Metro Code.

- (3) Use of Parking Citation as Complaint. The original of the traffic citation form when completed to meet the minimum requirements of ORS 221.333 may serve as a complaint; other forms of parking complaints are prohibited.
- (4) Citation Form Books Issued by circuit court. Citation form books for parking violations shall be provided by the circuit court and upon request distributed to the Zoo parking patrol officers who issue them.
- (5) List of Parking Citations. A list of the parking citations issued by Zoo ~~parking-Shuttle~~ patrol officers shall be forwarded to the circuit court within 24 hours.

(d) Person Responsible for Violation Charged by the Citation. The registered owner of the vehicle is prima facie responsible for the violation charged by the citation.

(Ordinance No. 92-412A, Sec. 2. Amended by Ordinance No. 02-973, Sec. 1; Ordinance No. 04-1059, Sec. 3.)

4.01.080 Rules of Conduct for Members of Public in Zoo ~~Shuttle~~
~~Parking Lots~~~~Parking-Lot~~

The following rules of conduct and regulations shall be applicable to all members of the public within the Zoo ~~parking lot~~Property. 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 ~~parking lot~~Property.

(a) Advertising, Canvassing, Soliciting, and Disseminating of Written Materials for Political, Charitable, or Religious Purposes. Commercial or non-commercial speech activity including advertising, canvassing, soliciting, or disseminating of written materials for commercial or non-commercial purposes including political, charitable, or religious purposes is permitted only in accord with code section 4.01.060(j) and not in the Shuttle Parking Lots on the parking lot and sidewalks between the parking lot and the perimeter fence surrounding the Zoo; otherwise such activity by members of the public is prohibited. Such activities must be conducted in accordance with the following conditions:

~~—————(1) Parking lot entrances, exits, and travel lanes must not be obstructed. Interference with traffic flow is prohibited.~~

~~—————(2) Loudspeakers, musical instruments, and other sound-making or amplification devices of any nature are prohibited.~~

~~—————(3) Activity causing a crowd to gather is prohibited if pedestrian or vehicular traffic is obstructed or impeded.~~

~~—————(4) Activity conducted within 20 feet of an admission gate, ticket booth, entrance, or exit is prohibited.~~

~~—————(5) Obstructing Zoo visitors' line of travel or detaining a Zoo visitor or employee against his or her will is prohibited.~~

~~—————(6) Actual or threatened physical harm directed against a Zoo visitor or employee is prohibited.~~

~~—————(7) The sale of food or items of any nature is prohibited.~~

(b) Littering. Littering, dumping, or any other disposal of rubbish, trash, or any solid waste on the Zoo Shuttle Parking Lots by any member of the public is prohibited.

(c) State and Local Laws. All members of the public within ~~the Zoo parking lot~~Property Shuttle Parking Lots shall comply with all provisions of the Oregon Criminal Code, the

Oregon Traffic Code, the City of Portland Police and Traffic Codes, and other provisions of applicable law.

(d) Alcohol. Possession or consumption on the Zoo ~~parking Shuttle Parking Lots~~ by any member of the public of any alcoholic beverage of any nature whatsoever is prohibited.

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

4.01.090 Zoo Railroad

No member of the public shall:

(a) Enter or exit the train except when the train is stopped.

(b) Enter the train without authorization.

(c) Throw or propel any object or material from or at the train.

(d) Smoke on the train.

(e) Destroy, damage, or deface the train, equipment, rolling stock, stations, tracks, or switches or attempt to do the same.

(Ordinance No. 92-412A, Sec. 2.)

4.01.100 Penalties

(a) Each violation of these rules and regulations shall be punishable by a fine of not more than \$500.

(b) In addition to prosecution under paragraph (a) above, any person violating these rules and regulations may be ejected from the Zoo. The decision to eject shall be made by the Zoo Director or his/her designate, a security officer, or a peace officer.

(c) In addition to the measures prescribed in subsections (a) and (b) above, violation of these rules and regulations may be grounds for exclusion from the Zoo ~~premises~~ Premises and the Zoo ~~parking Shuttle Parking Lots~~. In the event of a violation of these rules and regulations, or a violation of any of the

laws of the State of Oregon, any police officer, Zoo security officer, Zoo Director or his/her designate, or any individual providing security services under contract with Metro may exclude for a period of not more than one (1) year, any person who violates any provision of these rules and regulations, or any of the laws of the State of Oregon.

- (1) Written notice shall be given to any person excluded from the Zoo, or Zoo ~~parking-Shuttle~~ Lots. The notice shall specify the violation of Zoo rules and regulations or state law which is the basis for the exclusion and shall specify the dates covered by the exclusion. The notice shall be signed by the issuing party. Warning of the consequences for failure to comply with the exclusion shall be prominently displayed on the notice.
- (2) A person receiving an exclusion notice may appeal to the Metro Council in accordance with the contested case procedure in Chapter 2.05 of the Metro Code.
- (3) At any time within the period of exclusion, a person receiving an exclusion notice may apply in writing to the Zoo Director for a temporary waiver from the exclusion. The Zoo Director may grant a temporary waiver of an exclusion upon a showing of good cause for said waiver.

(Ordinance No. 92-412A, Sec. 2. Amended by Ordinance No. 00-870, Sec. 1; Ordinance No. 02-973, Sec. 1.)

CHAPTER 2.14

FACILITY-RELATED PARKING POLICY AND REGULATIONS

SECTIONS	TITLE
2.14.010	Purpose and Policy
2.14.020	Definitions
2.14.030	Parking Regulations

2.14.010 Purpose and Policy

The purpose of this chapter is to give policy direction as to the use and regulation of parking lots and structures at Metro regional facilities.

It is the policy of Metro to obtain maximum use of its regional facilities by assisting the public and Metro employees to gain access to and use of those facilities, consistent with their planned use and with other region-wide Metro policies and objectives.

Parking is an integral part of the regional facility that enables the facility to fulfill its mission and objectives. The administration of parking lots and structures is carried out as part of the administration of the facility.

Parking lots and structures are for the use of the visitors to the facility and Metro employees and staff assigned to the facilities. Metro may assist employees in gaining access to its regional facilities in a manner that promotes alternatives to the use of single occupancy motor vehicles.

Parking lots and structures may be operated in an entrepreneurial manner that generates revenues for Metro and its facilities.

Metro will work with appropriate local jurisdictions to ensure that design and operation of its parking lots and structures is consistent with this parking policy.

(Ordinance No. 95-586. Amended by Ordinance No. 99-807A, Sec. 2.)

2.14.020 Definitions

For the purposes of this chapter unless the context requires otherwise, the following terms shall have the meaning indicated:

(a) "Parking lot" means any Metro-owned or managed vehicle parking areas, including but not limited to ~~the Oregon Zoo parking lot,~~ the Oregon Convention Center parking lot, parking at the Metro Regional Center, Portland Metropolitan Exposition Center, facilities managed by the Metro Regional Parks and Greenspaces Department, or any other Metro-owned or operated parking facility, whether currently owned or managed or which Metro acquires or assumes responsibility hereafter.

(b) "Premises" mean any property, buildings or grounds which are either owned by Metro or which are the responsibility of Metro to manage.

(Ordinance No. 95-586. Amended by Ordinance No. 02-967, Sec. 1.)

2.14.030 Parking Regulations

The following rules shall govern all vehicles operated within the area of any Metro parking lot or Metro premises:

(a) It shall be a violation of this Code for the driver of any motor vehicle or bus to violate any legend or direction contained in any sign, signal, or marking now installed or hereafter installed upon any portion of Metro premises or Metro parking lot areas. Drivers of all vehicles shall drive in a careful and safe manner at all times and shall comply with the signals and directions of the police or security officers and all posted traffic signs. Blocking of entrances, driveways, walks, loading platforms, fire lanes, or fire hydrants is prohibited. Parking without authority, or parking in an unauthorized locations or in locations reserved for other persons or contrary to the directions of posted signs, is prohibited.

(b) Metro or Metro ERC security personnel designated by the Chief Operating Officer as serving as a Metro parking patrol shall have the authority and duty to issue parking citations in accordance with subsection (c) of this section for a violation specified by subsection (a) of this section. The Metro parking patrol shall have no other police authority. Persons appointed as Metro parking patrol shall be special police officers of Metro. As special police officers, the Metro parking patrol personnel shall have authority to issue citations for violations of parking or non-moving traffic violations occurring on Metro premises or Metro parking lots, and particularly they shall have authority to issue citations. To the extent of the power and authority granted in this section, such personnel shall exercise full police power and authority.

(c) Parking Citations

- (1) Form of citations. All parking citation forms used by the Metro parking patrol shall be in a form approved by the Metro Attorney and as issued by the Circuit Court for the State of Oregon for Multnomah County. Such parking citations shall, at a minimum, clearly state:
 - (A) The date, place, and nature of the charge;
 - (B) Time and place for the defendant's appearance in court;
 - (C) Name of the issuing officer;
 - (D) License number of the vehicle.
- (2) Procedure for issuing citations. Any citation form issued pursuant to this Code section shall either be delivered to the defendant or placed in a conspicuous place upon the vehicle involved in the violation. A duplicate original of the notice shall serve as the complaint in the case when it is filed with the court. In all other aspects, the procedure now provided by law in such cases shall be followed, but ORS 810.365 does not apply. The officer need not have observed the act of parking, but need only observe that the car was parked in violation of Metro Code.
- (3) Use of parking citation as complaint. The original of the traffic citation form when completed to meet the minimum requirements of ORS 221.340 may serve as a complaint; other forms of parking complaints are prohibited.
- (4) Citation form books issued by Circuit Court. Citation form books for parking violations shall be provided by the Circuit Court and upon request distributed to the Metro parking patrol officers who issue them.
- (5) List of parking citations. A list of the parking citations issued by Metro parking patrol officers shall be forwarded to the Circuit Court within 24 hours.

(d) Person Responsible for Violation Charged by the Citation. The registered owner of the vehicle is prima facie responsible for the violation charged by the citation.

(Ordinance No. 95-586. Amended by Ordinance No. 02-967, Sec. 1.)

STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 13- 1320, FOR THE PURPOSE OF
AMENDING METRO CODE TITLE IV (OREGON ZOO REGULATIONS) AND METRO
CODE CHAPTER 2.14 (FACILITY RELATED PARKING-POLICY AND REGULATIONS)

Date: October 24, 2013

Prepared by: Kim Smith

BACKGROUND

The purpose of this ordinance is to amend sections of Metro Code Title II, Chapter 2.14 Facility Related Parking Policy and Regulations and Title IV Chapter 4.01 Oregon Zoo Regulations, to account for the termination of Metro's lease of the Washington Park Parking Lot from the City of Portland and the transfer by Metro of management of the Washington Park Parking Lot back to the City of Portland, effective on the date the City of Portland Parks Department begins collecting parking revenues in the Washington Park Parking Lot in January of 2014.

ANALYSIS/INFORMATION

1. **Known Opposition.** None known.
2. **Legal Antecedents.** Metro Code Section 4.01.020, Definitions, identifies the Zoo Parking lot. Metro Code Section 4.01.050 Admission Fees and Policies, provides the Zoo Director with the authority to set a parking fee for use of the Zoo Parking Lot. Metro Code Section 4.01.070 Parking Regulations provides rules governing vehicles in the Zoo Parking Lot and on the Zoo Premises. Metro Code Section 4.01.080 Rules of Conduct for Members of the Public in Zoo Parking Lot, provides regulations applicable to all members of the public within the Zoo Parking Lot. Metro Code Section 2.14.020(a) establishes that the Oregon Zoo Parking Lot is subject to Metro's Facility Related Parking Policy.
3. **Anticipated Effects.** Metro Code Chapter 4.01 is updated to remove references to the Washington Park Parking Lot and regulations governing said parking lot. Metro Code Section 2.14 is updated to remove references to the Washington Park Parking Lot and regulations governing said parking lot from the Metro Code list of parking lots subject to Metro's Facility Related Parking Policy, and substitute references to the remote parking lots licensed from third parties and managed by the Zoo.
4. **Budget Impacts.** The four dollar parking fee will no longer be collected by the Zoo from users of the parking lot. Smart Meters will be installed and revenues will be collected by Portland Parks and used in accordance with the terms set forth in the Washington Park Transportation Management Agreement with the City of Portland.

The Zoo will no longer collect parking revenues or incur the expenses related to managing parking activities and enforcing parking regulations. The Zoo will transition most maintenance or support activities to the city. The Zoo and Portland Parks have agreed that the majority of parking lot related activities will transition back to the city's responsibility. The city may compensate or reimburse the Zoo for some activities that will be transitioned at a later date, or are best able to be supported or performed by the Zoo. An example is reimbursement for parking lot lighting electrical charges, as the

power is routed from the Zoo campus and would be cost prohibitive to separate at this time. The FY2013-14 budget anticipated the transition of parking to the City and the Zoo only budgeted a portion of the historical annual parking revenues. Future year budgets will not include any parking lot revenues. Correspondingly, reduced Zoo activity for parking management, enforcement and maintenance activities will decrease personal services and materials and services expenditures in the current and future years.

RECOMMENDED ACTION

Approval.