

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF DESIGNATING)	RESOLUTION NO. 14-4551
LONE FIR CEMETERY AS A PARK)	
AREA IN WHICH ALCOHOLIC)	Introduced by Chief Operating Officer
BEVERAGES MAY BE CONSUMED)	Martha J. Bennett, with the concurrence of
SUBJECT TO A SPECIAL USE PERMIT)	Council President Tom Hughes

WHEREAS, Metro owns and operates Lone Fir Cemetery, one of 14 Historic Cemeteries owned and operated by Metro in Multnomah County; and

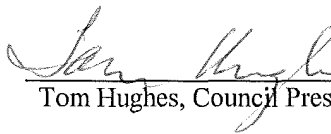
WHEREAS, Metro Code Section Chapter 10.01 provides regulations governing the use of Metro owned or operated Regional Parks and Greenspaces, and Metro Code Section Chapter 10.01.020(d) classifies Lone Fir Cemetery as a Park subject to said regulations; and

WHEREAS, Metro Code Section 10.01.200 provides that “ . . . no person shall bring into or consume alcoholic beverages in any park, provided however, that Council may, from time to time, designate certain parks or park areas where alcohol may be brought (and consumed) . . . after the proper permits are secured from the Director . . . ”; and

WHEREAS, the Metro Council has so designated Blue Lake Park, Oxbow Park, and Howell Territorial Park, and now wishes to designate Lone Fir Cemetery as a park where alcohol may be brought and consumed after the proper permits are secured from the Director; now therefore

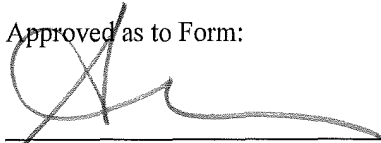
BE IT RESOLVED that the Metro Council designates Lone Fir Cemetery as a park where alcoholic beverages may be consumed subject to the terms and conditions imposed by the Director by special use permit.

ADOPTED by the Metro Council this 7th day of August 2014.


 Tom Hughes, Council President



Approved as to Form:



 Alison R. Kean, Metro Attorney

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO.14-4551, FOR THE PURPOSE OF DESIGNATING LONE FIR CEMETERY AS A PARK AREA IN WHICH ALCOHOLIC BEVERAGES MAY BE CONSUMED SUBJECT TO A SPECIAL USE PERMIT

Date: August 7, 2014

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BACKGROUND

Lone Fir Cemetery is one of fourteen Historic Cemeteries operated by Metro. As part of Metro's mission to sustainably and responsibly care for this property, Metro coordinates with volunteers and non-profit organizations to plan events that raise funds and awareness for projects that benefit the cemetery. The Friends of Lone Fir Cemetery ("The Friends") is an important community partner—since 2000, this committed group of volunteers has devoted time and resources to education, preservation, and restoration efforts. The Friends have organized an event for August 16, 2014 that is intended to support these valuable efforts. Specifically, the event will raise money and awareness for the restoration of the Bottler Tomb, a notable historic landmark at Lone Fir. In keeping with the occupation of the tomb's pioneer namesake, the event will be a free beer tasting. Fifteen local home brewers will provide two-ounce beer samples and attendees will vote for their favorite. The winning brew will receive the honorary title of "Boettler Bier."

In order for this event to take place as intended, Council must designate Lone Fir Cemetery as a park area in which alcohol may be consumed. The designation would further enable cemetery staff, independently or in cooperation with community organizations such as The Friends, to plan future events that will benefit the property and assist in Metro's overall operation of the Historic Cemeteries. Any such events involving alcoholic beverages would be subject to the Director's approval of a special use permit, ensuring the safe and respectful use of cemetery property.

ANALYSIS/INFORMATION

1. Known Opposition

There are no known opponents to the proposed legislation.

2. Legal Antecedents

Metro Code Section Chapter 10.01 provides regulations governing the use of Metro owned or operated Regional Parks and Greenspaces. Lone Fir Cemetery is classified as a Park subject to these regulations under Section 10.01.020(d). Section 10.01.200 further provides that "...no person shall bring into or consume alcoholic beverages in any park, provided however, that Council may, from time to time, designate certain parks or park areas where alcohol may be brought (and consumed)...(a)fter the proper permits are secured from the Director..."

3. Anticipated Effects

By adoption of the proposed legislation, Council would designate Lone Fir Cemetery as a park where alcoholic beverages may be consumed subject to the terms and conditions imposed by special use permit. The Friends' beer tasting event could proceed as planned on August 16, 2014, and cemetery staff could coordinate or facilitate future events involving the consumption of alcoholic beverages at Lone Fir.

4. Budget Impacts

None.

RECOMMENDED ACTION

The Chief Operating Officer recommends approval of Resolution No. 14-4551.