



City of McMinnville
Parks and Recreation
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MEMO

DATE: May 2, 2023
TO: Mayor and City Councilors
FROM: Susan Muir, Parks & Recreation Director
SUBJECT: Administration of park rules related to oversized and towed vehicles in parks
STRATEGIC PRIORITY & GOAL:



COMMUNITY SAFETY & RESILIENCY

Proactively plan for & responsively maintain a safe & resilient community.

Summary: City parks have been experiencing an increase in RV's and trailers in parking lots, most notably in East Wortman and Joe Dancer. While we did not track the numbers of these oversize vehicles in past years, anecdotally we estimate the number of RV's/trailers and non-running vehicles that gather during the open park hours at Joe Dancer has doubled and maybe tripled since last fall (we have found very few incidents of vehicles illegally remaining in the parks at night). The Police Chief and I both have taken many calls regarding this over the last several months, and you have received testimony from multiple parties regarding the situation.

While we will continue to welcome all people who follow the rules to our parks, we do find it necessary to remedy the negative impacts related to large vehicles, towed vehicles and trailers in our lots. Our park parking lots were not designed to accommodate oversized vehicles as evidenced in the included photos (many of them don't fit in one parking spot width wise, and length wise hang over well beyond the parking stall and into the travel lane or sidewalk if backed in). Additionally, the temporary storage of trailers and non-running vehicles (those that are towed in) are preventing the lots and spots from being used for their purpose, which is to allow people to park their vehicle and enjoy the connected park.

We believe we have the administrative authority within our existing parks code, to prohibit anything other than passenger vehicles as defined by [ODOT](#). City vehicles and buses used to transport teams/patrons for city programs and events will be exempt, and we will be able to administratively grant exemptions if needed on a case by case basis. We will give park users notice to let them know this change is coming.

Background:

We are experiencing some of the largest registration numbers for our youth rec programs than we have seen in over 20 years, which is increasing competition for parking spots and potential conflicts. In addition, over the summer the City's Summer Fun program, typically run out of parks, is drawing more and more attendees and participation rates are increasing to thousands of people being served at events. In addition:

- The Police Chief, Parks and Recreation Director, Public Works Department and other city employees are fielding complaints from people participating in city programs about feeling unsafe in parks due to abandoned looking recreational vehicles spread throughout the park.
- The city has experienced non-working and abandoned trailers being left in parks and require posting and removal, at the cost of the city.
- At least one abandoned trailer recently posed a safety hazard for kids due to it being partly dismantled.
- Limited resources and city employees that would normally be running recreation programs or keeping parks clean and safe are being pulled into dealing with enforcement, conversations, complaints and impacts rather than their job to create and provide clean and safe parks and fun programs for our community.

Staff finds the current code gives the administrative (staff) authority to limit motorized vehicles in park parking lots to those defined as a passenger vehicle as defined by ODOT. Several chapters of the McMinnville City Code (MCC) are relevant to this issue. The relevant code sections, with emphasis added, are:

MCC 12.36 – City Parks

12.36.020 Definitions

(3) “Park areas” shall include all parcels of land, beaches or bodies of water owned, leased, controlled or administered by the city of McMinnville for recreation or open space purposes which have been designated by the city as a “park”, “linear park”, “greenway”, “open space”, “playground”, “recreation facility” or as “natural areas”. For purpose of this chapter, the term “park” or “park areas” shall also include the McMinnville public library, aquatic center, senior center, community center, and City Hall including the grounds, plazas, walkways, sidewalks and surface parking lots immediately surrounding these facilities.

“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, battery operated carts used by individuals with physical impairments, and vehicles in service of city parks.

12.36.30 Administration and Enforcement

(B) *Authority.* The director and chief shall have the authority to do all things necessary to administer the provisions of this chapter and the rules and regulations adopted under it.

12.36.040(B) 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 intervals (daily or otherwise) and either entirely or merely **to certain uses and/or users**, as the director finds reasonably necessary to ensure the health, safety, and enjoyment of all park users.

12.36.080 – Special Provisions

(B) Upon issuance of a citation for violation of MMC 12.36.050 (A)(3), (A)(4) and (A)(5), the peace officer issuing the citation may authorize the offending vehicle to be removed if the peace officer reasonably believes that the vehicle creates a hazard, impedes traffic, and/or may be damaged if left within the park area. The owner of the vehicle shall be responsible for all towing and storage costs.

Based on the authority found in MCC12.36.30(B) and 12.36.040(B):

Beginning June 1, 2023 the Parks and Recreation Director is prohibiting all recreational vehicles, trailers and towed vehicles from City Parks. Other than city maintenance vehicles or buses transporting children, sports teams or associated City programs, only vehicles meeting the definition of passenger vehicle according to ODOT are allowed in parks.

Other exemptions to this rule will be extremely limited and must be pre-approved by either the Parks and Recreation Director, Police Chief or Library Director.

Any violations to this will be handled through the process in 12.36.080(B).

Discussion: Several related conversations have occurred and the following Q&A is designed to address concerns raised to date:

Q: What's the impact on the capacity of the Police Department?

A: Chief Scales has indicated the Police Department will deal with this, or any impacts that would push RV's or other vehicles out into the right of ways or private property in the same manner that is currently being enforced, which is through the camping and parking ordinances. Realistically it will result in additional calls for service due to the disbursement of the vehicles throughout the city and it will take some time to get a true sense of what the overall exact workload impact will be.

Q: If this does push more daytime camping to city streets, should the city look at the requirements in the camping ordinance and change the requirement of vehicles needing to move 1,000 square feet every 72 hours?

A: The 72 hour limitation is in state statute and the city cannot be more restrictive.

Q: Where will people who currently comply with the city's camping ordinance on Marsh Lane and other rights of ways, and roll into parks during the day go?

A: Without a designated camping area, which has been discussed previously by City Council, the rights of way and street parking remain available for parking in compliance with the city's camping ordinance. The City is extremely limited under case law and state rules to further restrict street parking within the rights of ways when it comes to camping.

Q: What happens if the current RV's and campers who are on Marsh Lane decide to stay in the same location, violating the city's camping code?

A: Enforcement under the city's camping ordinance would kick in and vehicles remaining in the same location after 72 hours will be abated adhering to the state statutes and our MMC.

Q: If residents or businesses see illegal camping or other code violations occurring in the right of way, what can they do?

A: Unless it is an emergency, people should call the YCOM non-emergency phone number, 503.434.6500.

Q: Why can't the Police Department enforce vehicles on the streets (or in parks) that have expired tags or are without insurance?

A: "Abandoned" vehicles with expired tags can be towed within 24 hours, however court cases have made it clear, if there is a sign of a vehicle being used as shelter, it would fall under the city's camping ordinance, regardless of tags or other non-moving violations.

Q: What about the people who take their trailers, or RV's down to Joe Dancer to watch soccer games?

A: This would apply to all vehicles at any time. No trailers of any kind would be allowed. Staff have observed rented hauling trailers, 'toy' trailers, trailers used for businesses and RV's at Joe Dancer during soccer games this spring. Those will no longer be allowed in parks. Notices/signs will be posted at the entrances to parks

prior to enforcement the effective date of June 1, 2023. In addition, Parks and Recreation will provide notice to participants in city programs.

Keeping city parks safe and clean is a high priority for our community. Initial responses from the Parks, Recreation and Open Space Master Plan outreach are clearly showing this. We know more needs to be done in our parks and staff has consistently asked for additional resources to address this. As the Police Chief and Parks and Recreation Director told the City Council on July 26, 2022 during the work session related to camping on city property: increased resources for law enforcement, maintenance and park programming are all a part of the solution.

This action is designed to address:

- Public perception of a lack of safety with groups of RV's in the parks.
- Oversized and large vehicles parking in lots that are not designed for those vehicles.

Next Steps:

The Parks and Recreation Director, Police Chief and Public Works Director are all available to respond to questions related to this, and will be addressing this item at the May 9, 2023 City Council meeting under items from department heads. In the meantime, staff have begun the process to notify the public that this new park prohibition will go into effect June 1, 2023.

2023 photos of parking lots at parks illustrating parking challenges with oversized vehicles:

