



STAFF REPORT

Meeting Type: Sandy City Council
Meeting Date: June 16, 2025
From: Tiana Rundell, Interim Parks and Recreation Director
Subject: PUBLIC HEARING: Amending SMC 12.12 Conduct and Exclusion Rules
Ordinance 2025-15

DECISION TO BE MADE:

Whether to adopt Ordinance No. 2025-15, which repeals Chapter 12.16 of the Sandy Municipal Code in its entirety and amends Chapter 12.12—Rules of Conduct and Exclusion from Public Property, as shown in Exhibit A, attached and incorporated herein by reference.

APPLICABLE COUNCIL GOAL:

- 1.6: Update Park Rules and City Facility Rules to ensure safe and equitable use for all.
- 5.7: Work with community service personnel to ensure that parks are patrolled regularly and that park regulations are enforced.

BACKGROUND / CONTEXT:

The proposed changes attached update conduct and exclusion rules and revise park regulations in response to Council feedback received during the [April 21, 2025 work session](#), where staff presented proposed updates to Chapter 12.12 and park rules, and repealed and moved Chapter 12.16 under 12.12 now titled – Rules of Conduct and Exclusion from Public Property. That effort built upon input from the Parks and Trails Advisory Board (PTAB), the Sandy Police Department, park patrons, and the City Attorney. The yellow highlights show the areas of substantive change since City Council last reviewed this document during the April 21, 2025 Council meeting, and associated page numbers are provided for ease of reference. Please refer to the document labeled “Ord. No. 2025-15 Conduct and Exclusion (6-16-25 Final redlines) showing all edits as track changes”.

The update consolidates behavior expectations and exclusion processes for all City-owned property (parks, transit, library, and other public spaces) into Chapter 12.12. This is the first comprehensive revision since Ordinance 2016-09, which addressed smoking in parks. The update reflects a growing community, an expanded park system, and the formal establishment of the Parks and Recreation Department in 2021.

KEY CONSIDERATIONS / ANALYSIS:

Council Comments Heard and Addressed:

1. Sec. 12.12.005. – Definitions

- **Defined Class I E-bikes (Page 2 of 20)**

- 1. Added a definition and clarified that only Class I e-bikes are allowed on multi-use trails and designated bike features. This helps differentiate low-speed pedal-assist bikes from faster or throttle-based types and aligns with state law.

- **Defined Commercial Use (Page 2 of 20)**

- 1. In response to Council's direction, we defined "commercial use" to ensure clarity when restricting for-profit operations in parks.

- **Defined Scooter, Sidewalk, and Throttle (Page 3 of 20)**

- 1. Council requested clearer language to support enforceability. These definitions support how electric scooters and e-bikes are regulated under park rules and Oregon law.

2. Section 12.12.020(A): Exclusion from public land and public facilities. (Page 5 of 20)

- Revised to specify that only a "City employee" (not just any "person") may issue exclusions. This change ensures that the employee involved in the incident can evaluate the actions, and if there has been any repeat behavior, and determine an appropriate exclusion period. A formal appeal process protects individuals from unjust exclusions.

3. Section 12.12.040(H): Disorderly or Disruptive Conduct (Page 8 of 20)

- Added a clause that could assist in addressing aggressive or inappropriate language when it causes fear or alarm. While offensive speech is generally protected, this provides enforcement tools for threatening or alarming behavior. This subsection was added to address concerns expressed by Council's regarding aggressive language.

4. Section 12.12.040(Q): Organized Events (Page 9 of 20)

- Added language prohibiting unauthorized for-profit activities in parks, addressing concerns about exclusive use of public property for private gain. Added language that explicitly prohibits commercial use in parks.

5. Section 12.12.050(B)(a) Protection of Park Property (Page 10 of 20)

- Paintball guns, and air soft guns were added to the list of prohibited weapons for public safety and clarity.

6. Section 12.12.050(C) Use of Firearms and Explosives (Page 10 of 20)

- Verified language to align with ORS 166.173(2), respecting state law on lawful possession while maintaining prohibitions for public safety.

7. Section 12.12.050(E)(e & f) Motorized Vehicles (Page 10 of 20)

- Restructured to align with ORS 814.410, clarifying where motorized vehicles and e-bikes are allowed. Class I e-bikes are permitted on trails; other motorized devices (e.g., Class II/III and throttle-powered scooters) are prohibited unless signage permits.

- The changes authorize the City Manager or designee to permit use through written approval or posted signage in specific parks and trails. This approach aligns the rule with state law while also considering safety factors related to the use of motorized vehicles within the Sandy Park system and nearby access routes used to reach the parks by this mode of transportation.

8. For reference and not included in the Ordinance. ¹

- The chart below helps illustrate how Oregon Revised Statutes related to e-bikes and scooters align with the permitted or prohibited use within Sandy's parks.

DEVICE	ORS / SIDEWALK USE IN OREGON	USE IN SANDY PARKS & NATURAL/OPEN SPACE
Class I E-Bike	Not allowed when motor is in use Yes if walked	Allowed at Cedar Park and Base Camp or unless otherwise posted
Class II E- Bike	Not allowed when motor is in use Yes if walked	Not allowed
Class III E-Bike	Not allowed	Not allowed
Electric Scooter	Not allowed	Not Allowed unless otherwise posted
Manual Bicycles	Allowed unless otherwise posted	Allowed unless otherwise posted

9. For clarification and to address the question posed by Council, below are the definitions for Class I, II, and III e-bikes. (The definition for a Class I e-bike has been included in the ordinance and below there is the definition of class II & III for council reference.)

- Class I E-Bike” means a bicycle equipped with an electric motor that provides assistance only when the rider is pedaling and ceases to provide assistance when the bicycle reaches 20 miles per hour. Class I e-bikes do not have a throttle and are generally permitted on multi-use trails and bike paths, subject to local regulations.
- Class II E-Bike” means a bicycle equipped with an electric motor that may be used to propel the bicycle without pedaling (through the use of a throttle assist) but ceases to provide assistance when the bicycle reaches 20 miles per hour. Class II e-bikes are

¹ ORS 801.258 – Electric Assisted Bicycles, ORS 814.405 and ORS 814.407 E-bikes on sidewalks, ORS 814-512 or ORS 814.524 Electric Scooters (Minimum age, helmet required, and sidewalk prohibited)

subject to restrictions in certain park or trail environments due to throttle operation.

- Class III E-Bike” means a bicycle equipped with an electric motor that provides assistance only when the rider is pedaling and ceases to provide assistance when the bicycle reaches 28 miles per hour. Class III e-bikes do not have a throttle. Use may be limited to roadways and bike lanes; riders are typically required to be at least 16 years of age.

10. Section 12.12.050(DD) Planes and Drones (Page 15 of 20)

- Updated to permit these devices only in designated areas approved by the City Manager or designee. This balances privacy, safety, and Council’s desire to allow recreational use with approval and where allowed.

11. Section 12.12.050(EE) Park Hours and Closure (Page 16 of 20)

- Reverted to the original rule: parks are closed from dusk to dawn.
- Added language that allows parks to remain open beyond dusk during special events, when otherwise posted, or with written approval from the City. This provides consistency with the previous park rule while maintaining flexibility for authorized programming and activities

12. Sec. 12.12.005. – Definitions

- **Defined Qualified exclusion (Page 3 of 20)**
 1. Added a definition, an exclusion from transit facilities which is limited in scope.
- **Defined Transit personnel (Page 3 of 20)**
 1. Added clarifying definitions: “Transit personnel” refers to City staff and contractors involved in operating and maintaining transit facilities and vehicles.
- **Defined Transit vehicle (Page 3 of 20)**
 1. Added clarifying definition: “Transit vehicle” means any vehicle used for public mass transportation that is owned, leased, or operated by or for the City of Sandy.

13. Section 12.12.060(F) (2a) A person transporting a pet (Page 17 of 20)

- Updated to clarify language to allow animals too large to be in a container to be kept on a short leash emphasizing that they must still remain under the owner's control at all times.

14. Section 12.12.060(J) Riding of motorized vehicles (Page 17 of 20)

- Updated to clarify that a wheelchair is the only authorized motorized vehicle to operate inside a transit vehicle or facility.

15. Section 12.12.070(E)(2) Harassment and Intimidation (Page 19 of 20)

- Updated language to make clear and concise

BUDGET IMPACT:

Minimal. Any signage or communication costs will be absorbed within the existing Parks and Recreation Department budget.

RECOMMENDATION:

Staff recommends that Council adopt Ordinance 2025-15 Amending Conduct and Exclusion Rules in the Sandy Municipal Code as presented in response to Council's prior feedback.

SUGGESTED MOTION LANGUAGE:

"I move to approve the first reading of Ordinance No. 2025-15"

LIST OF ATTACHMENTS / EXHIBITS:

- Ordinance No. 2025-15 (Clean copy for signature)
- Ordinance No. 2025-15 (6-16/25 Final Redlines) with track changes