

BEFORE THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO: 21-07-13-03

IN THE MATTER OF AMENDING LANE
MANUAL CHAPTER 60 PERTAINING TO
WASTE MANAGEMENT HOURS OF
OPERATION
(LM 60.025, 60.026, and 60.030)

WHEREAS, Lane County Solid Waste Disposal Sites' operating hours require adjustment depending upon seasonal changes, weather, and other variable factors; and

WHEREAS, Lane Manual Chapter 60 sets fixed hours of operation for all Lane County Solid Waste Disposal Sites, resulting in a conflict between the fixed schedule and the needs of the public; and

WHEREAS, Lane Manual section 60.006(4) contains clear policy direction to be used in determining operating hours of County facilities; and

WHEREAS, removing the fixed hours of operations will allow the County to adjust hours of operation to be more responsive to the needs of the public;

NOW THEREFORE, The Board of County Commissioners of Lane County ORDERS as follows:

Lane Manual Chapter 60 is amended by removing, substituting and adding the following sections:

REMOVE THESE SECTIONS

60.025 – 60.030

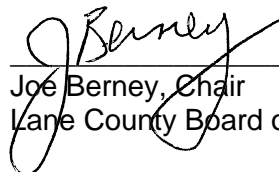
INSERT THESE SECTIONS

NONE

If any section, subsection, sentence, clause, phrase or portion of this Order or the referenced Lane Manual provisions are for any reason held invalid or unconstitutional by any court or administrative agency of competent jurisdiction, such portion is deemed a separate, distinct, and independent provision, and such holding does not affect the validity of the remaining portions.

Said sections are attached hereto and incorporated herein by reference. The purpose of this substitution is to update rules and policies pertaining to County solid waste disposal sites' hours of operation.

ADOPTED this 13th day of July, 2021.



Joe Berney, Chair
Lane County Board of Commissioners

Chapter 60

PUBLIC USE OF COUNTY FACILITIES AND SERVICES

USE OF FACILITIES

60.006 Policies for County Facilities

- (1) Naming. County facility naming will be in accordance with LM 2.830 through 2.834.
- (2) Permitting. Certain facilities may have a high demand for public use. In these instances a permitting process is appropriate and the Board of Commissioners may delegate that authority to the County Administrator. Any process created by the Administrator must include provisions to provide approval criteria, as well as a process for appeal.
- (3) Hours. Generally, county owned facilities are open during regular business hours. Certain facilities operate on a 24 hour basis. Business hours for each facility will be posted. The Board at its discretion may limit the use of any County facility to specific hours.
- (4) Open to the Public. County policy is that county owned facilities are open to the public during hours consistent with the public services provided within the specific facility. The Board of Commissioners recognizes that security issues and regulations are continually evolving and delegates to the County Administrator the authority to provide security procedures as necessary to ensure the safety of employees and other users of county facilities, including temporary closure or limiting the hours of access to county-owned property and facilities.

(Revised by Order No. 13-09-07-07, Effective 9.17.13; 21-05-11-03, 7.1.21)

60.010 Law Library.

The Lane County Law Library located in the Lane County Courthouse:

- (1) Is open to all persons desiring to use the facility during the hours of 8:00 a.m. to 5:00 p.m. on all days when the Courthouse is open for public business.
- (2) Is closed to the general public at all other hours unless special after-hours access privileges have been granted by the law librarian.
- (3) Is open at all times to Circuit and District Court Judges, their staff members, Officers of the Court, litigants, law clerks and certified law students. The procedure by which after-hours access is provided will be determined by the Law Librarian.

(Revised by Order No. 96-7-2-3, Effective 7.2.96)

~~60.025 County Disposal Sites—Summer Hours of Operation and Holiday Closures.~~

~~Lane County Solid Waste Disposal Sites are open the following hours and days per week for the period between April 1 and October 1 each year:~~

- ~~(1) Metropolitan Disposal Sites:⁴~~
 - ~~(a) Central Receiving Station~~ ~~8 a.m. - 6 p.m. Monday - Saturday~~
 - ~~8 a.m. - 5 p.m. Sunday~~

⁴~~Disposal Sites closed on the following holidays:~~

- | | |
|-----------------------------------|-----------------------------|
| New Year's Day | Labor Day |
| Martin Luther King Day | Veteran's Day |
| Presidents Day | Thanksgiving Day |
| Memorial Day | Christmas Day |
| Independence Day | |

(b)	Short Mountain Sanitary Landfill²	7 a.m. 5 p.m. Monday Saturday
(2)	Regional Disposal Sites.³	Wednesday Saturday
(a)	Cottage Grove	8 a.m. 6 p.m.
(b)	Creswell	8 a.m. 6 p.m.
(c)	Oakridge	8 a.m. 6 p.m.
(d)	Florence	8 a.m. 6 p.m.
(3)	Rural Transfer Sites.⁴	
(a)	London	8 a.m. 6 p.m. Saturday
(b)	Sharp's Creek	8 a.m. 6 p.m. Saturday
(c)	Vida	8 a.m. 6 p.m. Wednesday Saturday
(d)	Low Pass	8 a.m. 6 p.m. Friday Saturday
(e)	Walton	8 a.m. 6 p.m. Saturday
(f)	Mapleton	8 a.m. 6 p.m. Saturday
(g)	Swisshome	8 a.m. 6 p.m. Friday Saturday
(h)	Marcola	8 a.m. 6 p.m. Wednesday Saturday
(i)	Rattlesnake	8 a.m. 6 p.m. Wednesday Saturday
(j)	Veneta	8 a.m. 6 p.m. Wednesday Saturday
(k)	McKenzie Bridge	8 a.m. 6 p.m. Saturday
		1 p.m. 6 p.m. Monday
		1 p.m. 6 p.m. Thursday

(Revised by Order 96-4-2-8, Effective 7.1.96)

60.026 County Disposal Sites—Winter Hours of Operation.

Lane County Solid Waste Disposal Sites are open the following hours and days per week for the period between October 1 and April 1 each year.

(1)	Metropolitan Disposal Sites.⁵	
(a)	Central Receiving Station	8 a.m. 6 p.m. Monday Saturday
(b)	Short Mountain Sanitary Landfill⁶	7 a.m. 5 p.m. Monday Saturday
(2)	Regional Disposal Sites.	Wednesday Saturday
(a)	Cottage Grove	8 a.m. 6 p.m.
(b)	Creswell	8 a.m. 6 p.m.
(c)	Oakridge	8 a.m. 6 p.m.
(d)	Florence	8 a.m. 6 p.m.
(3)	Rural Transfer Sites.⁷	
(a)	London	9 a.m. 5 p.m. Saturday
(b)	Sharp's Creek	9 a.m. 5 p.m. Saturday
(c)	Vida	9 a.m. 5 p.m. Wednesday Saturday
(d)	Low Pass	9 a.m. 5 p.m. Friday Saturday
(e)	Walton	9 a.m. 5 p.m. Saturday
(f)	Mapleton	9 a.m. 5 p.m. Saturday
(g)	Swisshome	9 a.m. 5 p.m. Saturday

² Short Mountain is not open to the general public.

³ See footnote #1.

⁴ See footnote #2.

⁵ See footnote #1.

⁶ See footnote #2.

⁷ See footnote #1.

At left margin indicates changes
Bold indicates material being added
~~Strikethrough~~ indicates material being deleted

(h) Marcola	9 a.m. - 5 p.m. Wednesday - Saturday
(i) Rattlesnake	9 a.m. - 5 p.m. Wednesday - Saturday
(j) Veneta	8 a.m. - 6 p.m. Wednesday - Saturday
(k) McKenzie Bridge	9 a.m. - 5 p.m. Saturday
	1 p.m. - 5 p.m. Monday
	1 p.m. - 5 p.m. Thursday

(Revised by Order No. 96-4-2-8, Effective 7.1.96)

~~60.030 Hardship Exceptions.~~

~~The Director of the Public Works Department or his or her designated representative may make special arrangements for access to Lane County Solid Waste Disposal Sites during hours or days other than those indicated in LM 60.025 or 60.026 above when strict adherence to those hours or days would result in a serious hardship situation.~~

(Revised by Order No. 96-4-2-8, Effective 7.1.96)

60.035 Designated Free Speech Area

The designated free speech area is available for use by the public regardless of the content of the speech. However, the county retains the right to impose reasonable time, place and manner restrictions to ensure health, safety and welfare; to protect the rights of the general public; and to ensure equal access to all citizens to the designated free speech area. The provisions of this section of the Lane Manual are intended to accomplish these goals. Lane County is committed to ensuring that no member of the public is discriminated against because of race, creed, religion, age, sex, color, disability, or national origin in the use of any public county facility.

The designated free speech area is located within the Wayne Morse Terrace in an area from the podium area west of Harris Hall, and comprises an oval area contained by the Wayne Morse statute on the south and the planter areas to the west and north, and measures 71' x 73'. In order to ensure health, safety and uninterrupted access to the court house, use of this designated area is allowed only between 6:00 a.m. and 11:00 p.m., unless otherwise authorized by the County Administrator. Use of the designated free speech area is subject to all rules and regulations governing conduct on City and County property.

(1) Purpose. The Board of County Commissioners finds that overnight use of the designated free speech area inevitably leads camping or a continuous use of the area to the exclusion of others. In addition, overnight camping creates safety, health and crime problems that are difficult to monitor. As the Public Health Authority for Lane County, the health, safety and well-being of Lane County citizens is of foremost concern for the Board of County Commissioners. A report from the County's public health officer after visiting an overnight camp located in the designated free speech area revealed approximately 30 campers sharing kitchen facilities and a gas cooking stove, numerous dogs, partially consumed foods on the sidewalks and around tents, a strong and persistent smell of urine and an occasional smell of feces. The public health officer's recommendation was to thoroughly clean the area in order to best protect the current occupants as well as other citizens. It was also recommended that implementing a rotating schedule to clean the grounds would be in the best interest of the public's health. A significant strain is also placed on public services due to issues such as cooking with an open flame, a lack of proper sanitation, and an increased need for public safety presence due to disputes and illegal activity such as drug use that have occurred in overnight camps. The Board finds that reasonable restrictions on the time, place and manner of expression within the designated free speech area of the county-owned Public Service Building are necessary to protect public interests related to equal access, safety and sanitation. The Board finds it necessary to close the designated free speech area from 11p.m. until 6a.m. in order to ensure a clean, safe, publicly accessible space for all who wish to utilize the area.

(2) Public Use of Actual Free Speech Area