

### **95.715. Sidewalk Use During Certain Hours**

**(a) Definitions.** Unless the context specifically requires otherwise, as used in this section, the following words and phrases mean:

**(1) “Public Sidewalk” means the area lying between the street and the abutting property, including any pedestrian way and landscape strip.**

**(2) “Street” means any public right-of-way that is open to the public, used, or intended to be used, by vehicular traffic.**

**(b) It shall be unlawful for any person to sit or lie down upon a public sidewalk, or upon a blanket, chair, stool, or any other object placed upon a public sidewalk, during the hours of between 7:00 a.m. and 9:00 p.m.**

**(c) The prohibitions in subsection (b) shall not apply to any person:**

**(1) Sitting or lying down on a public sidewalk due to a medical emergency;**

**(2) Who, as the result of a physical disability, is using a wheelchair, walker, or similar movement-supporting device for mobility purposes;**

**(3) Who is a child in a stroller or similar movement-supporting device;**

**(4) Operating or patronizing a business conducted upon a public sidewalk in conformance with applicable law;**

**(5) Participating in or attending a parade, festival, performance, rally, demonstration, meeting or similar event conducted on the public sidewalk pursuant to and in accordance with applicable law;**

**(6) Sitting on a fixed chair or bench located on the public sidewalk;**

**(7) Sitting on a public sidewalk at a marked bus stop while waiting for public or private transportation; or**

**(8) Performing a City approved or permitted activity.**

**(d) Nothing in this section shall be construed to permit conduct that is prohibited by SRC 95.700 “Pedestrian Interference.”**

**(e) No person shall be cited under this section unless the person engages in conduct prohibited by this section after having been notified by a peace officer that the conduct violates this section.**

**95.750. - Downtown Crime Prevention District created.**

- (a) The geographic area bounded on the north by the north curb line of Union Street, on the south by the south curb line of Trade Street, on the east by the east curb line of Cottage Street and on the west by the west curb line of Front Street is hereby designated as the Downtown Crime Prevention District.
- (b) An enumerated offense in the Downtown Crime Prevention District means any of the following felonies, misdemeanors, violations, or infractions, unless the offense was committed entirely within a private residence:
- (1) Felonies: ORS 161.405(1), (2)(b)—(c), "Attempt," if the crime is an enumerated offense; ORS 161.450(1)(2)(b)—(c), "Conspiracy," if the crime is an enumerated offense; ORS 163.165, "Assault in the third degree"; ORS 163.175, "Assault in the second degree"; ORS 163.185, "Assault in the first degree"; 163.160(3) and (4), "Assault in the fourth degree"; ORS 163.425, "Sexual abuse in the second degree"; ORS 163.427, "Sexual abuse in the first degree"; ORS 163.465(2)(b), "Public indecency"; ORS 164.055, "Theft in the first degree"; ORS 164.057, "Aggravated theft in the first degree"; ORS 164.315, "Arson in the second degree"; ORS 164.325, "Arson in the first degree"; ORS 164.365, "Criminal mischief in the first degree"; ORS 166.023(2)(b), "Disorderly conduct in the first degree"; ORS 166.165, "Intimidation in the first degree"; ORS 167.012, "Promoting prostitution"; ORS 167.017, "Compelling prostitution"; ORS 167.262(2)(a), "Use of minor in controlled substance or marijuana item offense"; ORS 475.752(1)(a)—(c), (2)(a)—(c), (3)(a)—(b), and (6), "Prohibited acts generally; penalties"; ORS 475.806, "Unlawful manufacture of hydrocodone"; ORS 475.808, "Unlawful manufacture of hydrocodone within 1,000 feet of school"; ORS 475.810, "Unlawful delivery of hydrocodone"; ORS 475.812, "Unlawful delivery of hydrocodone within 1,000 feet of school"; ORS 475.816, "Unlawful manufacture of methadone"; ORS 475.818 Unlawful manufacture of methadone within 1,000 feet of school"; ORS 475.820, "Unlawful delivery of methadone"; ORS 475.822, "Unlawful delivery of methadone within 1,000 feet of school"; ORS 475.824(2)(b), "Unlawful possession of methadone"; ORS 475.826, "Unlawful manufacture of oxycodone"; ORS 475.828, "Unlawful manufacture of oxycodone within 1,000 feet of school"; ORS 475.830, "Unlawful delivery of oxycodone"; ORS 475.832, "Unlawful delivery of oxycodone within 1,000 feet of school"; ORS 475.834(2)(b), "Unlawful possession of oxycodone"; ORS 475.850, "Unlawful delivery of heroin"; ORS 475.852, "Unlawful delivery of heroin within 1,000 feet of school"; ORS 475.854, "Unlawful possession of heroin"; ORS 475.870, "Unlawful delivery of 3, 4 methylenedioxymethamphetamine"; ORS 475.872, "Unlawful delivery of 3, 4 methylenedioxymethamphetamine within 1,000 feet of school"; ORS 475.874(2)(b), "Unlawful possession of 3, 4 methylenedioxymethamphetamine"; ORS 475.876, "Unlawful manufacture of cocaine"; ORS 475.880, "Unlawful delivery of cocaine"; ORS 475.882, "Unlawful delivery of cocaine within 1,000 feet of school"; ORS 475.884(2)(b), "Unlawful possession of cocaine"; ORS 475.886, "Unlawful manufacture of methamphetamine"; ORS 475.890, "Unlawful delivery of methamphetamine"; ORS 475.892, "Unlawful delivery of methamphetamine within 1,000 feet of school"; ORS 475.894(2)(b), "Unlawful possession of methamphetamine"; ORS 475.904, "Unlawful manufacture or delivery of controlled substance within 1,000 feet of school"; ORS 475.906(1) and (2), "Penalties for unlawful delivery to minors"; ORS 475B.227(4)(b), "Prohibition against importing or exporting marijuana items"; ORS 475B.337(3)(c),

"Unlawful possession by person 21 years of age or older"; ORS 475B.341(3), "Unlawful possession by person under 21 years of age"; ORS 475B.346(3)(b), "Unlawful delivery of marijuana item"; ORS 475B.349(3)(b), and (3)(c) "Unlawful manufacture of marijuana item"; ORS 475B.359, "Arson incident to manufacture of cannabinoid extract in the first degree"; ORS 475B.363 "Arson incident to manufacture of cannabinoid extract in second degree"; ORS 475B.367, "Causing another person to ingest marijuana"; ORS 475B.371, "Administration to another person under 18 years of age."

- (2) "Class A" Misdemeanors: ORS 161.405(1)(2)(d), "Attempt," if the crime is an enumerated offense; ORS 161.450(1)(2)(d), "Conspiracy," if the crime is an enumerated offense; ORS 162.247, "Interfering with a peace officer or parole and probation officer"; ORS 162.315, "Resisting Arrest"; ORS 163.160(2), "Assault in the fourth degree"; ORS 163.190, "Menacing"; ORS 163.435, "Contributing to the sexual delinquency of a minor"; ORS 163.465(2)(a), "Public indecency"; ORS 163.575, "Endangering the welfare of a minor"; ORS 164.045, "Theft in the second degree"; ORS 164.255, "Criminal trespass in the first degree"; ORS 164.265, "Criminal trespass while in possession of firearm"; ORS 164.335, "Reckless burning"; ORS 164.354, "Criminal mischief in the second degree"; ORS 163.415, "Sexual abuse in the third degree"; ORS 166.023(2)(a), "Disorderly conduct in the first degree"; ORS 166.025(2)(b), "Disorderly conduct in the second degree"; ORS 166.155, "Intimidation in the second degree"; ORS 166.065(4), "Harassment"; ORS 167.007, "Prostitution"; ORS 167.262(2)(b), "Use of minor in controlled substance or marijuana item offense"; ORS 475.752(3)(c), "Prohibited acts generally; penalties"; ORS 475.814, "Unlawful possession of hydrocodone"; ORS 475.824(2)(a), "Unlawful possession of methadone"; ORS 475.834(2)(a), "Unlawful possession of oxycodone"; ORS 475.874(2)(a), "Unlawful possession of 3,4 methylenedioxymethamphetamine"; ORS 475.894(2)(a), "Unlawful possession of methamphetamine"; ORS 475.906(3), "Penalties for unlawful delivery to minors"; ORS 475B.227(4)(a), "Prohibition against importing or exporting marijuana items"; ORS 475B.329 "Prohibition regarding person who is visibly intoxicated; prohibition against allowing consumption of marijuana by person under 21 years of age on private property; penalty"; ORS 475B.337(2), "Unlawful possession by person 21 years of age or older"; ORS 475B.341(2) "Unlawful possession by person under 21 years of age"; ORS 475B.346(2), "Unlawful delivery of marijuana item"; ORS 475B.349(2) "Unlawful manufacture of marijuana item."
- (3) "Class B" Misdemeanors, "Class C" Misdemeanors, Violations and Infractions: ORS 161.405(1)(2)(e)-(g), "Attempt," if the crime is an enumerated offense; ORS 163.445, "Sexual misconduct"; ORS 164.043, "Theft in the third degree"; ORS 164.245, "Criminal Trespass in the second degree"; ORS 164.345, "Criminal mischief in the third degree"; ORS 164.383, "Unlawfully applying graffiti"; ORS 164.386, "Unlawfully possessing graffiti implement"; ORS 164.805, "Offensive littering"; ORS 166.025(2)(a), "Disorderly conduct in the second degree"; ORS 166.065(3), "Harassment"; ORS 167.755, "Selling tobacco products or inhalant delivery systems to person under 21 years of age; penalties"; ORS 167.785, "Possession of tobacco products or inhalant delivery systems by person under 18 years of age; penalty"; ORS 471.430(1), "Purchase or possession of liquor by person under 21"; ORS 471.410(2), "Providing liquor to person under 21"; ORS 475.752(1)(d)—(e), (2)(d)—(e), and (3)(d)—(e), "Prohibited acts generally; penalties"; ORS 475.906(4), "Penalties for unlawful delivery to minors"; ORS 475B.227(3),

"Prohibition against importing or exporting marijuana items"; ORS 475B.306, "Prohibition against producing, processing, possessing or storing homegrown marijuana or homemade cannabinoid products, extracts"; ORS 475B.316(3), "Prohibition against person under 21 years of age possessing, attempting to purchase or purchasing marijuana item; penalty" ORS 475B.337(3)(a) and (b), "Unlawful possession by person 21 years of age or older"; ORS 475B.346(3)(a), "Unlawful delivery of marijuana item"; ORS 475B.349(3)(a) "Unlawful manufacture of marijuana item"; ORS 475B.376, "Unlawful sale or delivery of marijuana paraphernalia"; ORS 475B.381, "Prohibition against using marijuana item in public place"; ORS 811.482, "Use of marijuana in motor vehicle; penalty"; SRC 45.025, "Regulation of smoking on City property"; SRC 45.030, "Establishment of smoke-free zones on public sidewalks and landscape strips adjacent to smoke-free premises"; SRC 45.990 "[Smoking] Violations and penalties"; SRC 90.020, "Consumption and Sale of Alcohol Prohibited in Certain Places"; SRC 93.010, "Noise Disturbance Prohibited"; SRC 95.040, "Assault"; SRC 95.041, "Menacing"; SRC 95.042, "Harassment"; SRC 95.043, "Recklessly endangering another"; SRC 95.120, "Disorderly Conduct"; SRC 95.125, "Urinating or Defecating in Public"; SRC 95.160, "Firearms; Discharge"; SRC 95.330, "Minors Nighttime Curfew"; SRC 95.335, "Minors Daytime Curfew"; SRC 95.550, "Trespass"; SRC 95.610, "Prohibited Graffiti"; SRC 95.700, "Pedestrian Interference"; SRC 95.710, "Sports Activity Prohibited in Certain Areas"; SRC 95.715, "Sidewalk Use During Certain Hours"; SRC 96.220, "Public Indecency"; SRC 96.400, "Prohibited Prostitution Conduct"; or SRC 97.080, "Intimidation"; SRC 101.110, "Riding on street and bicycle paths"; SRC 101.150, "Parking of bicycles"; SRC 101.990, "Violations"; SRC 103.015, "Skateboarding prohibited in certain areas."

**95.760. - North Salem Crime Prevention District created.**

- (a) The geographic area bounded on the west by the west curb line of Front Street NE, on the south by the south curb line of Market Street NE, on the east, the west side of the Union Pacific right-of-way between Market Street NE to the intersection with Silverton Road NE, continuing with the west curb line of Silverton Road NE to the east curb line of Hawthorne Avenue NE, continuing north to Hyacinth Street NE, on the north, the north curb line of Hyacinth Street NE to the Salem Parkway, bounded by the north/west curb line of the Salem Parkway, to the north curb line of Tryon Street NE is hereby designated at the North Salem Crime Prevention District.
- (b) An enumerated offense in the North Salem Crime Prevention District means any of the following felonies, misdemeanors, violations or infractions, unless the offense was committed entirely within a private residence:
- (1) Felonies: ORS 161.405(1)(2)(b)—(c), "Attempt," if the crime is an enumerated offense; ORS 161.450(1)(2)(b)—(c), "Conspiracy," if the crime is an enumerated offense; ORS 163.425 "Sexual abuse in the second degree"; ORS 163.427, "Sexual abuse in the first degree"; ORS 163.465(2)(b), "Public indecency"; ORS 167.012, "Promoting prostitution"; ORS 167.017, "Compelling prostitution"; ORS 475.752(1)(a)—(c), (2)(a)—(c), (3)(a)—(b), and (6), "Prohibited acts generally; penalties"; ORS 475.806, "Unlawful manufacture of hydrocodone"; ORS 475.808, "Unlawful manufacture of hydrocodone within 1,000 feet of school"; ORS 475.810, "Unlawful delivery of hydrocodone"; ORS 475.812, "Unlawful delivery of hydrocodone within 1,000 feet of

school; ORS 475.816, "Unlawful manufacture of methadone"; ORS 475.818, Unlawful manufacture of methadone within 1,000 feet of school"; ORS 475.820, "Unlawful delivery of methadone"; ORS 475.822, "Unlawful delivery of methadone within 1,000 feet of school"; ORS 475.824(2)(b), "Unlawful possession of methadone"; ORS 475.826, "Unlawful manufacture of oxycodone"; ORS 475.828, "Unlawful manufacture of oxycodone within 1,000 feet of school"; ORS 475.830, "Unlawful delivery of oxycodone"; ORS 475.832, "Unlawful delivery of oxycodone within 1,000 feet of school"; ORS 475.834(2)(b), "Unlawful possession of oxycodone"; ORS 475.850, "Unlawful delivery of heroin"; ORS 475.852, "Unlawful delivery of heroin within 1,000 feet of school"; ORS 475.854, "Unlawful possession of heroin"; ORS 475.870, "Unlawful delivery of 3,4-methylenedioxymethamphetamine"; ORS 475.872, "Unlawful delivery of 3,4-methylenedioxymethamphetamine within 1,000 feet of school"; ORS 475.874(2)(b), "Unlawful possession of 3,4-methylenedioxymethamphetamine"; ORS 475.876, "Unlawful manufacture of cocaine"; ORS 475.880 "Unlawful delivery of cocaine"; ORS 475.882, "Unlawful delivery of cocaine within 1,000 feet of school"; ORS 475.884(2)(b), "Unlawful possession of cocaine"; ORS 475.886, "Unlawful manufacture of methamphetamine"; ORS 475.890, "Unlawful delivery of methamphetamine"; ORS 475.892, "Unlawful delivery of methamphetamine within 1,000 feet of school"; ORS 475.894(2)(b), "Unlawful possession of methamphetamine"; ORS 475.904, "Unlawful manufacture or delivery of controlled substance within 1,000 feet of school"; ORS 475.906(1) and (2), "Penalties for unlawful delivery to minors."; ORS 475B.227(4)(b), "Prohibition against importing or exporting marijuana items"; ORS 475B.337(3)(c), "Unlawful possession by person 21 years of age or older"; ORS 475B.341(3), "Unlawful possession by person under 21 years of age"; ORS 475B.346(3)(b), "Unlawful delivery of marijuana item"; ORS 475B.349(3)(b), and (3)(c) "Unlawful manufacture of marijuana item"; ORS 475B.359, "Arson incident to manufacture of cannabinoid extract in the first degree"; ORS 475B.363 "Arson incident to manufacture of cannabinoid extract in second degree"; ORS 475B.367, "Causing another person to ingest marijuana"; ORS 475B.371, "Administration to another person under 18 years of age."

- (2) "Class A" Misdemeanors: ORS 161.405(1)(2)(d), "Attempt," if the crime is an enumerated offense; ORS 161.450(1)(2)(d), "Conspiracy," if the crime is an enumerated offense; ORS 163.435, "Contributing to the sexual delinquency of a minor"; ORS 163.465(2)(a), "Public indecency"; ORS 164.255, "Criminal trespass in the first degree"; ORS 164.265, "Criminal trespass while in possession of firearm"; ORS 163.415, "Sexual abuse in the third degree"; ORS 167.007, "Prostitution"; ORS 475.752(3)(c), "Prohibited acts generally; penalties"; ORS 475.814, "Unlawful possession of hydrocodone"; ORS 475.824(2)(a), "Unlawful possession of methadone"; ORS 475.834(2)(a), "Unlawful possession of oxycodone"; ORS 475.874(2)(a), "Unlawful possession of 3,4 methylenedioxymethamphetamine"; ORS 475.894(2)(a), "Unlawful possession of methamphetamine"; ORS 475.906(3), "Penalties for unlawful delivery to minors"; ORS 475B.227(4)(a), "Prohibition against importing or exporting marijuana items"; ORS 475B.329 "Prohibition regarding person who is visibly intoxicated; prohibition against allowing consumption of marijuana by person under 21 years of age on private property; penalty"; ORS 475B.337(2), "Unlawful possession by person 21 years of age or older"; ORS 475B.341(2) "Unlawful possession by person under 21 years of age"; ORS

475B.346(2), "Unlawful delivery of marijuana item"; ORS 475B.349(2) "Unlawful manufacture of marijuana item."

- (3) "Class B" Misdemeanors, "Class C" Misdemeanors, Violations and Infractions: ORS 161.405(1)(2)(e)—(g), "Attempt," if the crime is an enumerated offense; ORS 163.445, "Sexual misconduct"; ORS 164.245, "Criminal Trespass in the second degree"; ORS 475.752(1)(d)—(e), (2)(d)—(e), & (3)(d)—(e), "Prohibited acts generally; penalties"; ORS 475.906(4), "Penalties for unlawful delivery to minors"; ORS 475B.227(3), "Prohibition against importing or exporting marijuana items"; ORS 475B.306, "Prohibition against producing, processing, possessing or storing homegrown marijuana or homemade cannabinoid products, extracts"; ORS 475B.316(3), "Prohibition against person under 21 years of age possessing, attempting to purchase or purchasing marijuana item; penalty" ORS 475B.337(3)(a) and (b), "Unlawful possession by person 21 years of age or older"; ORS 475B.346(3)(a), "Unlawful delivery of marijuana item"; ORS 475B.349(3)(a) "Unlawful manufacture of marijuana item"; ORS 475B.376, "Unlawful sale or delivery of marijuana paraphernalia"; ORS 475B.381, "Prohibition against using marijuana item in public place"; ORS 811.482, "Use of marijuana in motor vehicle; penalty"; SRC 95.550, "Trespass"; 95.715, "Sidewalk Use During Certain Hours"; SRC 96.220, "Public Indecency"; SRC 96.300, "Prohibited Touching"; or SRC 96.400, "Prohibited Prostitution Conduct."

### **95.990 – Violations.**

- (a) Violation of SRC 95.010, 95.025, 95.200, 95.210, 95.220, 95.300, 95.340, 95.610, 95.640, 95.710, 95.715, 95.720, or 95.730 is an infraction.