

## ORDINANCE 02-2025 GOVERNING CONDUCT ON DISTRICT PROPERTY

Adopted 4-14-2025

Coos County Area Transportation District (CCAT) vehicles, facilities, and properties are intended to provide services for the benefit of the general public. To maintain public transportation services that are orderly, safe, secure, comfortable, and convenient, CCAT has enacted the following Rules of Conduct. The Rules of Conduct are intended to regulate conduct occurring with Transit employees, on CCAT vehicles, within or upon CCAT facilities and properties, and in connection with CCAT's provision of public transportation services. CCAT properties include bus stops and shelters on land that is not owned by CCAT.

If any one or more of the provisions in the Rules of Conduct shall be declared by any court of competent jurisdiction to be contrary to law, then such provision(s) shall be null and void and shall be deemed separable from the remaining provisions in the Rules of Conduct and shall in no way affect the validity of the other provisions of the Rules of Conduct.

### Definitions

As used in this Ordinance, unless the context requires otherwise:

- a) "District" means the Coos County Area Transportation District.
- b) "District Transit System" means the property, equipment and improvements, of whatever nature, owned, leased or controlled by the District to provide public transportation for Passengers or to provide for movement of people, and includes any District Vehicle and any Public Transit Station.
- c) "District Vehicle" includes a bus, van or other vehicle used to transport Passengers and owned or operated by or on behalf of the District.
- d) "Electronic Smoking Device" includes an electronic or battery-operated device that delivers vapors for inhalation. Electronic Smoking Device includes every variation and type of such devices whether they are manufactured, distributed, marketed, or sold as an electronic cigarette, an electronic cigar, an electronic cigarillo, an electronic pipe, an electronic hookah or any other product name or descriptor.
- e) "Emergency" includes, but is not limited to, a fire on a District Vehicle or District Station, or serious physical injury to persons, or threat thereof, or any apparent urgent medical need.
- f) "Facilities" includes those portions of facilities that are open for public use for transit or transit-related purposes.
- g) "Notice of Exclusion" means a notice issued pursuant to § 1.20 of this Ordinance excluding an individual from all or part of the District Transit System for a period of time.
- h) "Operator" means a District employee responsible for operating any District Vehicle.
- i) "Passenger" means a person who holds a valid fare and is in route on a District Vehicle or waiting for the next available District Vehicle to such person's destination, or a person who enters a District Station with the intent to purchase a valid fare for transportation on the next available District Vehicle to such person's destination.

## ORDINANCE 02-2025 GOVERNING CONDUCT ON DISTRICT PROPERTY

Adopted 4-14-2025

- j) "Public Safety Officer," for purposes of this Ordinance, include the sheriff deputies, state, and local police officers, and all such other persons as may be designated by law to enforce District ordinances.
- k) "Public transit station" means all facilities, structures, lands and rights of way that are owned, leased, held or used for the purpose of providing public transportation services.
- l) "Service Animal" means any animal used by a person who requires the assistance of such animal to facilitate that person's life functions, including, but not limited to, seeing and hearing.
- m) "Shelter" is the area within the drip line of any roofed structure located at a District bus stop or District Station that is designed or used to protect Passengers from adverse weather conditions.
- n) "Smoke" shall mean the gases, particles or vapors released into the air as a result of combustion, electrical ignition or vaporization, including from an Electronic Smoking Device, when the purpose of the combustion, electrical ignition or vaporization is human inhalation of the gases, particles or vapors.
- o) "Smoking" shall mean engaging in an act that generates Smoke, such as possessing a lighted pipe, a lighted hookah pipe, a lighted cigar, a lighted cigarette, or an operating Electronic Smoking Device.
- p) "Supervisor" means any District employee responsible for the supervision of any District transit operation.
- q) "Transit Services" means fixed-route bus service, on-demand bus service, and paratransit service.

## Notice and Appeal Contact

Written notices, appeals and other correspondence should be sent to the following address:

Coos County Area Transportation District  
PO Box 1118, Coos Bay, OR 97420

## Rules of Conduct

- 1) **Common Courtesy.** Customers and riders are encouraged to demonstrate common courtesy by using unscented personal care products, avoiding perfumes and fragrances, and refraining from disruptive behaviors that might distract drivers or impede a District employee's ability to carry out their responsibilities on District property.

ORDINANCE 02-2025 GOVERNING CONDUCT ON DISTRICT PROPERTY

Adopted 4-14-2025

- 2) **Elderly and Disabled Seating.** The aisle-facing benches at the front of buses are reserved for the use of disabled and senior Passengers. Non-qualifying Passengers are requested to vacate such seating upon request of any District Vehicle operator or employee.
- 3) **Smoking Prohibited.** There shall be no smoking on any District Vehicle, Property or within any space or area where smoking is prohibited by law or ordinance. No person shall smoke an Electronic Smoking Device, tobacco, marijuana, or any other substance, or carry any burning or smoldering substance, in any form, aboard a District vehicle, within the boundaries of any Public Transit Station, or within any space or area where Smoking is prohibited by District Ordinance, local, state or federal law.
- 4) **Alcohol and Drugs.** No person shall use or possess alcohol or illegal drugs on a District Vehicle or in a District Station, except for lawfully possessed and unopened alcoholic beverages. ORS 166.116 heightens criminal charges for the use of illicit drugs on public transportation, making it the most serious of misdemeanors, punishable by up to 364 days in jail, a \$6,250 fine or both. It also classifies drug use on transit as a drug-designated misdemeanor, allowing those convicted access to state-funded treatment in many instances.
- 5) **Criminal Activity.** No person shall engage in any activity prohibited by federal, state, county or municipal law, while on a District Vehicle, or within any Public Transit Station or the District Transit System.
- 6) **Disorderly Conduct.** No person shall intentionally or recklessly cause inconvenience, annoyance or alarm to another by:
  - a) Engaging in fighting, or violent, tumultuous or threatening behavior (physical or verbal), within any District Vehicle or Public Transit Station;
  - b) Making unreasonable noise within any District Vehicle or in any Public Transit Station;
  - c) Obstructing the free movement of Passengers within any District Vehicle or Public Transit Station; or
  - d) Otherwise violate ORS 166.025 as now in effect or hereafter amended.
- 7) **Harassment.** No person shall intentionally or recklessly harass or annoy another person by:
  - a) Subjecting such other person to offensive physical contact;
  - b) Publicly insulting such other person by abusive words or gestures in a manner intended and likely to provoke a violent response; or
  - c) Otherwise violate ORS 166.065 as now in effect or hereafter amended.
- 8) **Threatening or Offensive Language.** No person shall intentionally or recklessly disturb, harass, or intimidate another person by means of threatening or offensive language or obscenities in a District Vehicle in such a manner as to interfere with a Passenger's use and enjoyment of the District Transit System.
- 9) **Food and Beverages.** For the protection of public safety, no person shall bring aboard a District Vehicle any food or beverage in open containers. No person shall consume food or

## ORDINANCE 02-2025 GOVERNING CONDUCT ON DISTRICT PROPERTY

Adopted 4-14-2025

alcohol on any District Vehicle. Passengers on District Vehicles may consume non-alcoholic beverages only from containers with snap-on or screw-on lids.

- 10) **Littering, Spitting.** No person shall discard or deposit, other than into a trash receptacle provided for that purpose, any rubbish, trash, debris, cigarette butts, or offensive substance in or upon a District Vehicle or Public Transit Station, No person shall spit, defecate, or urinate in or upon any District Vehicle or Public Transit Station except in a toilet.

11) **Safety.**

- a) All Passengers (except infants who are held) must wear shoes, pants/shorts and shirt, a dress, or comparable clothing on District Vehicles and on Public Transit Station. In addition, all Passengers must cover any exposed skin that may transmit communicable disease.
- b) No person shall in any manner hang onto, or attach himself or herself onto any exterior part of a District Vehicle at any time. In addition, no person shall extend any portion of his or her body through any door or window of a District Vehicle.
- c) No person shall ride a skateboard, roller skates or in-line skates in a District Vehicle or on Public Transit Station. Passengers with in-line skates will be allowed in a District Vehicle or Public Transit Station so long as the wheels rendered inoperable by a device ("skate guard") designed to provide stability and traction to the user and to permit the use to walk while wearing the skates.
- d) No person shall have visible or discharge any weapon or throw, or cause to be thrown or projected, any object or substance at or within a District Vehicle or Public Transit Station, or at any person in a District Vehicle or in any part of a Public Transit Station.
- e) No person shall interfere, in any manner, with the operation or movement of any District Vehicle, except for authorized District personnel.
- f) No person shall impede or block the free movement of Passengers, or otherwise disrupt the functions of the District on any Public Transit Station or in any District Vehicle.

12) **District Property.**

- a) **Use of the Transit System.** The District Transit System is intended for the use of the District's Passengers. To ensure the safety, comfort, and convenience of such Passengers, no person shall impede or block the free movement of Passengers, interfere with ingress and egress from Public Transit Station and District Vehicles, intimidate or harass other Passengers, or in any manner interfere with the principal transportation purpose to which the District Transit System is dedicated.
- b) **Limited Access Areas.** To ensure the safety, comfort, and convenience of District Passengers and the safe and efficient operation of the District Transit System, only Passengers, District personnel, and those transacting District business shall be permitted on any Public Transit Station or District Vehicle.

ORDINANCE 02-2025 GOVERNING CONDUCT ON DISTRICT PROPERTY

Adopted 4-14-2025

- c) **Off-Hours Closure.** All District Stations shall be closed during the non-operating hours of 7:00p.m. through 6:30a.m. The General Manager, or designee, shall have the discretion to extend or contract these non-operating hours. No person other than Public Safety Offices, authorized District personnel, authorized contractors, or business invitees shall be in or about any Public Transit Station during these hours.
- d) **District's Right of Closure.** The District expressly reserves the right to close any Public Transit Station and exclude all access at a time and for a duration to be determined by the District Board or General Manager. Such closure may be necessary for reasons that include, but are not limited to, an emergency, natural disaster, cleaning and repairs.
- e) **Damaging District Property.** No person shall damage, destroy, interfere with, or obstruct in any manner the property, services, or facilities of the District, including Passengers' property located upon Public Transit Station.
- f) **Exclusion of Non-District Vehicles.** Unless otherwise allowed by posted sign, all non-District vehicles are excluded from Public Transit Station. Emergency vehicles and other vehicles authorized by the District are exempt from this exclusion.
- g) **Free Movement of District Vehicles.** No person or vehicle shall obstruct the free movement of District Vehicles while loading or unloading Passengers, or while entering or exiting a Public Transit Station.
- h) **Skateboards, In-line Skates, Bicycles.** No person shall ride a bicycle, skateboard, or in-line skates at a Public Transit Station. Bicycles shall only be parked at a Public Transit Station at designated areas.
- 13) **Animals.** No person shall bring or carry aboard a District Vehicle, or take into a District Station, any animal not housed in an enclosed carry container, except for a person who requires a service animal, or a person training a service animal. In no event, however, shall any animal be allowed on a District Vehicle or at a Public Transit Station if such animal creates a hazard or nuisance to any Passenger or District employee.
- 14) **Children.** Children must be removed from strollers while aboard the bus, as well as follow basic etiquette such as keeping noise levels low and keeping belongings to oneself out of aisles and seats. Children under 14 must be accompanied by an adult.
- 15) **Carriages and Strollers.** No person shall bring or carry aboard a District Vehicle a carriage or stroller unless such an item is folded and does not block access to any aisle or stairway.
- 16) **Aluminum Cans and Bottles.** No person shall bring or carry aboard empty cans and bottles onto District Vehicles due to continued sanitation and safety concerns.
- 17) **Packages and other carried items.** A maximum of four packages, parcels, or other items may be brought onto a District Vehicle; these must be kept on one's lap or under one seat (if available) and secured to prevent movement in the event of a sudden stop or sharp turn. Drivers are prohibited from assisting with any packages or parcels, and no package or parcel

ORDINANCE 02-2025 GOVERNING CONDUCT ON DISTRICT PROPERTY

Adopted 4-14-2025

may obstruct access to any aisle or stairway. Any item to be brought aboard a District Vehicle, or in or onto Public Transit Station, is subject to inspection by a Public Safety Officer.

18) **Audio Devices.** No person shall operate any audio devices or musical instruments on a District Vehicle or Public Transit Station, unless the sound produced thereby is only audible through earphones to the person carrying the device.

19) **Repulsive Odors.** No person shall board or remain on a District Vehicle or enter or remain on Public Transit Station if the person, the person's clothing, or anything in the person's possession, emits a grossly repulsive odor that is unavoidable by other District Passengers on the District Vehicle or in the District Station and which caused a nuisance or extreme discomfort to District Passengers or employees.

*Note: Individuals who have fecal matter or urine seeping through their clothing are unable to use our services due to creating a biohazard. Individuals whose sole violation is offensive odor due to being homeless or insecurely housed will be referred to Waterfall Clinic, Coos Health & Wellness and Advanced Health to address the issue instead of being excluded.*

20) **Emergency Exit.** No person shall activate the "Emergency Exit" or alarm device of a District Vehicle or Public Transit Station in the absence of an Emergency.

21) **District Seats.** No person shall place his or her feet on seat cushions on any District Vehicle.

22) **Posting Notices.** Except as otherwise allowed by District regulation, no person shall place, permit or cause any notice or advertisement to be placed upon any District Vehicle, or on any Public Transit Station, without the owner's consent.

23) **Flammable or Explosive Substances.** No person shall bring aboard a District Vehicle, or take onto Public Transit Station any flammable substance, except for matches and cigarette lighters.

24) **Weapons.** No person, except a Public Safety Officer, shall bring into or carry aboard a District Vehicle, or bring onto Public Transit Station, a visible weapon of any kind. Prohibited weapons include any firearm, taser of any sort, a knife having a blade more than three and one-half inches in length, dagger, sword, bayonet, bolo knife, machete, switchblade, butterfly knife, straight-edge razor, or a razor blade not in a container.

25) **Non-payment of Fare / Misuse of Bus Pass.**

a) **Non-payment of Fare.** No person shall occupy, ride or use, any District Vehicle unless the person has paid the applicable fare or has a valid and lawfully acquired transfer, bus pass or group pass.

b) **Misuse of Bus Pass.** No person shall use or attempt to use a District bus pass to board or ride in a District Vehicle unless the bus pass was lawfully acquired at an authorized District outlet by or on behalf of the person. Unless otherwise transferable by the express terms of the bus pass, only the person identified on the bus pass may use such pass.

## Enforcement

### 1) Exclusion from Service.

- a) **Basis for Exclusion.** Any person engaging in prohibited conduct under these provisions of Rules of Conduct or refuses driver safety instruction, may be refused entrance upon, ordered to leave, or otherwise restricted in the use of District vehicles, facilities, or properties by a commissioned law enforcement official, CCAT personnel, or authorized personnel of a CCAT contracted service provider. Failure to immediately comply with such a removal or exclusion order may be grounds for prosecution for criminal trespass and/or unlawful transit conduct.
- b) **Immediate Exclusion or Removal.** Where there is a violation of the Rules of Conduct or refusal of driver safety instruction documented in an incident report, a commissioned law enforcement official, CCAT personnel, or authorized personnel of CCAT contracted service provider may, among other options described in the previous section, immediately reseal, refuse transportation, or have removed from District vehicles, facilities, or properties without prior written notice a person who has engaged in prohibited conduct under the same clause, which, District's discretion, poses a safety or security risk, interferes with or impinges on the rights of others, impedes the free flow of the general public, or impedes the orderly and efficient use of District vehicles, facilities, or properties. If an individual who is immediately excluded or removed is also excluded from future access to CCAT vehicles, facilities, or properties, CCAT should, to the extent possible, give notice to that individual of the future exclusion pursuant to section (c).
- c) **Notice Procedure.** CCATD may give a person to be excluded from CCATD vehicles, facilities, or properties written notice, to the extent possible, by personal delivery or by U.S. Postal Service Priority Mail, delivery confirmation requested, addressed to the person's last known address. The notice shall specify the reason or reasons for exclusion, identify the scope, duration, and effective date of the exclusion, indicate the length of the exclusion period, and explain the appeal process. The exclusion notice is effective upon actual or constructive receipt.
- d) **Constructive Receipt.** Receipt of an exclusion notice is construed to have occurred if the person knew or reasonably should have known from the circumstances that he or she is excluded from CCATD vehicles, facilities, or properties. Receipt of an exclusion notice is also presumed to have been accomplished three calendar days after the

# ORDINANCE 02-2025 GOVERNING CONDUCT ON DISTRICT PROPERTY

Adopted 4-14-2025

notice has been placed in the U.S. Mail to the person's last known mailing address. In this circumstance, the window of exclusion will run from the third calendar day after being mailed through the number of days indicated in the letter to the passenger.

- e) **Length of Exclusion.** The following suggested exclusion lengths are guidelines to be used by CCATD in determining the duration of a particular exclusion under the provisions of the Rules of Conduct. The actual exclusion period imposed may be shorter or longer depending on the circumstances of each case. Circumstances that CCATD may consider in determining the length of exclusion include, but are not limited to, the circumstances of the incident and the individual's history of documented prior conduct/incidents while using or accessing District vehicles, facilities, or properties. **Permanent exclusion may be appropriate under certain circumstances.** In the case where a person has received a significant number of 'Rest of Day' suspensions for behavior falling below the threshold for 1-week or 30-day suspension, a pattern a numerous 'Rest of Day' suspensions would be grounds to escalate to a longer duration suspension.

Violation	1 <sup>st</sup> Exclusion	2 <sup>nd</sup> Exclusion	3 <sup>rd</sup> Exclusion	4 <sup>th</sup> Exclusion
Violation of smoke free campus	1 week	30 days	Mgmt Discretion	Mgmt Discretion
Profanity or vulgar Language	1 week	30 days	Mgmt Discretion	Mgmt Discretion
Refusal to reduce noise from radio, personal device or cell	1 week	30 days	Mgmt Discretion	Mgmt Discretion
Eating or drinking on bus	1 week	30 days	Mgmt Discretion	Mgmt Discretion
Fare fraud	30 days	60 days	Mgmt Discretion	Mgmt Discretion
Disruptive or threatening behavior	30 days	60 days	1 year	Permanent
Consumption of Alcohol	30 days	60 days	1 year	Permanent
Weapons on Property or Criminal Activity	Mgmt Discretion	Mgmt Discretion	Mgmt Discretion	Mgmt Discretion



## ORDINANCE 02-2025 GOVERNING CONDUCT ON DISTRICT PROPERTY

Adopted 4-14-2025

### Appeal Process

1. Any person issued a Notice of Exclusion may appeal their suspension to the CCATD General Manager within ten (10) business days of issuance. If an appeal is not filed by the excluded party within 10 days from the commencement of the exclusion to the CCATD General Manager, the right to appeal is considered waived.
2. Any appeal by or on behalf of the party subject to a Notice of Exclusion shall be submitted in writing to the CCATD General Manager within ten (10) business days after service by mail at CCATD, PO Box 1118, Coos Bay, OR 97420. The communication shall state with specificity the grounds for the appeal. All requests must be signed and dated. The General Manager shall review and may reconsider or modify the decision to exclude an individual, following investigation of the matter and shall specify in writing within fourteen (14) business days of receipt of the appeal the reasons for rescission or modification, if applicable, to the appellant. The General Manager will seek review of a draft written response by CCATD legal counsel before issuing the response to an individual subject to a Notice of Exclusion.
3. An individual dissatisfied with the outcome of the appeal made by CCATD on exclusions two months or longer, can mail an appeal to the Coos County Area Transportation District Board, PO Box 1118, Coos Bay, OR 97420. Individuals have the right to present information during the public comment period held at the beginning of CCATD meetings and will be notified of the date, time and location. CCATD meeting schedules can be assessed on the [coostransit.org](http://coostransit.org) website.

ORDINANCE 02-2025 GOVERNING CONDUCT ON DISTRICT PROPERTY

Adopted 4-14-2025

Appendix 1: CCATD EXCLUSION ORDER

DATE: \_\_\_\_\_

TO: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ PHONE: \_\_\_\_\_

This letter shall serve as a Notice of Exclusion.

This exclusion is effective \_\_\_\_\_ for \_\_\_\_\_ except as specified in the  
appeal process. (Beginning Date) (No. of Days)

Throughout this period, you are barred from contact with any CCATD Employee or entering in or onto District Vehicles and Public Transit Station. Failure to comply with this Exclusion Order shall be grounds for criminal prosecution for trespass.

This action is being taken because:

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If you wish to appeal this decision, you must contact the General Manager, in writing, at CCATD PO Box 1118, Coos Bay, OR 97420, within 10 business days of the effective date of this Exclusion Order. **This exclusion will remain in effect throughout the appeal process.**

\_\_\_\_\_  
Operations Supervisor

NOTES: