

Speed from A1

school zone in front of a day care Monday through Friday all year round," he said. "It kind of seems like a little bit of a trap."

After speaking to the citing officer about the situation and the mistakes on the citation, however, the citation was amended on April 16 to correct the address and the fine was raised from \$230 to \$350.

Lake admitted to some frustration in trying to rectify the situation.

"I tried to work with the city," he said, in order to "inform that we're enforcing traffic laws in a school zone that's not a legal school zone."

However, he says, he did not make much headway.

"My thought was, instead of anybody ... coming into town to visit and on Aug. 1 goes through there at 2 in the afternoon at 35 miles an hour and gets popped for 15 over a 20 because school's in session - that's not right," he said.

Lake decided to challenge the citation in court by representing himself.

On June 20, the final court date, a judge pro tempore oversaw the case. City records did not identify the judge.

Lake stated that he cross-examined Barbara Howell, the executive director of Great Days, who had testified on behalf of the city. In the process, Lake said he es-

tablished that the center was not publicly funded, had never been owned by a school district and was not teaching K-12 in strictly educational capacity.

The center provides all day care which includes preschool, pre-K and afterschool services for an age range of 2-and-a-half to 12 years old, though its classes focus on social and academic education to prepare children for kindergarten and provides afterschool care to older children to aid with their homework.

In a surprising move, the judge ruled in favor of Lake on the grounds that Great Days did not fall under the definition in the ORS.

Cottage Grove Police Captain Conrad Gagner reflected on the turn of events.

"The bottom line is, he's made sure the police are crossing their t's and dotting their i's," he said. "And he successfully argued for that."

In July, the city replaced the school zone sign with one which slows traffic to 20 mph "while children are present."

In the aftermath of the ruling, questions arose as to how the misapplication of the sign came to be overlooked.

Gagner stated that the police department had no reason to question posted signage.

"If it's posted as a school zone, then we were under the assumption that ... it was done in accordance with the



DAMIEN SHERWOOD/COTTAGE GROVE SENTINEL

Before Lake's case, a school speed zone sign warned drivers to reduce speeds to 20 mph on school days under the assumption that Great Days was a legally recognized school. The judge's decision has forced the city to replace the sign and take into consideration alternative options to the speed issue on River Road.

statute," he said.

The city, too, was taken aback.

"In our researching back, it's been some form of a day care, school or kindergarten since the '50s or earlier," said City Manager Richard Meyers. "At times it was doing more school-level things than it is now. Some are saying the school district was using it for schooling, but we couldn't find anything that they owned it."

Great Days has been a nonprofit child care center since 1975. Before then, Howell said the building was run by the Seventh-day Adventist Church in an educational capacity and, for as long as anyone can

remember, the building has been assumed to be a school site.

As state law has changed over the years, it remains a possibility that the institution at one point did legally qualify as a school.

On paper, the nonprofit is currently designated as a "child care center" and has been approved as a "private school approved for public school or agency placement of children with disabilities," according to the Oregon Department of Education.

"[The certification] enables your agency to contract with public schools or agencies to provide early intervention or early childhood special education services for preschool-age children," said Howell.

Lake's case raises the question about other drivers who have been ticketed in the improperly-labeled school zone over the years and paid their fines with no contest.

"There've definitely been some," said Gagner, estimating four or

five tickets a year along the stretch. However, Gagner could not speak authoritatively on the implications for those previously ticketed and it remains unclear if there is pathway of recourse for these drivers.

Under normal circumstances, paying a traffic ticket is tantamount to admission of guilt and an appeal is no longer on the table.

Gagner was welcoming of clarification on the issue.

See ZONE 11A



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Worship Directory

<p>COTTAGE GROVE: 6th & Gibbs Church of Christ 195 N. 6th St. • 541-942-3822 10:00am Christian Education: Pre-K through 5th www.6thandgibbs.com</p> <p>Calvary Baptist Church 77873 S 6th St • 541-942-4290 Pastor: Riley Hendricks Sunday School: 9:45am Worship: 11:00am The Journey: Sunday 5:00pm Praying Thru Life: Wednesday 6:00pm</p> <p>Church of Christ 420 Monroe St • 541-942-8565 Sunday Service: 10:30am</p> <p>Cottage Grove Bible Church 1200 East Quincy Avenue 541-942-4771 Pastor: Bob Singer Worship 11am Sunday School: 9:45am AWANA age 3-8th Grade, Wednesdays Sept-May, 6:30pm www.cgbible.org</p> <p>Cottage Grove Faith Center 33761 Row River Rd. 541-942-4851 Lead Pastor: Kevin Prueff www.cg4.tv Full Children's Ministry available Services: 9:00am & 10:45am</p> <p>Delight Valley Church of Christ 33087 Saginaw Rd. East 541-942-7711 • Pastor: Bob Friend Two Services: 9am - Classic in the Chapel 10:30am - Contemporary in the Auditorium</p> <p>First Baptist Church 301 S. 6th st • 541-942-8242 Pastor: David Chhange Sunday School 9:30am Worship Service 10:30am Youth Wednesday 6:30pm cgfirstbaptist.com</p>	<p>First Presbyterian Church 3rd and Adams St 541-942-4479 Rev.: Karen Hill Worship: 10:00am Sunday School: 10:00am fpcgrove.com</p> <p>Hope Fellowship United Pentecostal Church 100 S. Gateway Blvd. 541-942-2061 Pastor: Dave Bragg Worship: 11:00am Sunday Bible Study: 7:00pm Wednesday www.hopefellowshippuc.com "FINDING HOPE IN YOUR LIFE"</p> <p>Living Faith Assembly 467 S. 10th St. • 541-942-2612 Worship Services Sundays: 9a & 11a Youth Worship Sundays: 11a (all ages welcome) Mondays: 5:30p (6th-12th grades)</p> <p>Non-Denominational Church of Christ 1041 Pennoyer Ave 541-942-8928 Preacher: Tony Martin Sunday Bible Study: 10:00am Sunday Worship: 10:50am & 5:30pm www.pennoyeravcoc.com</p> <p>Old Time Gospel Fellowship 103 S. 5th St. • 541-942-4999 Pastor: Jim Edwards Sunday Service: 10:00am Join in Traditional Christian Worship</p> <p>Our Lady of Perpetual Help and St. Philip Benizi Catholic Churches 1025 N. 19th St. 541-942-3420 Father John J. Boyle Holy Mass: Saturday Vigil - 5:30 PM Sunday - 10:30 PM For weekday and Holy Day of Obligation schedule see website OLPHCG.net Confession: 4 PM to 5 PM Saturdays or by appointment</p>	<p>St. Philip Benizi, Creswell 552 Holbrook Lane Sunday 8:30 AM</p> <p>St. Andrews Episcopal Church 1301 W. Main • 541-767-9050 Rev. Lawrence Crumb "Church with the flags." Worship: Sunday 10:30am All Welcome</p> <p>Seventh-day Adventist Church 820 South 10th Street 541-942-5213 Pastor: Kevin Miller Bible Study: Saturday, 9:15 am Worship Service: Saturday, 10:40 Mid-week Service: Wednesday, 1:00</p> <p>Trinity Lutheran Church 6th & Quincy • 541-942-2373 Pastor: James L. Markus Sunday School & Adult Education 9:15am Sunday Worship 10:30 am Comm. Kitchen Free Meal Tue & Thur 5:00pm TLC Groups tlccg.com</p> <p>United Methodist Church 334 Washington 541-942-3033 New Pastor Craig Pesti- Strobel Worship 10:30am umcgrove.org</p> <p>"VICTORY" Country Church 913 S. 6th Street • 541-942-5913 Pastor: Barbara Dockery Worship Service: 10:00am Message: "WE BELIEVE IN MIRACLES"</p> <p>CRESWELL: Creswell Presbyterian Church 75 S 4th S • 541-895-3419 Rev. Seth Wheeler Adult Sunday School 9:15am Sunday Worship Service 10:30 am website www.creswellpres.org</p>
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Cottage Grove

Sentinel

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