

Chapter 12.32

SPECIAL EVENTS IN COUNTY PARKS

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12.32.010 Definitions.

A “special event park use” means:

1. Non-exclusive use of Cullaby Lake Park by an organized group of 200 or more people between June 30th and the Sunday following Labor Day.
2. Non-exclusive use by an organized group of more than 50 people of any County park besides Cullaby Lake Park, or of Cullaby Lake Park between the Monday following Labor Day and June 29th.
3. Use of any County park after posted closure, or exclusive use of any portion of a park (excluding boat ramps, shelter use or assigned camping spaces).
4. Park use for commercial purposes (excluding concessionaires who have concession contracts with the County).
5. Park use for any event providing live music or any event with a noise producing activity. “Noise producing activity” is producing a sound that is plainly audible outside the boundaries of the County park where the noise is produced.

“Board” means the Board of County Commissioners for Clatsop County.

“Park supervisor” means the Clatsop County Manager or the County Manager’s designee. (Ord. 11-11 § 7; Ord. 00-09)

12.32.020 Permit required.

A permit is required for any activity defined as a special event park use. It is unlawful for any person to conduct an event for which a special event permit is required, or knowingly participate in any such event, unless or until a permit has been obtained. (Ord. 11-11 § 7; Ord. 00-09)

12.32.030 Application for permit.

Any person who wants to conduct an event for which a special event permit is required shall apply to the park supervisor for a permit at least 60 days in advance of the date of the proposed event. The park supervisor may, at his or her discretion, consider any application for a permit to conduct such an event which is filed less than 60 days prior to the date such event is to be conducted. The application for such permit shall be made in writing on a form provided by the County. In order that adequate arrangements may be made for the proper policing of the event, the application shall contain the following information:

- A. The name of the applicant, the sponsoring organization, the event chair and the addresses and telephone numbers of each.
- B. The purpose of the event, the date when it is proposed to be conducted, and the specific proposed location of the event.
- C. An application fee of \$100.00; provided, the application fee may be waived for any organized group of less than 50 persons who apply to use a County park after posted closure.
- D. If applicant seeks to sell goods or services, the items to be sold must be listed and the proposed hours of sale. If applicant proposes to sell alcohol, an OLCC permit and additional insurance will be required. The County may require additional fees (including a percentage of the gross) for large volume sales.
- E. Such other information as the park supervisor may deem reasonably necessary.
- F. Any required deposit and the use fee established by order of the Board. (Ord. 11-11 § 7; Ord. 00-09)

12.32.040 Issuance or denial of permit.

- A. Standards for Issuance. The park supervisor shall issue a permit conditioned upon the applicant's written agreement to comply with the terms of such permit unless the park supervisor finds that:
 - 1. The time, size, or an activity at the event will disrupt to an unreasonable extent the peace of other citizens or will endanger the safety of participants or citizens, or cause a safety hazard.
 - 2. The event is of a size or nature that requires the diversion of too many County law enforcement officers, public works employees or other County personnel to properly control the event or that allowing the event would deny reasonable law enforcement or other emergency service protection to the County.
 - 3. Such event will interfere with another event for which a permit has been issued.
 - 4. The event when considered in conjunction with special events that have already been approved will overly restrict the general public's ability to access and enjoy park facilities.
- B. Standards for Denial. The park supervisor shall deny an application for a special events permit and notify the applicant of such denial where:
 - 1. The park supervisor makes any finding contrary to the findings required to be made for the issuance of a permit.
 - 2. The information contained in the application is found to be false or nonexistent in any material detail.
 - 3. The applicant refuses to agree to abide by or comply with all conditions of the permit. (Ord. 11-11 § 7; Ord. 00-09)

12.32.050 Contents of permit.

A permit of a special event shall specify:

- A. Indemnity and insurance as provided herein.
- B. The specified location to be used for the special event.
- C. The starting and ending time of the event.
- D. Requirements for sanitary facilities and trash removal.
- E. Requirements for crowd control, parking control and other staffing.
- F. Requirements for notice and signage.
- G. Requirements for pre-event meetings.
- H. Conditions for limited sale of goods or services.
- I. Any other condition reasonably calculated to reduce or minimize the dangers and hazards to public health, safety, tranquility and welfare. (Ord. 11-11 § 7; Ord. 00-09)

12.32.060 Review procedure.

Upon denial by the park supervisor of an application, the applicant may appeal the determination of the park supervisor within seven days thereafter to the Board. The Board shall consider the appeal as soon as practicable after receipt of the appeal. Upon such appeal, the applicant and appellant shall have the right to be heard. The Board may reverse, affirm, or modify in any regard the determination of the park supervisor. (Ord. 11-11 § 7; Ord. 00-09)

12.32.070 Revocation of permit.

Any special events permit issued pursuant to this chapter may be summarily revoked by the park supervisor or Sheriff at any time when by reason of disaster, public calamity, riot or other emergency, the Sheriff or park supervisor determines that the safety of the public or property requires such revocation. Notice of such action revoking a permit shall be delivered in writing to the permittee by personal service or by certified mail. (Ord. 11-11 § 7; Ord. 00-09)

12.32.080 Indemnity and insurance.

Applicants shall agree in writing to assume the defense of and indemnify and save harmless the County, its commissioners, boards, officers, employees and agents, from all suits, actions, damages or claims to which the County may be subjected of any kind or nature whatsoever resulting from, caused by, arising out of or as a consequence of such special event and the activities permitted in connection therewith. Applicants shall provide the County with evidence of liability insurance in amounts not less than the Oregon Tort Claim limits set forth in ORS 30.272 and ORS 30.273. All policies shall name the County as an additional insured. Provided, the park supervisor may waive proof of insurance if circumstances warrant for events of less than 200 participants. (Ord. 11-11 § 7; Ord. 00-09)

12.32.090 County cost.

Applicants shall pay to the County the cost of County personnel who are required by the County to work or perform duties during or as a result of such events and all other costs incurred by the County, including, but not limited to, trash removal, facility clean-up and crowd control assistance. Applicants shall provide the

County a deposit, as described below, in an amount required by the park supervisor for the purpose of covering costs to the County. (Ord. 11-11 § 7; Ord. 00-09)

12.32.100 Deposit.

Applicant shall provide a deposit to the County not less than 15 days prior to the event in an amount set by the park supervisor. The deposit shall be in cash or by certified check. Applicant shall not be entitled to interest on funds deposited. The expenses the County incurs before, during, after, or as a result of the event, including any costs associated with enforcing the conditions of applicant's permit, shall be deducted from the deposit. Any remaining funds shall be refunded to the applicant within 30 days of the event. (Ord. 11-11 § 7; Ord. 00-09)

12.32.110 Compliance with laws.

Issuance of a permit under this chapter shall not relieve applicant of the responsibility to comply with all applicable ordinances and laws, and obtain all other required permits and licenses necessary for an event. (Ord. 11-11 § 7; Ord. 00-09)

12.32.120 Penalty.

Any person, firm or corporation violating any provision of this chapter shall be guilty of a Class B violation under Chapter 1.11. (Ord. 11-11 § 7; Ord. 00-09)