

APPROVED

REEL 104 PAGE 215

FILED

AT O'CLOCK M

NOV 5 1980

D.M. FENFOLD, Director of
General Services of Lane County

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

[Handwritten signature]
DEPUTY

)	IN THE MATTER OF AMENDING CHAPTER 6
)	OF LANE CODE TO REVISE PROCEDURES
ORDINANCE NO. 23-80)	WITH REGARD TO OUTDOOR ASSEMBLIES
)	

The Board of County Commissioners of Lane County ordains as follows:

Chapter 6 of Lane Code is hereby amended by removing and substituting the following pages:

REMOVE THESE PAGES

INSERT THESE PAGES

6.500 - 6.520 to
6.575 - 6.597
(a total of six pages)

6.500 - 6.520 to
6.580 - 6.597
(a total of six pages)

Said pages are attached hereto and incorporated herein by reference. The purpose of these substitutions is to revise procedures with regard to outdoor assemblies.

Enacted this 5th day of *November* 1980.

[Handwritten Signature]

 Chairman, Lane County Board of
 Commissioners

[Handwritten Signature]

 Recording Secretary for this Meeting of
 the Board

In the Matter of Amending Chapter 6 of Lane Code to Revise Procedures With Regard to Outdoor Assemblies

APPROVED AS TO FORM
 DATE *10/16/80*
[Handwritten Signature]
 OFFICE OF LEGAL COUNSEL

Outdoor Assemblies

6.500 Definitions. For the purposes of this subchapter, the following definitions apply:

General Administrator. The General Administrator for Lane County.

Routine Similarity. An application for an Outdoor Assembly with an estimate of attendance not exceeding 10 percent or more of the attendance at an Outdoor Assembly previously held for the same purpose at the same location within the previous two years.

Indigency. A person who has no present available means to provide for the necessities of life. Indigency shall be determined by a personal affidavit from the applicant. If the applicant represents an organization, group, or corporation, such individual shall swear that the assets of the group, organization, or corporation are insufficient to pay the application and County personnel fees and that the application for the permit and the holding of the event are authorized acts of the corporation, group, or association.

Department of Public Works The Department as established and specified in Lane Manual.

Department of Finance and General Services. The Department as established and specified in Lane Manual.

Department of Public Safety. The Department as established by State Law, Lane County Charter and Lane Manual.

Department of Community Health and Social Services. The Department as established and specified in the Lane Manual.

6.510 Outdoor Assemblies. An organized gathering of 1500 or more persons located at a site, in an unincorporated part of the County, which is held in open spaces and not in a permanent structure constructed to seasonally accommodate such gatherings. Any such gathering in or about a permanent structure shall be deemed to be an organized gathering under this subchapter if the number of persons or anticipated number of persons exceeds the approved capacity of the permanent structure as determined by either the Oregon Fire Marshall or the Lane County Chief Building Inspector by more than 10 percent. An Outdoor Assembly does not include organized gatherings where the majority of the scheduled events are to take place within an incorporated city.

6.515 Permit Required. No person shall organize or conduct an Outdoor Assembly without first having been granted a permit pursuant to the provisions of this subchapter.

6.520 Application. Application to conduct an Outdoor Assembly shall be made to the General Administrator at least 40 calendar days prior to the date scheduled for the Assembly. Such application shall be accompanied by:

6.520(1)

Lane Code

6.530

(1) A signed statement designating one person responsible who will be available for contact by the Department of Public Safety, the Department of Community Health and Social Services, and/or the General Administrator.

(2) Statement of the applicant's legal interest in the proposed site, and in case the applicant is not the owner, a statement from the owner that he or she knows and approves of the application.

(3) A map or sketch of the site for the proposed Assembly and of the vicinity involved. This should be detailed and to scale, and include the following information:

(a) Site dimensions.

(b) Locations of roads and streets in the vicinity, and possible locations for access points to them.

(c) Available parking facilities and dimensions and probable traffic patterns.

(d) Location of all buildings within 500 feet of the exterior boundaries of the proposed site.

(e) Location of concessions, displays, stages, toilet facilities and water supplies.

(f) Location of control personnel.

(g) Names and addresses of all property owners or residences within 300 feet of the site.

(4) The General Administrator, the Director of the Department of Public Safety or of Community Health and Social Services may require the following information, either prior to accepting an application or subsequently, as he or she may in his or her own discretion determine:

(a) Copies of all contracts drawn with outside parties, as requested by the General Administrator, specifically including involved property owners, entertainers, concessions and alcohol dealers, providers of health, safety and sanitary services and facilities, cleanup crews, etc. If any such persons require licensing by the State or County, copies or proof of licenses.

(b) A copy of arrangements with other jurisdictions or government agencies for provision of such things as control personnel.

6.525 Application Fee. A fee as specified in the Lane Manual shall accompany any application for an Outdoor Assembly Permit.

Payments will be made to the Department of Finance and General Services. If an application is withdrawn or denied, a refund shall be determined by the General Administrator and shall be based upon the proportion of staff time allotted to processing the permit relative to complete processing of a permit.

6.530 Notification Requirements. Within five working days of receipt of an application for a permit, the General Administrator shall mail notices of the proposed function to all contiguous property owners as submitted by the applicant, including statements of dates, times and the nature of the Assembly. Individuals receiving such notification may present in writing to the General Administrator any comment they may have, provided the

Outdoor Assemblies

6.565(8)

Lane Code

6.565(8)

(8) An adequate number of personnel, subject to the approval of the Director of Public Safety who are capable of performing the following actions:

- (a) Direct traffic into and out of the parking areas.
- (b) Protect persons and property from injury or damage.
- (c) Maintain public order.
- (d) Prevent the parking of automobiles on public road rights-of-way in the vicinity of the Assembly site.
- (e) Personnel carrying out the above duties shall wear suitable insignia identifying them as having such a function.
- (f) The Director of the Department of Public Safety shall require the competent personnel to be uniformed County deputies when the personnel necessary to carry out the activities in LC 6.565(8)(a) through (d) above must work on either public property or public right-of-way. The costs of any uniformed deputies required shall be paid for by the licensees in accordance with the provisions of Lane Manual.
- (g) The determination of any needed County personnel necessary to perform pursuant to LC 6.565(8)(a) through (f) above shall be determined on the basis of a minimum number of two deputies per 500 estimated attendance up through and to include 5,000 in attendance, and for estimated in attendance in excess of 5,000, one deputy per 500 estimated. The Director of the Department of Public Safety may increase the number of deputies by .5 per 1,000 attendance whenever any two of the following conditions exist at the discretion of the Sheriff in order to ensure the public peace and safety pursuant to ORS 206.010:
 - (i) Whenever the number of entrances and exits providing ingress and egress to the event is two or less.
 - (ii) Whenever the main arterial to the event is no larger than a two-lane highway providing for one lane of traffic in each direction.
 - (iii) Whenever the Sheriff has received intelligence reports that illegal activities in violation of Oregon Revised Statutes are probable and likely to occur.
 - (iv) Whenever alcoholic beverages are to be sold and/or consumed on the premises of the scheduled event.
 - (v) Whenever there is insufficient parking and personnel to provide for the parking of at least 500 vehicles per hour.
 - (vi) Whenever an event of routine similarity required additional personnel pursuant to LC 6.585 below.

Outdoor Assemblies

6.580

Lane Code

6.597

6.580 Amplified Sound. Amplified sound shall not be permitted on the Assembly site between the hours of 10:00 p.m. on the Assembly day and 9:00 a.m. of the following day. A policy of cooperative noise control is encouraged until the Oregon Department of Environmental Quality noise control limitations are adopted, at which time such limitations shall apply.

6.585 Deficient Facilities or Personnel. If the applicant fails to provide any of the facilities or personnel required by this subchapter and the Director of the Department of Community Health and Social Services or the Director of the Department of Public Safety or the General Administrator determines that the public health, peace or safety is threatened thereby, the County may provide the deficient facilities or personnel and may charge the reasonable cost thereof to the applicant.

6.590 Record of Attendance. The applicant shall keep an accurate record of the number of persons both entering and leaving the Assembly site and shall make such records available for inspection to representatives of the Department of Public Safety, Division of Environmental Health and General Administrator.

6.595 The Waiver of Application or County Personnel Fees. On the basis of indigency, an applicant may request the General Administrator waive any of the fees charged by Lane County pursuant to this subchapter. The request shall be on forms as provided by the General Administrator. If the Outdoor Assembly will involve the sale of goods and services to those attending the Outdoor Assembly, or the charge of an admission, the General Administrator may require the imposition of conditions to create a fund from which payment for County personnel shall be made. The reasonable conditions may include, but are not limited to, the charging of an admission fee, the advance sale of tickets, advance payment for booth fees, etc. In the event an indigency waiver is obtained, the applicant shall hold Lane County blameless from and agree to indemnify the County from all liability resulting from the Assembly, including the negligence of the Assembly organizers in failing to adequately supervise the conduct of the Assembly.

6.597 Public Nuisance. An Outdoor Assembly which is conducted in violation of the foregoing provisions or in violation of the terms of an Assembly Permit constitutes a public nuisance.