

Chapter 12.24.

SPECIAL EVENTS ON COUNTY PROPERTY

- 12.24.005 Definitions.
- 12.24.015 Permit Required; exceptions.
- 12.24.025 Permit Application.
- 12.24.035 County Administrator; Authority to Issue Permit.
- 12.24.045 Permits.
- 12.24.055 Duration; Extension.
- 12.24.065 Permit Fees.
- 12.24.075 Damage Deposit.
- 12.24.085 Indemnification of County
- 12.24.095 Liability and Insurance
- 12.24.105 Health and Safety; Sanitary Facilities.
- 12.24.115 Duty of Preserving Order Placed on Permit Holder.
- 12.24.125 Enforcement and Inspection.
- 12.24.135 Crowd Limitation.
- 12.24.145 Revocation.
- 12.24.155 Violations and Penalties.

12.24.005 Definitions.

In reading and interpreting this Chapter, unless context dictates otherwise, the following terms shall be defined as follows, unless context dictates otherwise:

- 1) "Administrator" means the Administrator of Hood River County.
- 2) "Attendees" means all participants, observers, organizers and support personnel.
- 3) "County Officer" means the head, director or manager of a county department.
- 4) "County Property" means all real property belonging to Hood River County and all county roads and county forest roads within Hood River County.
- 5) "Health Department" means the director of the Hood River County Department of Health or their designee.
- 6) "Permittee" means the person's name under which a permit is issued.
- 7) "Person" means any person, individual, partnership, Limited Liability Company, corporation, organization or other legal entity.

- 8) "Promoter" means any person:
 - (a) primarily responsible for staging a special event or
 - (b) possessing greater than 10% financial interest in the special event.
- 9) "Security Personnel" means person(s) supplied by the promoter to provide crowd control, traffic control or to otherwise maintain order.
- 10) "Sheriff" means the Hood River County Sheriff, Sheriff's deputies or any county employee assigned or authorized to perform the duties of the Sheriff.
- 11) "Special Event" means any planned assembly of persons on County Property, for which any of the following criteria apply:
 - (a) Participation in the event may reasonably be expected to exceed a total of twenty-five (25) attendees;
 - (b) The event is marketed or advertised to the public to encourage attendance;
 - (c) There is a fee charged to attend, view or participate in the event.
 - (d) The event requires the temporary closure of a county road, or trail; or
 - (e) The event utilizes signage or flagging to direct foot, bike or vehicular traffic over county roads.
- 12) "Stage" means to plan, produce, organize, direct, manage, promote, host, or sponsor a special event.

12.24.015 Permit Required; exceptions.

- 1) No person shall stage a special event on County property without a valid permit.
- 2) No permit shall be issued for any activity that violates federal, state or local laws.

12.24.025 Permit Application.

- 1) The following information shall be included in any application for a Special Event Permit pursuant to this chapter:
 - a) The name, address, email address, and telephone number of each promoter or person(s) responsible for overseeing the permitted activity, each of whom shall be named as a co-applicant;

- b) A declaration that the named applicant(s) shall comply with all applicable rules and regulations, including the terms and conditions of the permit;
 - c) The specific location(s) of the proposed event;
 - d) The property address of the location of the proposed event and the name, address, email address and telephone number of the owner or representative of the property;
 - e) The specific date(s) and hours of the proposed event;
 - f) The number of attendees expected to be present during any time of the event, including participants, observers, organizers and support or production personnel;
 - g) A description of the character, purpose or nature of the proposed event, including any circumstances that pose a risk to public safety and enjoyment, including but not limited to pyrotechnics, the handling of animals, or low flying aircraft;
 - h) The requested number of County personnel needed for public safety during the activity together with an acknowledgment that the applicant(s) shall reimburse the county for its expenses in providing personnel, if so provided;
 - i) A commitment that the applicant shall hold the County harmless and otherwise indemnify the County against any liability caused by the proposed activity;
 - j) The amount and type of vehicles and equipment to be used during the activity;
 - k) Detailed plans addressing each of the following:
 - i. Health and safety of event attendees;
 - ii. Security and public safety during the event;
 - iii. Parking to accommodate all vehicles and equipment anticipated at the proposed location;
 - iv. General traffic control upon impacted county roads.
- 2) An application for a special event shall be accompanied by:
- a) An application fee as established under section 12.24.065;
 - b) Proof of insurance as established under section 12.24.085;

- c) Any additional information as required by the County Administrator pursuant to section 12.24.035 to sufficiently review and evaluate the application.
- 3) Applications must be submitted to the County no later than sixty (60) days prior to the proposed event.

12.24.035 County Administrator; Authority to Issue Permit.

- 1) The County Administrator may review permit applications made under this chapter, issue permits, and impose terms and conditions thereto in accordance with this chapter.
- 2) Permits shall only be issued under this chapter upon finding that each of the qualifications set forth have been, or will be, met.
- 3) A permit may be denied under this chapter, regardless of the sufficiency of the application, if the Administrator finds that the proposed event would pose a threat to public health, safety or security, would place an unreasonable demand on County resources, or for any of the following reasons:
 - a) The time, route and size of the event will disrupt, to an unreasonable extent, the movement of traffic or will endanger the safety of participants or citizens, or cause a safety hazard to others;
 - b) The event is of a size or nature that would deny law enforcement or other emergency service personnel reasonable access to serve and protect the public;
 - c) The event will interfere with another event for which a permit has been issued;
 - d) The County Administrator determines the event would unreasonably damage county roads, trails, or other county property;
 - e) The County Administrator makes any finding contrary to the findings required to be made for the issuance of the permit;
 - f) The information contained in the application is found to be false or nonexistent in any material detail;
 - g) The applicant refuses to agree to abide by or comply with all conditions of the permit.
- 4) The County Administrator may delegate their authority under this chapter to review and issue permits to one or more County Officers.

12.24.045 Permits.

- 1) Permits issued by the county under this chapter shall:
 - a) Be in a written format approved by the County Administrator;
 - b) Categorically describe the event in relation to any assessed fee based on its anticipated impact to County resources and the nature of the event;
 - c) State the dates, location and times for the permitted event;
 - d) State the maximum number attendees;
 - e) State the name and address of each promoter;
 - f) Require permit holders to adhere to all plans as submitted and approved in the permit application;
 - g) Require permittees to allow the County to inspect the premises of the proposed event for compliance at all times;
 - h) Specify the dollar amount of insurance the applicant will be required to provide pursuant to section 12.24.085.
- 2) The final decision of the County Administrator to approve or deny an application may be appealed to the Board of County Commissioners in writing within seven (7) calendar days of the decision.
- 3) Appeals shall be considered by the Board of County Commissioners as soon as practical after receipt of the appeal and may reverse, affirm or modify in any regard the decision or determinations made by the Administrator.

12.24.055 Duration; Extension.

- 1) A permit issued under this chapter shall be valid for a period of sixty (60) calendar days from the date of issuance or until the final date of the event as specified in the application.
- 2) An extension of the sixty (60) day permit may be requested in writing and must be received by the County no less than two (2) business days prior to the expiration of the existing permit. The extension request must include the following:
 - a) Duration of the requested extension;
 - b) A summary of the reasons for the requested extension;

- c) A revised Certificate of Insurance covering the extension dates;
- d) Payment of any applicable fees.

12.24.065 Permit Fees.

- 1) The County shall charge a fee for each permit issued pursuant to this chapter.
- 2) The County may charge a non-refundable fee for permit applications.
- 3) All permit fees shall be non-refundable after a permit has been issued.
- 4) All fees established pursuant to this chapter shall be approved by resolution from the Board of County Commissioners and take into consideration:
 - a) The size and duration of the proposed event;
 - b) The anticipated costs to the County resulting from the proposed activity, including any increased demands upon County personnel likely to result from the proposed activity;
 - c) The loss of, or interference with, public use and access of County property likely to result from the proposed activity;
 - d) The categorical designation assigned to the event pursuant to Section 0.00.000.1.b.

12.24.075 Damage Deposit.

- 1) Prior to the issuance of any permit under this chapter, applicants shall submit a refundable damage deposit, in an amount determined by the County, to ensure cleanup and restoration of county property.
- 2) Upon completion of the permitted activity and inspection of the site by the County, if no verifiable damage has occurred, the security deposit shall be returned to the applicant.
- 3) If damage has occurred, the County may, without further notice to Permittee, repair the damage at its discretion and reimburse its costs from the damage deposit.
- 4) Any portion of the damage deposit remaining after conducting repairs under subsection (2) shall be returned to the Permittee, together with an accounting of the County's costs for performing or hiring others to perform the required repairs.

12.24.085 Indemnification of County

No permit shall be issued under this chapter until the applicant(s) executes an indemnity agreement in which they, jointly and collectively, indemnify the County for any and all claims arising from acts or omissions committed in the preparation, conduct or furtherance of the proposed event. Indemnity agreements made pursuant to this chapter may be incorporated and made part of an issued permit.

12.24.095 Liability and Insurance

- 1) Prior to the issuance of a permit under this chapter, the applicant shall provide the County with a certificate of insurance naming the County, its officers and employees, as a co-insured for protection against claims of third persons for personal injuries, wrongful deaths, and property damage. The certificate shall not be subject to cancellation or modification until the respectively issued permit is fully expired. A copy of the certificate shall remain on file with the County.
- 2) Applicants shall conform to all applicable Federal and State requirements for Worker's Compensation Insurance for all persons operating under a permit.

12.24.105 Health and Safety; Sanitary Facilities.

No permit shall be issued under this chapter until the applicant provides adequate plans to provide the following facilities and services:

- a) First aid, ambulance and emergency services;
- b) Drinking water supply;
- c) Food preparation and service, if any;
- d) Garbage collection and removal;
- e) Restroom and washing facilities;
- f) Conditions for public safety.

12.24.115 Duty of Preserving Order Placed on Permit Holder.

- 1) Permittees or Promoters named in a permit issued under this chapter shall be responsible for preserving order during the event.
- 2) Permittees or Promoters named in a permit issued under this chapter shall be personally present, or have an agent with authority to act on their behalf, personally present at all times during the event.

12.24.125 Enforcement and Inspection.

- 1) The Sheriff is authorized to enforce all provisions, rules and regulations outlined in this chapter.
- 2) The Health Department is authorized to enforce all permit provisions under HRCC 5.08.105.
- 3) The premises where an event is staged shall be open to unrestricted inspection by the Sheriff, the Health Department and other County Officers at all times.

12.24.135 Crowd Limitation.

The Sheriff may terminate a permitted event or require promoters to limit further admissions until sanitation, parking, health, traffic and crowd control requirements have been brought into conformity with the standards in this chapter when:

- a) The size of the crowd exceeds the number of anticipated persons listed in the permit by twenty percent or more;
- b) The crowd size creates an unsafe condition.

12.24.145 Revocation.

A permit issued under this chapter may be revoked by the County Administrator or the Sheriff, at any time, upon any finding any violation of the terms and conditions of the permit, by finding of separate violation of any federal, state or local law, or when by the reason of disaster, public calamity, riot or other emergency it is determined that the safety of the public or property warrant revocation or amendment of the permit.

12.24.155 Violations and Penalties.

- 1) Staging a special event on county property without a valid permit is a Category I County violation.
- 2) Knowingly violating any provision of this chapter or willfully violating the terms of an issued permit is a Category I County violation.
- 3) Violations under this chapter shall be prosecuted in accordance with HRCC Chapter 1.08.
- 4) The County may adopt specific civil penalties for violations of this title in accordance with HRCC 1.08.175.