

21. PERMIT REQUIREMENT FOR PUBLIC EVENTS ON COUNTY ROADS

21.1 PURPOSE

21.1.1 This ordinance is intended to regulate the use of County roads for public events such as races or parades. It provides a permitting process to regulate the event, and for assessment of costs incurred by the County. (Ordinance 96-4, Sec. 2)

21.2 DEFINITIONS

21.2.1 Parade. Parade means any march or procession consisting of people, animals or vehicles, or combination thereof, except funeral processions, upon any County road which does not comply with normal and usual traffic regulations or controls.

21.2.2 Race. Race means an organized run of 100 or more participants who are at any one time upon any portion of a County road. Athletic competitions sponsored by a Clatsop County school district are exempt from the provisions of this ordinance

21.2.3 Motorcade. Motorcade means an organized procession containing twenty-five or more vehicles, except funeral processions and military convoys, upon any County road.

21.2.4 Walkathon. Walkathon means any organized walk of 100 or more participants who are at any one time upon any portion of a County road.

21.2.5 Bicycle Tour. Bicycle Tour means any organized group of 25 or more bicycles upon any County road.

21.2.6 County Road. County Road means any County owned, County maintained, or public road, in Clatsop County, except those within City limits.

21.2.7 Large Event. Large event is any event involving more than 100 vehicles or bicycles or 400 pedestrian participants. (Ordinance 96-4, Sec. 3.1)

21.3 PERMITS.

22.3.1 It shall be unlawful for any person to conduct a parade, race, walkathon, bicycle tour, motorcade, or any other public event in or upon any County road or knowingly participate in any such event unless and until a permit to conduct such event has been obtained from the Sheriff, or, as hereinafter provided, from the

County Commission.

22.3.2 It shall be unlawful, and no permit shall be issued, to conduct any event after sunset and before sunrise involving pedestrian participants unless the Sheriff or the Commission is assured that adequate steps have been taken to provide for the safety of the participants, spectators, and residents. (Ordinance 96-4, Sec. 3.2)

21.4. APPLICATION FOR PERMIT.

21.4.1 Any person who wants to conduct a parade, race, motorcade, bicycle tour, walkathon, or other public event using County roads shall apply to the Sheriff for a permit at least sixty (60) days in advance of the date of the proposed event. The Sheriff may at his discretion consider any application for a permit to conduct such an event which is filed less than sixty (60) days prior to the date of such parade, race, or motorcade is to be conducted. The application for such permit shall be made in writing on a form approved by the Sheriff. In order that adequate arrangements may be made for the proper policing of the event, the application shall contain the following information:

21.4.1.1 The name of the applicant, the sponsoring organization, the event chairman and the addresses and telephone numbers of each;

21.4.1.2 The purpose of the event, the date when it is proposed to be conducted, the location of the assembly area(s), route to be traveled and the approximate time when the event will assemble, start and terminate;

21.4.1.3 An application fee of \$10.00 for less than 50 vehicles or bicycles or 200 pedestrian participants and \$100.00 for up to 100 vehicles or 400 pedestrian participants; \$500 for over 100 vehicles or 400 pedestrian participants.

21.4.1.4 Such other information as the Sheriff may deem reasonably necessary;

21.4.1.5 Any Deposit required in Section 11. Ordinance 6-4, Sec. 3.3)

21.5 ISSUANCE OR DENIAL OF PERMIT.

21.5.1 Standards for Issuance. The Sheriff, or in the event of a Large Event, the County Commission shall issue a permit conditioned upon the applicant's written agreement to comply with the terms of such permit unless the Sheriff or Commission finds that:

21.5.1.1 The time, route and size of the parade, race, motorcade, walkathon, or bicycle tour will disrupt to an unreasonable extent the movement of other traffic or will endanger the safety of participants or citizens, or cause a safety hazard other than traffic.

21.5.1.2 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.

21.5.1.3 Such event will interfere with another event for which a permit has been issued.

21.5.1.4 The County Public Works Director determines the event would damage County roads.(Ordinance 96-4, Sec. 3.4.1)

21.5.2 Standards for Denial. The Sheriff, or in the case of Large Events the County Commission, shall deny an application for a public event permit and notify the applicant of such denial where:

21.5.2.1 The Sheriff or Commission makes any finding contrary to the findings required to be made for the issuance of a permit.

21.5.2.2 The information contained in the application is found to be false or nonexistent in any material detail.

21.5.2.3 The applicant refuses to agree to abide by or comply with all conditions of the permit. (Ordinance 96-4, Sec. 3.4.2)

21.6. CONTENTS OF PERMIT.

21.6.1 In each permit the Sheriff, or in the case of Large Events, the County Commission, shall specify:

- 21.6.1.1** The assembly area and time therefor;
- 21.6.1.2** The starting and ending time of the event;
- 21.6.1.3** The minimum and maximum speeds;
- 21.6.1.4** The route of the event;
- 21.6.1.5** What portions of roads to be traversed may be occupied by such event;
- 21.6.1.6** The number of persons required to monitor the event;
- 21.6.1.7** The number and type of vehicles, if any;
- 21.6.1.8** That permittee advise all participants in the event by written notice, of the terms and conditions of the permit, prior to the commencement of such parade, race, or motorcade;
- 21.6.1.9** Such other requirements as are found by the Sheriff to be reasonably necessary for the protection of persons or property;
- 21.6.1.10** The amount of deposit required as set forth in Section 11.

21.6.2 All conditions of the permit shall be complied with so far as reasonably practicable. (Ordinance 96-4, Sec. 3.5)

21.7. REVIEW PROCEDURE.

21.7.1 Upon denial by the Sheriff of an application made pursuant to Section 4.2, the applicant may appeal from the determination of the Sheriff within five days thereafter to the County Commission at its next meeting. Upon such appeal, the County Commission may reverse, affirm, or modify in any regard the determination of the Sheriff. (Ordinance 96-4, Sec. 3.6)

21.8 LARGE EVENTS.

21.8.1 The permit of any event with more than 100 vehicles or bicycles or 400 participants shall be issued solely by the County Commission. (Ordinance 96-4, Sec. 3.7)

21.9 REVOCATION OF PERMIT.

21.9.1 Any permit for a parade, race, or motorcade issued pursuant to this ordinance may be summarily revoked by the Sheriff at any time when by reason of disaster, public calamity, riot or other emergency, the Sheriff 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. (Ordinance 96-4, Sec. 3.8)

21.10 HOLD HARMLESS.

21.10.1 Applicants shall agree in writing to assume the defense of and indemnify and save harmless the County, its Commissioners, boards, officers, including the County Sheriff, 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 parade, race, motorcade, walkathon, or bicycle tour and the activities permitted in connection therewith. Applicants shall provide County with evidence of insurance with single limit policy amounts of \$1,000,000.00, naming County as an additional insured. Provided, the Sheriff may waive proof of insurance if circumstances warrant for events of less than 100 vehicles or 400 pedestrian participants. (Ordinance 96-4, Sec. 3.9)

21.11 COUNTY COST.

21.11.1 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 County including but not limited to trash removal, road repairs, policing administrative costs, manning of barricades. Applicants shall deposit with the County, as described in Section 11, a sum in an amount required by the Sheriff or Commission for the purpose of covering costs to the County. (Ordinance 96-4, Sec. 3.10)

21.12 DEPOSIT.

21.12.1 Applicant shall provide a deposit to the County not less than 15 days prior to the event in an amount set by the Sheriff or in the case of a Large Event, the County Commission. The deposit shall be in cash or by certified check. Applicant shall not be entitled to interest on funds deposited. The expenses 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 balance, shall be refunded to the applicant within 30 days of the event. (Ordinance 96-4, Sec. 3.11)

21.13 COMPLIANCE WITH LAWS.

21.13.1 Issuance of a permit under this ordinance 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. (Ordinance 96-4, Sec. 3.12)

21.14 CONDITIONS IN PERMITS.

21.14.1 Any permit granted under this ordinance may contain conditions reasonably calculated to reduce or minimize the dangers and hazards to vehicular or pedestrian traffic and the public health, safety, tranquility and welfare including but not limited to changes in time, duration and number of participants. (Ordinance 96-4, Sec. 3.13)

21.15. PENALTY.

21.15.1 Any person, firm or corporation violating any provision of this ordinance shall be fined not more than five hundred dollars for each offense. (Ordinance 96-4, Sec. 3.14)