

a written acceptance of all terms and conditions contained herein, signed by an authorized official of said corporation and approved as to form by the city attorney.

place on City property or rights-of-way or that require the closure of any portion of a City street.

[New Section 7.800 added by Ordinance No. 1493, adopted February 5, 2003.]

SPECIAL EVENT PERMITS

7.800 Definitions.

As used in Sections 7.800 to 7.880, the following words and phrases shall have the meanings given to them in this section:

Applicant. Any person or organization who seeks a special event permit from the City Manager to conduct a special event governed by this chapter. An applicant who is an individual must be eighteen years of age or older.

Athletic Event. An occasion in which a group of persons collectively engage in a sport or other form of physical exercise on a City street, sidewalk, alley or the street right-of-way, which obstructs, delays, or interferes with the normal flow of pedestrians or vehicular traffic or does not comply with traffic laws and controls. Athletic events include bicycle and foot races within city rights-of-way.

Block Party. A festive gathering on a residential or commercial street or area requiring a closure of a street, or a portion thereof, to vehicular traffic and use of the street for the festivity.

Carnival. The exhibiting or conducting of a traveling show or of entertainment open to the public, including any caravan, museum, menagerie, animal collection, circus, sideshow, rodeo, carnival, animal exhibition, feats of horsemanship, acrobatic performance, "wild west" show, or any other show or entertainment similar in character.

City Manager. The City Manager or, in the Manager's absence, the Acting City Manager.

Special Events. Carnivals, community celebrations, outdoor festivals, athletic events, block parties, parades, fairs, animal races, and similar public gatherings that take

7.810 Permit Required.

A. Permit Required. Any person intending to conduct a special event in the City of West Linn shall first obtain a special event permit from the City Manager.

B. Exemptions. A special event permit is not required for the following:

Funeral processions
Garage Sales

C. Application Procedure.

Application. Any person desiring to conduct a special event not exempted herein shall apply for a special event permit by filing an application with the City Manager on a form supplied by the City Manager. All applications shall be submitted not less than thirty days nor more than six months before the event date.

Late Application. The City Manager may consider an application that is filed after the filing deadline if there is sufficient time to process and investigate the application and obtain police services for the event, if good cause for late submission is received. Good cause shall be deemed demonstrated if the application shows that the circumstances which gave rise to the permit application did not reasonably allow the participants to file an application within the time prescribed by this chapter.

Application Fee. An application for a special event permit shall be accompanied by a non-refundable permit application fee in an amount established by resolution of the City Council.

[New Section 7.810 added by Ordinance No. 1493, adopted February 5, 2003.]

7.820 Action on Application.

The City Manager shall approve, conditionally approve, or deny an application on the grounds specified in Section 7.830A

(1-9). Such action shall be taken within 15 days from time of application submittal. If the application is denied or approved on conditions other than those accepted by the applicant, the City Manager shall inform the applicant of the grounds for denial in writing, or the reason for the conditions imposed, simultaneously with notice of the decision, and shall further inform the applicant of the right of appeal. If the City Manager relied on information about the event other than that contained in the application, the City Manager shall inform the applicant of additional information considered. The applicant shall be notified of any permit conditions at the time the application is approved and of the applicant's right to appeal the permit conditions. If the City Manager refuses to consider a late application, the City Manager shall inform the applicant of that fact within 48 hours and shall inform applicant of the applicant's right of appeal.

[New Section 7.820 added by Ordinance No. 1493, adopted February 5, 2003.]

7.830 Grounds for Denial of Application for a Fairs, Festivals and Special Event Permit – Imposition of Conditions.

A. Considerations. The City Manager shall deny an application for a special event permit only if the City Manager determines from a consideration of the application and other pertinent information that one or more of the following exists:

1. Information contained in the application, or supplemental information requested from the applicant, is found to be materially false or misleading;

2. The applicant fails to complete the application after having been notified of the additional information or documents requested;

3. The City Manager has earlier received an application to hold another event at the same time and place requested by the applicant, or so close in time and place as to cause undue traffic congestion, or the Police Department is unable to meet the needs for police services for both events;

4. The time, route, or size

of the event is reasonably likely to substantially interrupt the safe and orderly movement of traffic contiguous to the event site or route, or disrupt the use of a street at a time when it is usually subject to great traffic congestion;

5. The concentration of persons, animals and vehicles at the site of the event, or the assembly and disbanding areas around the event, is reasonably likely to prevent proper police, fire, or ambulance services to areas contiguous to the event;

6. The size of the event is reasonably likely to require diversion of so great a number of police officers of the City to ensure that participants stay within the boundaries or route of the event, or to protect participants in the event, as to prevent normal protection to the rest of the City. Nothing herein authorizes denial of a permit because of the need to protect participants from the conduct of others, if reasonable permit conditions can be imposed to allow for adequate protection of event participants with the number of police officers available to police the event.

7. The parade, or other event moving along a route, is not reasonably likely to move from its point of origin to its point of termination in four hours or less;

8. The location of the event is reasonably likely to substantially interfere with any construction or maintenance work previously granted an encroachment permit or create a risk to event participants from such construction or maintenance work;

9. The event is reasonably likely to occur at a time when a school is in session, at a route or location adjacent to the school, and the noise created by the activities of the event would substantially disrupt the educational activities of the school;

B. Conditional Approvals. When the grounds for denial of an application for a permit specified in subsections 7.830(A4-A9) of this section can be corrected by altering the date, time, duration, route or location of the event, the City Manager, instead of

denying the application, shall conditionally approve the application pursuant to Section 7.840. The conditions imposed shall provide for only such modification of the applicant's proposed event as are necessary to achieve compliance with subsections A4 through A10 of this section and shall be consistent with rules and regulations established by the City Manager.

[New Section 7.830 added by Ordinance No. 1493, adopted February 5, 2003.]

7.840 Permit Conditions.

A. The City Manager may condition the issuance of a special events permit by imposing reasonable requirements concerning the time, place and manner of the event, and any additional requirements necessary to protect the safety of persons and property or to provide for adequate control of traffic. Conditions may include, but need not be limited to the following:

1. Alteration of the date, time, route or location of the event proposed on the event application;
2. Conditions concerning the area of assembly and disbanding of parade or other events occurring along a route;
3. Conditions concerning accom-modation of pedestrian or vehicular traffic, including restricting the event to only a portion of a street;
4. Requirements for street closure and/or traffic control in accordance with a City-approved traffic control plan. If public works personnel are involved, suitable prior arrangements must be made in advance with the City Manager for reimbursement of time and materials expended.
5. Requirements for provision of first aid, sanitary or emergency facilities;
6. Requirements for use of event monitors and some method for providing notice of permit conditions to event participants;
7. Restrictions on the number and type of vehicles, animals, or structures at the event, and inspection and approval of, but not limited to floats,

structures and decorated vehicles for fire safety by the TVF&R District;

8. Compliance with animal protection ordinances and laws;
9. Requirements for use of garbage containers, cleanup and restoration of City property;
10. Restrictions on use of amplified sound;
11. Compliance with any relevant ordinance, law or adopted City policies in obtaining any legally required permit or license;
12. Restrictions on the sale of alcoholic beverages;
13. Conditions concerning issuance of liability protection;
14. Conditions concerning adequate security. It is the applicant's responsibility to provide adequate security forces. If City police are involved, suitable prior arrangements must be made in advance with the City Manager for reimbursement of time and materials expended.

B. An application for a special event permit to conduct a block party may be conditioned on notice and approval by fifty percent of the owners or tenants or dwellings or businesses along the affected street(s);

[New Section 7.840 added by Ordinance No. 1493, adopted February 5, 2003.]

7.850 Permit Issuance.

The City Manager shall issue the special event permit once the application has been approved, the applicant has agreed in writing to comply with the terms and conditions of the permit, the application fee and any required deposits have been paid, and all of the requirements of this chapter have been satisfied.

[New Section 7.850 added by Ordinance No. 1493, adopted February 5, 2003.]

7.860 Appeal Procedure.

The applicant shall have the right to appeal (1) denial of a permit, (2) a permit condition, (3) a determination not to act on a late application, and (4) a refusal to issue a permit based on a determination that the applicant's insurance policy does not satisfy a condition imposed under Section 7.840. A

notice of appeal stating the grounds of appeal with specificity shall be filed and shall be heard at the next regularly scheduled Council meeting held at least two weeks after the filing of the notice of appeal. The City Council shall hear the applicant or a designated representative and receive any relevant information and documents. The decision of the City Council shall be final.

[New Section 7.860 added by Ordinance No. 1493, adopted February 5, 2003.]

7.870 Cleanup Deposits for Certain Special Events.

A. Cleanup Deposit. The applicant for an event (including but not limited to) involving the sale of food or beverages, erection of structures, participation of horses or other large animals, or use of water aid stations, shall be required to provide a cleanup deposit prior to the issuance of a special event permit. The cleanup deposit shall be in an amount established by the City Council by resolution.

B. Refund. The cleanup deposit shall be returned after the event if the area used for the permitted event has been cleaned and restored to the same condition as existed prior to the event. If the actual cost for cleanup is less than the estimated cost, the applicant will be refunded the difference. Should the amount of the bill exceed the cleanup deposit, the difference shall become due and payable to the City upon the applicant's receipt of the bill.

C. Appeals. If the applicant disputes the cleanup charge, he/she/it may appeal to the City Manager within five days after receipt of the bill. The decision of the City Manager shall be final.

[New Section 7.870 added by Ordinance No. 1493, adopted February 5, 2003.]

CITY SPONSORSHIP OF EVENTS

7.920 City Sponsorship of Events.

The City recognizes that private events may contribute to public interest, to West Linn's citizens and to neighborhoods by providing entertainment, amusement, education and other benefits. In recognition

of the benefits to the City, its neighborhoods, and its citizens, the City may choose to sponsor private events held within the City that are determined to be in the public interest. A decision by the City Council to sponsor an event shall be made by the City Council by resolution.

[New Section 7.900 added by Ordinance No. 1493, adopted February 5, 2003.]

7.910 Support by City of Sponsored Events.

City sponsorship may include City support (cash payments, in-kind services, fee waivers, and/or access to City facilities or insurance) as identified in the sponsoring resolution. If City sponsorship includes cash payments, the sponsoring resolution will identify a targeted funding amount. A target amount may be adjusted, however, during the City's annual budget process. City sponsorship may include coverage by the City's insurance policies only with the written approval of the City Manager and Risk Manager.

[New Section 7.910 added by Ordinance No. 1493, adopted February 5, 2003.]

7.920 Sponsorship Policy and Agreements.

The City Council shall adopt a sponsorship policy and a form sponsorship agreement by resolution. Notwithstanding adoption of a form sponsorship agreement, each individual sponsorship agreement must be approved by resolution of the Council.

[New Section 7.920 added by Ordinance No. 1493, adopted February 5, 2003.]