DESCHUTES COUNTY

APPLICATION PROCESS

FOR

Chapter 8.16

EVENTS AND PARADES

Introduction

Chapter 8.16 of the Deschutes County Code defines and outlines permitting requirements for Events, Parades and Outdoor Mass Gatherings within the jurisdiction of the County. To aid the customer, as well as the various County Departments and other coordinating agencies, this guide has been prepared to explain the process for obtaining the appropriate and necessary permits.

Every effort has been made to streamline the process, while providing the customer the necessary information in order to obtained all the required information within the required timeline.

Cities within Deschutes County may have their own code, ordinances or policies on similar gatherings. Customers are reminded that food preparation and restaurant licensing are under the jurisdiction of the County's Environmental Health Division regardless whether inside or outside a city's boundaries.

DEFINITION MATRIX

People assemble for a number of reasons as spectators, attendees, organizers, performers and participants for varying durations of time. When congregations of people are on or use Public Property or Public Right of Way, it is an "Event". When an assembly of people is less than 3000, where the duration is for more than 4, but less than 240 hours and uses private property it is an "Outdoor Mass Gathering". When the number of people congregating is more than 3000, or over 500 and the duration is for more than 240 hours and uses private property then it is an "Extended Outdoor Mass Gathering." ****Exceptions are funeral processions, regularly scheduled religious services, activities by the school district or any County program, or any city or athletic contests organized by the park and recreation district.****

Type	Criterion	Prerequisites	Restrictions of the Permit	Approval/Appealing Authority
Event	Any assembly of persons, including a parade for any duration that is held primarily on or using public property or Right-of-Way, **and** The actual cumulative number is reasonably anticipated to be more than **50**, but less than **500** people. The actual cumulative number is reasonably anticipated to be less than **50** where pre-registration or a fee to participate is charged, **or** Whenever any property is used in such a way that traffic safety or public inconveniences would occur on public Right-of-Way owned or under Deschutes County jurisdiction	Organizer completes and files Event Application with County Administrator Application filed **no less than 90 days prior** to the Event Approved Event Permit One permit per event Application fee required upon submittal. If the application is submitted fewer than 90 days prior to the event and the County Administrator accepts the application**, the processing fee shall be double** (Examples: Biking tour race or parades on County roadways)	Cannot hold, conduct, advertise, or promote an Event without an Event permit Cannot construct any permanent physical alterations to or on the property where the event is to occur	Application approval: County Administrator (phone: 388-6565) Appeals: Board of Commissioners (phone: 388-6572) Hearing required for appeal Submit application information to: Deschutes County Risk Management Dept. 1300 NW Wall Suite 200 Bend, Oregon 97701

DEFINITION MATRIX

Type	Criterion	Prerequisites	Restrictions of the Permit	Approval/Appealing Authority
Outdoor Mass Gathering (OMG)	Assembly of more than **500** and less than **3000** people on real property owned or leased, **and** Duration is more than **4** hours but less than **240** hours in a 3-month period (duration includes all set up and all tear down and removal time), **and** Held primarily in open spaces and/or in temporary structures (i.e. tents, trailers, port-a-potties)	Proposal reviewed and signed off by Environmental Health Department, Fire Protection Dist or State Fire Marshall, County Health Department, and Deschutes County Sheriff Organizer completes and files OMG application with Community Development Department (CDD) Application filed **no less than 90 days prior** to the OMG One permit per OMG Application fee required upon submittal. If the application is submitted fewer than 90 days prior to the event and the Board accepts the application, **the processing fee shall be double** (Examples: music festivals, organizational rallies)	Cannot hold, conduct, advertise or promote an OMG without an OMG permit Cannot construct any permanent physical alterations to or on the property where the OMG is to occur	Application Approval: Board of County Commissioners (Public Hearing Precedes Board Approval) (phone: 388-6572) Appeals: Circuit Court Submit application information to Deschutes County Community Development Dept 117 NW Lafayette Ave Bend, Oregon 97701 phone: 541-388-6560

DEFINITION MATRIX

Type	Criterion	Prerequisites	Restrictions of the Permit	Approval/Appealing Authority
Extended Outdoor Mass Gathering (EOMG)	On real property owned or leased, **and** More than **3000** people, or More than **500** people for a duration of more than **240** hours in a 3-month period (duration includes all set up & all tear down and removal time) Held primarily in open spaces and/or in temporary structures (i.e. tents, trailers, port-a-potties)	Proposal reviewed and signed off by Environmental Health Department, Fire Protection Dist. or State Fire Marshall, County Health Department, and Deschutes County Sheriff Organizer completes and files EOMG application with Community Development Department (CDD) Application filed **no less than 90 days prior** to the EOMG One permit per EOMG Application fee required upon submittal (Examples: music festivals, organizational rallies)	Cannot hold, conduct, advertise, or promote an EDOM without an EOMG permit Cannot construct any permanent physical alterations to or on the property where the EOMG is to occur	Application Approval: County Planning Commission (Public Hearing Precedes Planning Commission Approval) Appeals: Board of Commissioners (phone: 388-6572) Submit application information to Deschutes County Community Development Dept 117 NW Lafayette Avenue Bend, Oregon 97701 phone: 541-388-6560

EVENT/PARADE
INSTRUCTIONS

For each Event or Parade application, the organizer/applicant must complete and submit the following at least 90 days prior to the Event or Parade:

- Obtain application form from Deschutes County Risk Management Department 1300 NW Wall Street, Suite 200, Bend, Oregon.

- Complete the application form and include the following supplemental information:
  - Detailed maps showing routes, start/finish areas, course marshal, cone and warning sign locations.
  - One (1) original Indemnity Agreement provided by Deschutes County and signed by the Event organizer.
  - Copy of Release of Liability/Waiver form. The form shall include language that releases, waives and promises to hold harmless Deschutes County, its officers, agents, employees and volunteers for losses on account of injury, including death, or damage to property.
  - Copy of notification letter to homeowners and/or businesses when road closures or delays are necessary.
  - Certificate of Liability Insurance, with Endorsement, of not less than $1,000,000 per single claimant and incident, and $2,000,000 for all claimants arising from a single incident. The Certificate of Insurance <u>and</u> Endorsement must name Deschutes County, its officers, agents, employees and volunteers as an additional insured.
    - Policy may not be cancelable and shall provide coverage against liability for death, injury or disability of any human or for damage to property arising out of said event.
    - Policy must be an "occurrence" policy or its equivalent, which provides payment of claims made during the 180-day period after the scheduled termination of the Event.

- Submit completed application, supplemental documentation and processing fee, per current fee schedule to Judy Sumners, c/o Deschutes County Risk Management.

- Upon receipt of the application and supplemental documentation, Risk Management will:
  - Forward traffic control plan to Deschutes County Sheriff's Department for review.
  - Forward route and roadway usage information to the Deschutes County Road Department for review.
  - Forward insurance requirements to Deschutes County Legal Counsel for review.
  - Forward food service, water source, sanitation and refuse information to Environmental Health for review.

- All reviewed information and documentation will be returned to Risk Management.

- Risk Management will forward information to County Administrator.

- Upon approval by County Administrator, a permit number will be assigned to the Event and the Event organizer will be notified.

  - Allow at least 15 days for notification of approval.

DESCHUTES COUNTY

EVENT/PARADE APPLICATION & PERMIT

Deschutes County Risk Management
1300 N.W. Wall St., Ste. 200 Bend, OR 97701

Please Print

1. Event Name:_____

2. Event Organizer:_____

3. Event Location:_____

4. Contact Name:_____ Phone_____

Cell Phone Contact: _____ Email:_____

5. Mailing Address:_____

6. Start Date:_____ End Date:_____

7. Start Time: _____ End Time: _____

8. Cumulative # of People_____ Spectators_____ Vehicles_____ Animals_____
Petting Zoo? Yes____ No____

*9. Nature of proposed Event:_____
_____

*10. County road(s) impacted by the Event:_____
_____

*11. A narrative description of traffic control and the name and qualifications of the persons(s) or firms providing the traffic control:_____
_____

*12. A narrative description of crowd security and control, and the name of the qualified person or firm(s) providing the control. Any flaggers directing traffic in the public right of way must be state certified:_____
_____

*13. Will food service be provided at this Event? Yes ____ No ____ If yes, provide a narrative description of the type and source of food service:
_____
_____

*14. Water source, if applicable [e.g., public system (name and number), commercially bottled, etc.] *Note: Water used for drinking, cooking, dishwashing and hand washing activities for a public event must be from an approved source. **A private well is not an approved source:
_____
_____

*15. Provide a narrative description, including number and placement, of sanitary facilities that will be provided: (e.g., chemical toilets, hand wash stations):
_____
_____

*16. Provide a narrative description of refuse storage and disposal for this Event: _____

***Use a blank sheet of paper if additional space is needed**

Please include:

1. Clear map(s) showing route, start/finish areas, course marshal, cone, and warning sign locations.

2. A signed Indemnity Agreement.

3. A copy of Release of Liability/Waiver form that shall include language that releases, waives and promises not to sue Deschutes County, its officers, agents, employees or volunteers for losses on account of injury, including death, or damage to property.

4. A copy of written notification to residents and businesses. If road closures or delays are necessary, written notification shall be issued to all residents and/or businesses reasonably expected to be impacted by the road closures or delays. For Events held on private property, written notification shall be issued to residents located within a 750 ft. radius of the Event at least five (5) days before the Event. The notification letter shall identify the type of Event and hours of operation. A notification letter waiver may be approved by the County.

5. A certificate of liability insurance ***with endorsement*** (Example: CG 20 12 07 98), with a combined single limit of not less than $1,000,000 per single claimant and incident, and $2,000,000 for all claimants arising from a single incident. **The certificate of insurance <u>and</u> endorsement must name Deschutes County, its officers, agents, employees and volunteers as an additional insured.**

   (a) The insurance policy for an Event may not be cancelable and shall provide coverage against liability for death, injury, or disability of any human or for damage to property arising out of said event.

   (b) The insurance policy for an Event must be an "occurrence" policy, or its equivalent, which provides payment of claims made during the 180-day period after the scheduled termination of the Event.

6. A $35 processing fee. An additional $100 Skyliners Road Event Fee shall apply to events using Skyliners Road (Deschutes County Resolution No. 2010-009). Make checks payable to Deschutes County. The processing fee is established by the Board and subject to change. If an application is submitted fewer than 90 days prior to the event and the County Administrator, or designee, accepts the application, the processing fee shall double.

I understand that if any information on this permit application is found to be fraudulent or a misrepresentation of the facts, the permit may be denied or revoked.

I consent to allow law enforcement, public health and fire control officers to come upon the premises for which the permit has been granted for the purpose of inspection and enforcement of the terms and conditions of the permit and any other applicable laws or ordinances:

Signed:_____ Dated:_____
(Event Organizer)

Return completed application to Deschutes County Risk Management, 1300 N.W. Wall St., Ste. 200, Bend, OR 97701
Permit Contacts: Judy Sumners, Claims Coordinator (541) 385-1749 judys@co.deschutes.or.us
Erik Kropp, Deputy County Administrator (541) 388-6584 erikk@co.deschutes.or.us

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(Office use only)

APPROVED:

Signed:_____ Dated:_____
Erik Kropp, Deputy County Administrator

Permit #_____

DESCHUTES COUNTY
EVENT/PARADE CHECKLIST

Deschutes County Risk Management
1300 N.W. Wall St., Ste. 200, Bend, OR 97701

EVENT NAME_____

EVENT ORGANIZER_____ DATE(S) OF EVENT_____

Please initial each item and sign below. Any required documents should be included with the application packet.

___ General liability certificate of insurance***, including endorsement*** (Example: Form CG 20 12 07 98), with a combined single limit of not less than $1,000,000 per single claimant and incident, and $2,000,000 for all claimants arising from a single incident. **The certificate and endorsement must name Deschutes County, its officers, agents, employees and volunteers as an additional insured.**

___ Signed original Indemnity Agreement.

___ Map of route, including: start/finish, cone, course marshal, warning sign locations

___ Proof of flagger certification (if applicable). I/we understand that any flaggers directing traffic in the public right of way must be state certified.

___ Sample copy of Release of Liability/Waiver form, if applicable.

___ A $35 processing fee. Make checks payable to Deschutes County. The processing fee is established by the Board and subject to change. If application is submitted fewer than 90 days before the event and the County Administrator or designee accepts the application, the processing fee shall double.

___ An additional $100 fee for the use of Skyliners Road, if applicable (Resolution No. 2010-009).

___ I/we understand that clean-up of all debris resulting from this event is the responsibility of event officials.

___ I/we understand that paint and other permanent markings are not permitted on County roads.

___ I/we understand certain local ordinances may apply (e.g., noise control) and permit holders are not exempt from any fines or penalties imposed as a result of noncompliance.

___ I/we consent to allow law enforcement, public health and fire control officers to come upon the premises for which the permit has been granted, for the purpose of inspection and enforcement of the terms and conditions of the permit and any other applicable laws or ordinances.

___ I/we understand if road closures or delays are necessary, written notification shall be issued to all residents and/or businesses reasonably expected to be impacted by the road closures or delays. If applicable, submit a sample of the notification letter.

___ I/we understand that for Events held on private property, written notification shall be issued to residents located within a 750 ft. radius of the Event at least five (5) days before the Event. The notification letter shall identify the type of Event, location and hours of operation. A notification letter waiver may be approved by the County. If applicable, submit a sample copy of the notification letter.

By signing below, I understand and agree to the terms and conditions set forth in the Event/Parade application and checklist:

Signature::_____ Title:_____ Date:_____

Return this checklist with the Event/Parade Application to Deschutes County Risk Management, 1300 NW Wall St., Ste. 200, Bend, OR 97701. Contacts: Judy Sumners, Claims Coordinator (541) 385-1749 judys@co.deschutes.or.us and Erik Kropp, Deputy County Administrator (541) 388-6584 erikk@co.deschutes.or.us

REVIEWED

_____

LEGAL COUNSEL

INDEMNITY AGREEMENT

<EVENT ORGANIZER>, its officers, employees and members shall, through the signing of this agreement by an authorized party or agent, hereby agrees, for and in consideration of the approval of the **<EVENT NAME>**, to be held on **<DATE OF EVENT>** and to be held within Deschutes County, to indemnify, defend and hold harmless Deschutes County, Oregon, a political subdivision of the State of Oregon, its officers, agents and employees, herein called "County," from any and all suits and claims, losses and liability, including attorney's fees, arising from injury or death to persons or damage to property occasioned by any act or omission arising out of or any way related to the event as described above, or participation in the event as a participant, spectator, sponsor, promoter, agent or official.

In addition, **<EVENT ORGANIZER>** agrees to furnish Deschutes County with a certificate of insurance with endorsement for general liability insurance with a combined single limit of not less than $1,000,000 per single claimant and incident, and $2,000,000 all claimants, arising from a single incident, specific to the **<EVENT NAME>**, naming Deschutes County, its officers, agents, volunteers and employees as an additional insured.

DATED this _____ day of _____, 2012

By:_____

<AUTHORIZED SIGNATURE, TITLE>

APPROVED:

DATED this _____ day of _____, 2012

By:_____

Erik Kropp, Deputy County Administrator

SAMPLE

Chapter 8.16. EVENTS, PARADES, FUNERAL PROCESSIONS AND OUTDOOR MASS GATHERINGS

8.16.010. Definitions.
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8.16.300. Outdoor Mass Gathering and Extended Outdoor Mass Gathering Enforcement.
8.16.310. Outdoor Mass Gathering and Extended Outdoor Mass Gathering Intoxicating Liquor Prohibition.
8.16.320. Outdoor Mass Gathering and Extended Outdoor Mass Gathering Narcotic and Dangerous Drugs Prohibition.
8.16.330. Compliance Required for Outdoor Mass Gathering and Extended Outdoor Mass Gathering .
8.16.340. Outdoor Mass Gathering and Extended Outdoor Mass Gathering Violation.

8.16.010. Definitions.

For the purposes of DCC 8.16, unless otherwise apparent from the context, certain words and phrases used in DCC 8.16 are defined as set forth in this section.

"Assembly of Persons" means any gathering of any Person, including but not limited to spectators, attendees, organizers, performers, and participants on any given day.

"Board" means the Board of County Commissioners.

"County Administrator" means the Deschutes County Administrator or his/her designee(s).

"County Engineer" means the Deschutes County Engineer or his/her designee(s).

"Department" means the Community Development Department.

"Director" means the Deschutes County Community Development Director, or his or her duly authorized deputies and representatives.

"Event" means any Assembly of Persons, including a Parade, for any duration that is held primarily on or is using Public Property or Public Right of Way and:

1. for which the actual cumulative number is or is reasonably anticipated to be 500 or fewer but more than 50;
2. for which the actual cumulative number is or is reasonably anticipated to be less than 50 where pre-registration is required or a fee to participate is charged; or
3. whenever any property is used in such a way that traffic safety or serious inconvenience to the public in connection with the use of a public right of way owned by or under the jurisdiction of the Deschutes County occurs or, in the opinion of the County Road Dept., is likely to occur.

"Extended Outdoor Mass Gathering" means and includes an Assembly of Persons, including but not limited to Spectators, which is held primarily in open spaces and/or one or more temporary structures, but not in any permanent structure, for which the actual cumulative number is or is reasonably anticipated to be 3000 or more persons or more than 500 persons for a period that continues or can reasonably anticipated to be for more than 240 hours, including set-up, placement, storage and removal or similar action of any equipment, materials, structures, vehicles, supplies and so forth within any continuous three-month period.

"Hearings Body" means the following:

1. for Events, the County Administrator;
2. for Outdoor Mass Gatherings, the Board;
3. for Extended Outdoor Mass Gatherings, the County Planning Commission;
4. for appeals of a decision of the County Administrator, the Board; and
5. for appeals of a decision of the County Planning Commission, the Board.

"Organizer" includes any person who conducts, stages or sponsors an Event, Outdoor Mass Gathering or Extended Mass Gathering, and the owner, lessee or possessor of the real property upon which the Event, Outdoor Mass Gathering or Extended Mass Gathering is to take place.

"Outdoor Mass Gathering" means and includes an assembly of persons, including but not limited to spectators, whose actual cumulative number is or is reasonably anticipated to be less than 3000 persons but more than 500 persons for a period that continues or can reasonably be expected to continue for more than 4 but less than 240 hours, including set-up, placement, storage and removal or similar action of any equipment, materials, structures, vehicles, supplies and so forth, within any continuous three-month period and which is held primarily in open spaces and/or one or more temporary structures, but not in any permanent structure.

"Parade" means a procession of persons using the public right of way and consisting of 15 or more persons or five or more vehicles but does not include funeral processions or bicycle rides of 15 or fewer riders within a mile of each other over the same roadway so long as the actual number of participants and spectators is or is reasonably anticipated to be less than an Outdoor Mass Gathering or an Extended Outdoor Mass Gathering.

"Permanent structure" includes a stadium, an arena, an auditorium, a coliseum, a fairground, or other similar established places for assemblies.

"Person" and "Persons" mean any individual, firm, partnership, corporation, joint venture, association, social club, fraternal organization, fraternity, sorority, non-profit organization, estate, trust, receiver, trustee, syndicate or other group, organization or combination acting as a unit.

"Public Property" means property owned by or under the jurisdiction of Deschutes County or private property and premises open to the public as defined in ORS 801.400 and includes right of way owned by or under the jurisdiction of the Deschutes County.

"Sheriff" means the Deschutes County Sheriff or his/her designee(s).

"Spectator" means any person located within, along side or near the Event Outdoor Mass Gathering or Extended Outdoor Mass Gathering, Parade, whether or not that person pays a fee to participate in the Outdoor Mass Gathering or Extended Outdoor Mass Gathering, Parade.

"Sponsor" means any person that allows, promotes or causes an Event, Outdoor Mass Gathering or Extended Outdoor Mass Gathering.

"Temporary structure" includes tents, trailers, chemical toilet facilities and other non-permanent structures customarily erected or sited for temporary use.

"Traffic Control" means signs, warning markers and other regulatory devices meeting the standards of the Manual of Uniform Traffic Control Devices.

"Vehicle" means any device including bicycles, in, upon or by which any person or property is or may be transported or drawn upon a public highway and including vehicles that are propelled or powered by any means.
(Ord. 2007-029 §1, 2007; Ord. 2006-020 §3, 2006; Ord. 2005-003 §1, 2005; Ord. 95-032 §1, 1995; Ord. 86.071 §2, 1986; Ord. CG3 (9/16/70) §5, 1970)

8.16.020. Event Exclusions

A. The requirements in this chapter shall not apply to any funeral processions regularly scheduled religious service, any organized and supervised school district activity, any program of the County or any city or athletic contests organized by a park and recreation district.
B. The County Administrator is authorized to waive some or all of the permit requirements when no significant public health, safety or welfare issues are involved and when the County Administer determines that no County law enforcement or other County services are necessary.
C. The County Administrator may waive any permit requirement, including the fee, for an Event upon a showing by the Organizer of good cause to reduce or waive the requirement.

(Ord. 2006-020 §3, 2006; Ord. 2005-003 §1, 2005; Ord. 95-032 §1, 1995; Ord. 86.071 §2, 1986; Ord. CG3 (9/16/70) §5, 1970)

8.16.030. Event Permit Required.

A. No Organizer shall hold, conduct, advertise or otherwise promote an Event unless the Organizer obtains a permit to hold such an Event.

B. All Events are exempt from the requirements of Deschutes County Code Titles 17 through 23, except where noted.
C. One permit shall be required for each Event.
D. A permit issued under this section does not entitle the Organizer to construct any permanent physical alterations to or on the real property which is the site of the Event.
E. The Organizer of a proposed Event shall file an application with the County Administrator at least 90 days prior to the Event.
F. The application shall include the following:
    1. Name and address of the Organizer;
    2. A map of the desired route of the Event, including assembling and disbanding points;
    3. The date or dates of the proposed Event.
    4. The proposed starting and ending time(s) of the Event;
    5. The estimated number of persons, vehicles and animals that will be attending, participating in or viewing the Event;
    6. Nature of the proposed Event;
    7. The name and phone number of the contact person who shall be easily identified at the Event;
    8. A narrative description of traffic control and the name and qualifications of the person or firm providing the traffic control;
    9. If entry forms are being used, a copy of the proposed participant entry form for the Event, which must include language releasing Deschutes County, its officers, agents, employees or volunteers from liability for any or all injuries;
    10. An indemnity agreement signed by the Sponsor on a form provided by the County
    11. A copy of an insurance policy and certificate naming Deschutes County, its officers, agents, employees and volunteers as an additional insured by endorsement in a minimum amount of $1,000,000;
        a. The insurance policy for an Event may not be cancelable and shall provide coverage against liability for death, injury, or disability of any human or for damage to property arising out of the Event.
        b. The insurance policy for an Event must be an "occurrence" policy, or its equivalent, that provides for payment of claims made during the 180-day period after the scheduled termination of the Event.
    12. A narrative description of crowd security and control and the name of the qualified person or firm providing such control.
    13. Such other appropriate information as the County Administrator may require in order to insure compliance with the provisions of this chapter, as well as rules of the Oregon Department of Human Services or other applicable law.
    14. A processing fee established by the Board.
        a. The processing fee may be allocated to purchasing and maintaining traffic control devices that may be used by sponsors.
        b. In addition to the processing fee, an Organizer may be charged a fee to reimburse the County for the cost of services resulting from the Event.
        c. The additional costs may include, but are not limited to expenses for law enforcement, public works and solid waste services and other materials and services.
        d. If the application is submitted fewer than 90 days prior to the event and the County Administrator accepts the application, the processing fee shall be double.
G. Any application for an Event lacking any requirement of DCC 8.16.030(F) shall, unless waived by the County Administrator, be deemed incomplete and the permit shall be denied except that, if additional information requested pursuant to DCC 8.16.030(F)(14) is not supplied within two weeks of the County Administrator's request, the application shall be deemed incomplete and the permit shall be denied.

(Ord. 2007-029 §1, 2007; Ord. 2006-020 §3, 2006; Ord. 2005-003 §1, 2005; Ord. 95-032 §1, 1995; Ord. 86.071 §2, 1986; Ord. CG3 (9/16/70) §5, 1970)

8.16.040. Event General Approval Criteria

A. If the County Administrator, upon receipt of the application, determines that the Event can be conducted without endangering public safety and without seriously inconveniencing the general public, the County Administrator shall approve the route and, upon satisfactory compliance with required conditions, issue the Event permit.
B. If the County Administrator, in consultation with the County Engineer, Sheriff and Risk Manager, determines that the Event cannot be conducted without endangering public safety or seriously inconveniencing the general public, or if the applicant fails or refuses to satisfy conditions imposed upon the permit the County Administrator may:
   1. Propose an alternate route;
   2. Propose an alternate date; or
   3. Refuse to issue a permit.
   4. Impose conditions upon the issuance of the Event permit.
E. The County Administrator shall endeavor to notify the applicant of his decision on an Event permit application within 15 days of receipt of the application.
F. If the County Administrator proposes alternatives or refuses to issue an Event permit, or proposes unacceptable conditions for an Event permit, the applicant shall have the right to appeal the decision to the Board.
G. The County Administrator is authorized to temporarily close and/or restrict use of public property by the general public, in connection with the approval of an Event permit.
H. The County Administrator shall furnish a copy of the Event permit to the Sheriff and to any other jurisdiction in which the Event takes place.

(Ord. 2006-020 §3, 2006; Ord. 2005-003 §1, 2005; Ord. 95-032 §1, 1995; Ord. 86.071 §2, 1986; Ord. CG3 (9/16/70) §5, 1970)

8.16.050. Event Appeals

A. An Organizer may appeal the decision of the County Administrator on the denial of or the conditions of an Event permit by filing a written appeal with the Board within five days after the County Administrator has proposed alternatives, refused to issue a permit or required conditions upon issuance of the permit.
   1. The Board shall schedule a hearing date following the filing of the written appeal, and shall notify the applicant of the date and time to appear, either in person or by representative.
   2. Upon the conclusion of the hearing the Board shall:
      a. Leave the record open for no more than 10 days to obtain additional information;
      b. Approve the permit subject to conditions for a particular route and date; or
      c. Refuse to issue a permit.
B. All Event permit decisions of the Board under DCC 8.16 shall be reviewable by the Circuit Court of the State for the County by writ of review under the provisions of ORS 34.010 to 34.100.

(Ord. 2006-020 §3, 2006; Ord. 2005-003 §1, 2005; Ord. 95-032 §1, 1995; Ord. 86.071 §2, 1986; Ord. CG3 (9/16/70) §5, 1970)

8.16.060. Event Public Safety and Crowd Control.

A. If required by the County Administrator pursuant to DCC 8.16.030(F), the Event Organizer must submit plans for public safety and crowd control during the Event for approval demonstrating the following:

1. Adequate traffic control and crowd protection policing must have been contracted for or otherwise provided by the Organizer.
    a. There shall be provided one traffic control person for each 250 persons expected or reasonably expected to be in attendance at any time during the Event.
    b. Further, there shall be provided one crowd control person for each 100 persons, expected or reasonably expected to be in attendance at any time during the Event.
2. All traffic and crowd control personnel must meet the following minimum standards:
    a. Be at least 18 years of age;
    b. Be in good physical health;
    c. Have the background, training or experience acceptable to the County to conduct traffic and or crowd-control duties.
    d If crowd-control personnel, wear an identifying uniform.
    e. If traffic control personnel, comply with the current edition of the Manual of Uniform Traffic Control Devices.

B. The Organizer shall be responsible for obtaining and placement of warning signs and markers.

(Ord. 2006-020 §3, 2006; Ord. 2005-003 §1, 2005; Ord. 95-032 §1, 1995; Ord. 86.071 §2, 1986; Ord. CG3 (9/16/70) §5, 1970)

8.16.070. Inspection of Event Premises.

A. No Event permit shall be granted under DCC 8.16 unless the Organizer shall, in writing upon the application for such permit consent to allow law enforcement, public health and fire control officers to come upon the premises for which the permit has been granted for the purpose of inspection and enforcement of the terms and conditions of the permit and DCC 8.16, and any other applicable laws or ordinances.

B. If any Event inspections described in DCC 8.16 reveal deficiencies in compliance with State or local law, the inspectors may return as often as needed until the deficiencies are cured.

C. All Event facilities shall be in place a sufficient time, but not less than two hours, before the Event and shall be subject to inspection by the County, provided, however, that such inspection shall not relieve the Organizer of responsibility for proper placement of all facilities.

(Ord. 2006-020 §3, 2006; Ord. 2005-003 §1, 2005; Ord. 95-032 §1, 1995; Ord. 86.071 §2, 1986; Ord. CG3 (9/16/70) §5, 1970)

8.16.080. Event Enforcement.

A. If any Event Organizer violates any provisions of this chapter, the Board, County Administrator, County Engineer, or Sheriff may immediately suspend, revoke or terminate any permit for an Event and may seek any legal remedy available.

B. If, at any time during the Event held under a valid permit, the number of persons or vehicles attending the Event exceeds by 10 percent or more the number of persons or vehicles estimated in the permit application, the Sheriff, or any of his deputies, has the authority to require the Event Organizer to limit further admissions until a sufficient number of individuals or vehicles have left the site to bring the actual attendance down to the number estimated by the Event Organizer.

C. The County Sheriff has the authority to order the crowd to disperse and leave the Event site if the Event Organizer refuses or is unable to adhere to the terms and conditions of the permit.

D. If persons remain on the site after the scheduled end of the permitted Event fail to remove all debris or residue within 72 hours after termination of or fails to remove all temporary structures within 72 hours after termination of the Event, the County code enforcement officers may issue citations to the Event Organizer, the landowner, all persons remaining at the Event site, and to all persons who have left debris behind.

E. In addition to any other remedies provided, if the Event site is not restored to its previous condition, or better, the County may arrange for clean up of the site, and then file an action for damages against the Event Organizer and the landowner or successor landowner.

(Ord. 2006-020 §3, 2006; Ord. 2005-003 §1, 2005; Ord. 95-032 §1, 1995; Ord. 86.071 §2, 1986; Ord. CG3 (9/16/70) §5, 1970)

8.16.090. Acts Prohibited.

A. No person shall unreasonably interfere with an Event or Event participant.
B. No person shall operate a vehicle between the vehicles or persons comprising an Event if that vehicle is not part of an Event.

(Ord. 2006-020 §3, 2006; Ord. 2005-003 §1, 2005; Ord. 95-032 §1, 1995; Ord. 86.071 §2, 1986; Ord. CG3 (9/16/70) §5, 1970)

8.16.100. Event Violation.

Violation of any provision of DCC 8.16.010through DCC 8.16.090 is a Class B violation.

(Ord. 2006-020 §3, 2006; Ord. 2005-003 §1, 2005; Ord. 95-032 §1, 1995; Ord. 86.071 §2, 1986; Ord. CG3 (9/16/70) §5, 1970)

8.16.110. Funeral Processions

A. A permit shall not be required to conduct a funeral procession.
B. The procession shall proceed to the place of internment by the most direct route which is both legal and practicable.
C. The procession shall be accompanied by adequate escort vehicles for traffic-control purposes.
D. All motor vehicles in the procession shall be operated with their lights turned on
E. No person shall unreasonably interfere with a funeral procession.
F. No person shall operate a vehicle that is not part of the procession between the vehicles of a funeral procession.
G. Violation of any provision of DCC 8.16.110 is a Class B violation.

8.16.150. Outdoor Mass Gathering and Extended Outdoor Mass Gathering Exclusions

A. The requirements in this chapter for Outdoor Mass Gatherings and Extended Outdoor Mass Gatherings shall not apply to any regularly scheduled religious service, regularly organized and supervised school district activity or program that takes place on school property, any activities at the Deschutes County Fairgrounds, or to any activity of a municipal corporation or government agency.
B. The Board may waive the permit requirements for certain limited Outdoor Mass Gatherings and Extended Outdoor Mass Gatherings upon a showing by the Organizer of good cause, when no significant public health, safety or welfare issues are involved and when the Board determines that no County law enforcement or other County services are necessary.
C. The Board may waive part or all of the permit fee for an Outdoor Mass Gathering or Extended Outdoor Mass Gathering upon a showing by the Organizer of good cause to reduce or waive the fee

(Ord. 2006-020 §3, 2006; Ord. 2005-003 §1, 2005; Ord. 95-032 §1, 1995; Ord. 86.071 §2, 1986; Ord. CG3 (9/16/70) §5, 1970)

8.16.160. Outdoor Mass Gathering and Extended Outdoor Mass Gathering Permit Required.

A. No Organizer shall hold, conduct, advertise or otherwise promote an Outdoor Mass Gathering or Extended Outdoor Mass Gathering or allow an Outdoor Mass Gathering or Extended Outdoor Mass Gathering to be held on real property the Organizer owns, leases or possesses outside the limits of any

city unless the Organizer obtains a permit to hold such an Outdoor Mass Gathering or Extended Mass Gathering.

B. No permit for an Outdoor Mass Gathering or Extended Mass Gathering shall be issued unless the landowner of the property that is the site of the Outdoor Mass Gathering or Extended Outdoor Mass Gathering also signs the application.

C. All Outdoor Mass Gatherings as defined in this Chapter are exempt from the requirements of Deschutes County Code Titles 17 through 23, except where noted.

D. One permit shall be required for each Outdoor Mass Gathering or Extended Mass Gathering.

E. A permit issued under this section does not entitle the Outdoor Mass Gathering or Extended Mass Gathering Organizer to construct any permanent physical alterations to or on the real property which is the site of the Outdoor Mass Gathering or Extended Mass Gathering.

F. The Organizer of a proposed Outdoor Mass Gathering or Extended Outdoor Mass Gathering shall file an application with the Department more than 90 days prior to the Outdoor Mass Gathering or Extended Mass Gathering.

G. The application shall include the following:

1. Name and address of the Organizer.
2. Legal description of the location of the proposed Outdoor Mass Gathering or Extended Mass Gathering.
3. A map of the Outdoor Mass Gathering or Extended Outdoor Mass Gathering desired route, including assembling and disbanding points.
4. The date or dates of the proposed Outdoor Mass Gathering or Extended Mass Gathering.
5. The proposed starting and ending time(s) of the Outdoor Mass Gathering or Extended Outdoor Mass Gathering.
6. The estimated number of persons, vehicles and animals that will be attending, participating in or viewing the Outdoor Mass Gathering or Extended Mass Gathering.
7. Nature of the proposed Outdoor Mass Gathering or Extended Mass Gathering.
8. A sketch, and other detailed information showing the type, number and location of all toilets, washing facilities, water supply, food preparation, food service facilities and solid waste collection locations.
9. The name and phone number of the contact person who shall be easily identified and who shall remain at the Outdoor Mass Gathering or Extended Outdoor Mass Gathering site at all times.
10. A sketch, and other detailed information showing the type, number and location of all toilets, washing facilities, water supply, food preparation, food service facilities and solid waste collection locations.
11. Approval by the appropriate Fire District Officer or State Fire Marshall in accordance with DCC 8.16.230.
12. A medical services plan demonstrating compliance with DCC 8.16.240.
13. A public safety plan in accordance with DCC 8.16.120.
14. A parking plan demonstrating compliance with DCC 8.16.250.
15. A copy of the proposed participant entry form for the Outdoor Mass Gathering or Extended Mass Gathering, including a release agreement releasing Deschutes County, its officers, agents, employees or volunteers from liability for any or all injuries.
16. A signed indemnity agreement on a form provided by the County.
17. Such other appropriate information as the Director or Board may require in order to insure compliance with the provisions of this chapter, as well as rules of the Oregon Department of Human Services.

H. Any application for an Outdoor Mass Gathering or Extended Mass Gathering lacking any requirement of DCC 8.16.160(G) shall, unless waived by the Board, be deemed incomplete and the permit shall be denied except that, if additional information requested pursuant to DCC 8.16.030(G)(17) is not supplied

within two weeks of the Board's request, the application shall be deemed incomplete and the permit shall be denied.

I. The application for an Outdoor Mass Gathering and Extended Outdoor Mass Gathering shall be accompanied by the appropriate fee pursuant to the County fee schedule.

J. Incomplete applications shall be denied and the application fee, less County costs, shall be returned to the permit applicant.

K. The Director shall furnish a copy of the Outdoor Mass Gathering or Extended Mass Gathering permit to the Sheriff and to any other jurisdiction in which the Outdoor Mass Gathering or Extended Mass Gathering takes place.

L. If the application is submitted fewer than 90 days prior to the event and the Board accepts the application, the processing fee shall be double.

(Ord. 2007-029 §1, 2007; Ord. 2006-020 §3, 2006; Ord. 2005-003 §1, 2005; Ord. 95-032 §1, 1995; Ord. 86.071 §2, 1986; Ord. CG3 (9/16/70) §5, 1970)

8.16.170. Outdoor Mass Gathering and Extended Outdoor Mass Gathering Hearing Required.

A. No application for an Outdoor Mass Gathering permit shall be approved without review by the Board following a public hearing.

B. No application for an Extended Outdoor Mass Gathering permit shall be approved without review by the Planning Commission following a public hearing in accordance with ORS 433.763 et seq.

C. Public hearings shall be set at the discretion of the Director but, in no case, earlier than 10 days from the date of application.

(Ord. 2006-020 §3, 2006; Ord. 2005-003 §1, 2005; Ord. 95-032 §1, 1995; Ord. 86.071 §2, 1986; Ord. CG3 (9/16/70) §5, 1970)

8.16.180. Outdoor Mass Gathering and Extended Outdoor Mass Gathering Departmental and Agency Notice.

A. For an Outdoor Mass Gathering or Extended Outdoor Mass Gathering, the Director shall send notice of the application to the following officers at least 10 calendar days prior to the hearing: County Risk Manager, County Sheriff, County Health, County Environmental Health, and the chief of the fire district in which the Outdoor Mass Gathering or Extended Mass Gathering is proposed.

B. The Director shall publish notice of the hearing for an Outdoor Mass Gathering or Extended Outdoor Mass Gathering permit at least 10 calendar days before the hearing in a newspaper of general circulation in the County.

(Ord. 2007-029 §1, 2007; Ord. 2006-020 §3, 2006; Ord. 2005-003 §1, 2005; Ord. 95-032 §1, 1995; Ord. 86.071 §1, 1986; Ord. CG3 (9/16/70) §3 (part), 1970)

8.16.190. Outdoor Mass Gathering and Extended Outdoor Mass Gathering General Approval Criteria

A. An Outdoor Mass Gathering or Extended Mass Gathering permit shall be approved upon demonstration by the Organizer of compliance with or the ability to comply the provisions of this chapter, as well as all health and safety rules governing all Outdoor Mass Gatherings, Extended or otherwise, adopted by the Oregon Department of Human Services.

B. Each public official receiving notice of the application for an Outdoor Mass Gathering or Extended Mass Gathering permit who wishes to comment on the application shall submit such comment in writing to the Hearings Body no later than the date and time for the hearing.

C. The comment from any public official regarding an Outdoor Mass Gathering or Extended Mass Gathering permit may include recommendations related to the official functions of the officer as to granting the permit and any recommended conditions that should be imposed.

D. The Hearings Body shall consider the imposition of any suggested conditions submitted by public officials who received notice of the proposed Outdoor Mass Gathering or Extended Mass Gathering.
E. The Hearings Body may consider and impose any reasonable condition on a permit for an Outdoor Mass Gathering or Extended Outdoor Mass Gathering recommended that is submitted at or prior to the public hearing by a member of the public or public official.

(Ord. 2006-020 §3, 2006; Ord. 2005-003 §1, 2005; Ord. 95-032 §1, 1995; Ord. 86.071 §2, 1986; Ord. CG3 (9/16/70) §5, 1970)

8.16.200. Outdoor Mass Gathering and Extended Outdoor Mass Gathering Appeals.

A. When the County Planning Commission is the Hearings Body, any person who participated in the hearing before the Planning Commission shall be deemed a party and may appeal the decision to the Board in accordance with DCC Chapter 22.32.
B. All Outdoor Mass Gathering and Extended Outdoor Mass Gathering decisions of the Board under DCC 8.16 shall be reviewable by the Circuit Court of the State for the County only by writ of review under the provisions of ORS 34.010 to 34.100.

(Ord. 2006-020 §3, 2006; Ord. 2005-003 §1, 2005; Ord. 95-032 §1, 1995; Ord. 86.071 §2, 1986; Ord. CG3 (9/16/70) §5, 1970

8.16.210. Outdoor Mass Gathering and Extended Outdoor Mass Gathering Insurance.

A. After consultation with the County Risk Manager, if the Board determines that the Outdoor Mass Gathering or Extended Mass Gathering creates a potential for injury to persons or property, the Board may require organizers to obtain a commercial general liability insurance policy in an amount commensurate with the risk, but not exceeding $1 million per occurrence.
B. The insurance policy may not be cancelable and shall provide coverage against liability for death, injury, or disability of any human or for damage to property arising out of the Outdoor Mass Gathering or Extended Mass Gathering.
C. The insurance policy must be an "occurrence" policy, or its equivalent, that provides for payment of claims made during the 180-day period after the scheduled termination of the Outdoor Mass Gathering or Extended Outdoor Mass Gathering.
D. The Organizer shall furnish the Director with an insurance certificate and a copy of the insurance policy naming the County as an additional insured under the policy.
E. The permits for an Outdoor Mass Gathering or Extended Outdoor Mass Gathering shall be voided by the Director if the Organizer does not file proof of the non-cancelable insurance required by this section with the Director at least fourteen days before the first day of the .

(Ord. 2006-020 §3, 2006; Ord. 2005-003 §1, 2005; Ord. 95-032 §1, 1995; Ord. 86.071 §2, 1986; Ord. CG3 (9/16/70) §5, 1970)

8.16.220. Outdoor Mass Gathering and Extended Outdoor Mass Gathering Sanitary Facilities.

A. The County Environmental Health Division shall have the responsibility for approving all sanitation and related facilities required by the Hearings Body for an Outdoor Mass Gathering or Extended Mass Gathering permit to ensure that reasonable minimum standards have been or will be met by the Organizer, in accordance with the procedures outlined in DCC 8.16 and OAR 333-039.
   1. Water. An adequate supply of water meeting state drinking water standards for Chemicals and Bacteria shall be provided.
   2. Food Service Facilities. Food service facilities shall comply with the Oregon Department of Human Services regulations that pertain to the operation of temporary restaurants.
B. Such approval of an Outdoor Mass Gathering or Extended Mass Gathering permit by the County Environmental Health Division shall indicate the number, type, and location, when appropriate, of the

various facilities and shall include a description of the specific type of food preparation and food service facilities to be provided.

(Ord. 2007-029 §1, 2007; Ord. 2006-020 §3, 2006; Ord. 2005-003 §1, 2005; Ord. 95-032 §1, 1995; Ord. 86.071 §2, 1986; Ord. CG3 (9/16/70) §5, 1970)

8.16.230. Outdoor Mass Gathering and Extended Outdoor Mass Gathering – Fire Protection Standards.

A. Unless waived by the Hearings Body pursuant to DCC 8.16.030(H), no Outdoor Mass Gathering or Extended Mass Gathering permit shall be granted under DCC 8.16 unless the Organizer has shown that the appropriate Fire Protection District Officer has approved the type, size, number and location of fire protection devices and equipment available at, in or near any location, including outdoor sites, buildings, tents, stadium or enclosure, wherein or whereupon more than 10 persons may be expected to congregate at any time during the course of an Outdoor Mass Gathering or Extended Mass Gathering for which a permit is required under DCC 8.16.

B. If the site for which the permit is applied for is located outside a fire protection district, the Organizer must show approval from the office of the State Fire Marshal.

(Ord. 2006-020 §3, 2006; Ord. 2005-003 §1, 2005; Ord. 95-032 §1, 1995; Ord. 86.071 §2, 1986; Ord. CG3 (9/16/70) §5, 1970)

8.16.240. Outdoor Mass Gathering and Extended Outdoor Mass Gathering – Medical Service.

A. The County Health Department shall have responsibility for approving plans as to medical service required for the Outdoor Mass Gathering or Extended Mass Gathering.

B. Each Outdoor Mass Gathering or Extended Mass Gathering shall have as a minimum one ambulance and a first aid station staffed by two adult individuals trained in first aid techniques.

(Ord. 2007-029 §1, 2007; Ord. 2006-020 §3, 2006; Ord. 2005-003 §1, 2005; Ord. 95-032 §1, 1995; Ord. 86.071 §2, 1986; Ord. CG3 (9/16/70) §5, 1970)

8.16.250. Outdoor Mass Gathering and Extended Outdoor Mass Gathering – Public Safety.

A. If required by the Hearings Body pursuant, the Organizer must submit plans for public safety at the Outdoor Mass Gathering or Extended Outdoor Mass Gathering for approval demonstrating the following:

1. Adequate traffic control and crowd protection policing must have been contracted for or otherwise provided by the Organizer.
   a. There shall be provided one traffic control person for each 250 persons expected or reasonably expected to be in attendance at any time during the Outdoor Mass Gathering or Extended Outdoor Mass Gathering.
   b. Further, there shall be provided one crowd control person for each 100 persons, expected or reasonably expected to be in attendance at any time during the Outdoor Mass Gathering or Extended Outdoor Mass Gathering.
2. The Organizer shall submit the names and necessary background information for all traffic-control and crowd-control personnel to be utilized during the Outdoor Mass Gathering or Extended Mass Gathering.
3. All such personnel must meet the following minimum standards in order to be approved as suitable:
   a. Be at least 18 years of age;
   b. Be in good physical health;
   c. Have training or experience acceptable to the County to conduct traffic and or crowd-control duties.

B. All of the traffic control and crowd control personnel must wear an appropriate identifying uniform and all traffic control uniforms must be accordance with the current edition of the Manual of Uniform Traffic Control Devices.
C. The required number of crowd-control personnel must be on duty during the entire Outdoor Mass Gathering or Extended Outdoor Mass Gathering unless a relief schedule has been planned and approved.
D. A relief schedule will be approved only when sufficient crowd-control strength on duty has been maintained to meet the minimum strength standards set forth in this chapter.
E. It shall be the duty of the crowd control personnel to report any violations of the law to the Sheriff, his deputies or representatives..

(Ord. 2007-029 §1, 2007; Ord. 2006-020 §3, 2006; Ord. 2005-003 §1, 2005; Ord. 95-032 §1, 1995; Ord. 86.071 §2, 1986; Ord. CG3 (9/16/70) §5, 1970)

8.16.260. Outdoor Mass Gathering and Extended Outdoor Mass Gathering – Parking Facilities.

A. If required by the Hearings Body, prior to or on the date of application for an Outdoor Mass Gathering or Extended Outdoor Mass Gathering, the Organizer shall provide a scale drawing showing adequate parking facilities have been made available within or adjacent to the location for which the permit is requested.
B. Such parking facilities shall provide parking space for one vehicle for every four persons expected or reasonably to be expected to attend such.
C. Adequate ingress and egress shall be provided from such parking area to facilitate the movement of any vehicle at any time to or from the parking area of the Outdoor Mass Gathering or Extended Mass Gathering.
D. Should buses be used to transport the public to the Outdoor Mass Gathering or Extended Mass Gathering, it shall be shown that public parking or parking is available at any site from which buses are scheduled to pick up persons to transport them to the .

(Ord. 2006-020 §3, 2006; Ord. 2005-003 §1, 2005; Ord. 95-032 §1, 1995; Ord. 86.071 §2, 1986; Ord. CG3 (9/16/70) §5, 1970)

8.16.270. Outdoor Mass Gathering and Extended Outdoor Mass Gathering – Permit Posting.

A. The Organizer of an Outdoor Mass Gathering or Extended Outdoor Mass Gathering shall have a copy of the permit available for inspection upon request.
B. No permit for an Outdoor Mass Gathering or Extended Outdoor Mass Gathering shall be transferable or assignable without the consent of the County Administrator.
C. Any permit for an Outdoor Mass Gathering or Extended Mass Gathering shall be kept posted in a conspicuous place upon the premises of such assembly.
D. No permit for an Outdoor Mass Gathering or Extended Mass Gathering shall be transferable or assignable without the consent of the Board.
E. Except as authorized elsewhere in this chapter, no rebate or refund of money paid for a permit shall be made.

(Ord. 2006-020 §3, 2006; Ord. 2005-003 §1, 2005; Ord. 95-032 §1, 1995; Ord. 86.071 §2, 1986; Ord. CG3 (9/16/70) §5, 1970)

8.16.280. Inspection of Outdoor Mass Gathering and Extended Outdoor Mass Gathering Premises.

A. No Outdoor Mass Gathering or Extended Outdoor Mass Gathering permit shall be granted unless the Organizer shall, in writing upon the application, for such permit consent to allow law enforcement, public health and fire control officers to come upon the premises for which the permit has been granted

for the purpose of inspection and enforcement of the terms and conditions of the permit and DCC 8.16, and any other applicable laws or ordinances.

B. If any inspections reveal deficiencies in compliance with State or local law, the inspectors may return as often as needed until the deficiencies are cured. If the deficiencies are not cured or cannot be cured, the Board, County Administrator, County Engineer or the Sheriff may suspend or terminate the Outdoor Mass Gathering or Extended Outdoor Mass Gathering .

C. All the Outdoor Mass Gathering or Extended Mass Gathering facilities shall be in place a sufficient time, but not less than two hours, before the Outdoor Mass Gathering or Extended Outdoor Mass Gathering for which an application is submitted and approved, and shall be subject to inspection by the County, provided, however, that such inspection shall not relieve the Organizer of responsibility for proper placement of all facilities.

(Ord. 2006-020 §3, 2006; Ord. 2005-003 §1, 2005; Ord. 95-032 §1, 1995; Ord. 86.071 §2, 1986; Ord. CG3 (9/16/70) §5, 1970)

8.16.290. Outdoor Mass Gathering and Extended Outdoor Mass Gathering Restricted Hours of Operation.

A. No Outdoor Mass Gathering or Extended Mass Gathering shall be conducted, including set-up, placement, storage, staging, removal or similar action of any equipment, materials, structures, vehicles, supplies and so forth, in the unincorporated areas of the County within 1,000 feet of any residence between the hours of 12:01 a.m. and 9:00 a.m and in all other areas between the hours of 2:00 a.m. and 9:00 a.m.

B. If written consents for the Outdoor Mass Gathering or Extended Mass Gathering from neighboring property owners and residents are submitted with the application, the Hearings Body may modify these hours in the permit.

C. The use of amplification for the Outdoor Mass Gathering or Extended Mass Gathering shall be regulated so that it will not interfere with the normal use of any school, church, residence or other permanent place of human habitation unless prior written consent is obtained from all affected persons. A sound level in excess of 70 decibels prior to 10:00 p.m. and in excess of 50 decibels after 10:00 p.m. (as measured upon the A scale of a standard sound level meter on affected property) shall constitute interference.

(Ord. 2006-020 §3, 2006; Ord. 2005-003 §1, 2005; Ord. 95-032 §1, 1995; Ord. 86.071 §2, 1986; Ord. CG3 (9/16/70) §5, 1970)

8.16.300. Outdoor Mass Gathering and Extended Outdoor Mass Gathering Enforcement.

A. The Organizer shall provide a contact person who shall be easily identified and who shall remain at the Outdoor Mass Gathering or Extended Outdoor Mass Gathering site at all times.

B. If any Organizer of an Outdoor Mass Gathering or Extended Outdoor Mass Gathering violates any provisions of this chapter, the Board, County Administrator, County Engineer, or Sheriff may immediately suspend, revoke or terminate any permit for an Outdoor Mass Gathering or Extended Outdoor Mass Gathering and may seek any legal remedy available.

C. The Outdoor Mass Gathering or Extended Mass Gathering Organizer shall keep a reasonable count of persons and vehicles entering and leaving the Outdoor Mass Gathering or Extended Outdoor Mass Gathering.

D. If at any time during the Outdoor Mass Gathering or Extended Outdoor Mass Gathering held under a valid permit, the number of persons or vehicles attending the Outdoor Mass Gathering or Extended Outdoor Mass Gathering exceeds by 10 percent or more the number of persons or vehicles estimated in the permit application, the Sheriff, or any of his deputies, has the authority to require the Organizer to

limit further admissions until a sufficient number of individuals or vehicles have left the site to bring the actual attendance down to the number estimated by the Organizer.

E. For any Outdoor Mass Gathering or Extended Outdoor Mass Gathering held under a valid permit, the County Sheriff has the authority to order the crowd to disperse and leave the Outdoor Mass Gathering or Extended Outdoor Mass Gathering site if the Organizer cannot maintain order and compliance with all applicable State and local laws or refuses to maintain order and compliance with State and local laws or refuses or is unable to adhere to the terms and conditions of the permit.

F. In addition to State law provisions in ORS Chapter 433, including ORS 433.990(7), the County Counsel, or District Attorney for Deschutes County may maintain an action in any court of general jurisdiction to restrain, or enjoin any violation of ORS 433.745. Cases filed in Deschutes County under this section or under ORS 433.770 shall be given preference on the docket to all other civil cases except those given equal preference by statute.

G. If persons remain on the site after the scheduled end of the permitted Outdoor Mass Gathering or Extended Mass Gathering, fail to remove all debris or residue within 72 hours after termination of or fails to remove all temporary structures within three weeks after the termination of the Outdoor Mass Gathering or Extended Outdoor Mass Gathering, the County code enforcement officers may issue citations to the Organizer, the landowner, all persons remaining at the site, and to all persons who have left debris behind.

H. The Outdoor Mass Gathering or Extended Mass Gathering Organizer shall be wholly responsible for payment of any fines imposed under this Chapter or ORS 433.

I. In addition to any other remedies provided, if the Outdoor Mass Gathering or Extended Outdoor Mass Gathering site is not restored to its previous condition, or better, the County may arrange for clean up of the site, and then file an action for damages against the Organizer and the landowner or successor landowner.

(Ord. 2006-020 §3, 2006; Ord. 2005-003 §1, 2005; Ord. 95-032 §1, 1995; Ord. 86.071 §2, 1986; Ord. CG3 (9/16/70) §5, 1970)

8.16.310. Outdoor Mass Gathering and Extended Outdoor Mass Gathering Intoxicating Liquor Prohibition.

A. No Organizer, landowner nor any person having charge or control thereof at any time when an Outdoor Mass Gathering or Extended Outdoor Mass Gathering is being conducted shall permit any person to bring into such Outdoor Mass Gathering or Extended Outdoor Mass Gathering or upon the premises thereof, any intoxicating liquor, nor permit intoxicating liquor to be consumed on the premises, and no person during such time shall take or carry onto such premises or drink thereon intoxicating liquor.

B. In accordance with ORS 670.220 (5) (a), this provision shall not apply to the sale and consumption of intoxicating liquor from a facility located on the premises of an Outdoor Mass Gathering or Extended Outdoor Mass Gathering when licensed by the State.

(Ord. 2006-020 §3, 2006; Ord. 2005-003 §1, 2005; Ord. 95-032 §1, 1995; Ord. 86.071 §2, 1986; Ord. CG3 (9/16/70) §5, 1970)

8.16.320. Narcotic and Dangerous Drugs Prohibited at Outdoor Mass Gatherings or Extended Mass Gatherings.

No firm, person, society, association or corporation conducting an Outdoor Mass Gathering or Extended Mass Gathering, nor any person having charge or control thereof at any time when an Outdoor Mass Gathering or Extended Mass Gathering is being conducted shall permit any person to bring into such Outdoor Mass Gathering or Extended Mass Gathering, or upon the premises thereof, any narcotic or dangerous drug, nor permit narcotic or dangerous drugs to be used on the premises.

(Ord. 2006-020 §3, 2006)

8.16.330. Compliance Required for Outdoor Mass Gathering and Extended Outdoor Mass Gathering .

Compliance with the terms and conditions of DCC 8.16 shall constitute minimum health, sanitation and safety provisions; and failure to comply with the terms and conditions of DCC 8.16 or state laws shall constitute a public nuisance and shall be subject to all criminal, civil, and equitable remedies as such.
(Ord. 2006-020 §3, 2006)

8.16.340. Outdoor Mass Gathering or Extended Mass Gathering Violation.

For Outdoor Mass Gatherings or Extended Mass Gatherings, violation of this Chapter is at minimum a Class A violation and is punishable upon conviction by a fine of not more than $10,000.
(Ord. 2006-020 §3, 2006; Ord. 2005-003 §1, 2005; Ord. 95-032 §1, 1995; Ord. 86.071 §2, 1986; Ord. CG3 (9/16/70) §5, 1970)