

ORIGINAL

ORDINANCE NO. 2018-3

AN ORDINANCE ESTABLISHING A PERMIT PROCESS FOR SPECIAL EVENTS ORGANIZED BY RESIDENTS ON CITY OF MAYWOOD PARK PROPERTY.

THE CITY OF MAYWOOD PARK ORDAINS AS FOLLOWS:

TITLE. This Ordinance shall be known as the City of Maywood Park “Special Events Permit”

PURPOSE.

The Purpose of this Ordinance is to provide the City of Maywood Park with a mechanism for regulating the dates, times, location, and conditions under which permittees are authorized to make use of public property in a manner which is consistent with the public health, safety and welfare and which promotes the use of public property for special recreational, entertainment, or charitable events.

Section 1 - Definitions

For purposes of this Ordinance, the following definitions shall apply:

1. Park shall mean any properties owned and maintained by the City of Maywood Park as a public park.
2. Special Event shall mean any event sponsored by an individual, partnership, Corporation or other entity or organization intended primarily for recreational, entertainment or charitable purposes, which requires the use of public property of the City of Maywood Park, Oregon. Events shall be designated as being either a Major Event or Minor Event.
 - a. Minor Event shall mean an event not exceeding four hours in duration and less than 100 people affiliated with the event (i.e. a wedding ceremony, small group gathering, etc.) This event shall not require the use of additional city services.
 - b. Major Event shall mean an event exceeding four hours in duration and more than 100 people affiliated with the event. (i.e. community festival, carnival, street dance, charitable walk or run and holiday celebrations). A Major Event will clearly require the involvement of additional city services (i.e. police protection, garbage collection, traffic control, multiple vender access electrical power etc.)
3. Public Property - shall mean any land owned by the City of Maywood Park, Oregon.

Section 2 – Special Events Permit required

No person may conduct special events on public property without a Special Events Permit issued by the City of Maywood Park pursuant to this Ordinance. All requests for a special event permit must be accompanied by an application (see section 5) which will be reviewed by the City Recorder and/or the

City Council. Each Special Events Permit application shall be submitted to the City Recorder at least 20 days prior to a regular meeting of the City Council for a Minor Event unless waived by the Council. For a Major Special Event, the City Recorder will forward the application to the City Council for consideration. The City Council may require supplemental information in order to reach a permit decision.

Section 3 – Special Events Permit application

The application shall be on a form provided by the City and shall include, at a minimum:

1. Dates and times of the event
2. Description of the event
3. Designated areas of public property to be affected
4. Estimated number of people attending event
5. Evidence of capability to run the event, including financial and personnel
6. Evidence of liability insurance (if required by the City)
7. Plan for after function clean up
8. Plan for traffic control, parking and crowd control
9. Need for extra toilet facilities for this event
10. List of proposed vendors, if any at the event
11. Need for city services, utilities, etc. for the event
12. Statement addressing alcoholic use as follows: “By signing this Special Event Permit Form, the organizers agree to abide by all State laws relative to the sale or distribution of alcoholic beverages during an event, if allowed by the City. In addition, the organizers agree to take full legal responsibility for any and all damages or unlawful behavior resulting from the sale or distribution of said beverages”.

Section 4 – Criteria for issuance of a Special Events permit

In considering whether to issue a Special Events Permit, the City Council shall consider:

1. Whether the proposed special event is consistent with the goal of promoting use of public property for entertainment, recreational or charitable events
2. Whether the proposed special event can be conducted in the location proposed without endangering the public safety, disturbing the peace, ensuring public health and order of the public property:
 - a. Has provided adequate parking and traffic control for the event
 - b. Has provided adequate crowd control for the event
 - c. Has adequate liability insurance (if required by the City)
 - d. Has made arrangements for clean-up of the property following the event
 - e. Does not pose a burden on municipal services or utilities
 - f. Does not have an undue adverse effect on neighboring properties due to noise, litter or other negative features
 - g. Has adequate financial ability and staff to conduct the event satisfactorily
 - h. Has provided the plan for use of “Recyclable Materials Only” during an event and a plan for the proper removal of said materials, post event.

Section 5 – Application and permit fee

Upon issuance of the Special Events Permit by the City Council and prior to the conduct of the special event, the permit holder shall pay to the City Recorder, a non-refundable application fee based on the fee schedule set by the City Council to be reviewed as needed. Upon review and approval of the special event permit application by the City Council, the applicant will then pay a special event permit fee based on a fee schedule set by the Council to be reviewed as needed. The City Council may waive at will or reduce the permit fees for non-profit charitable Special Events, or for Special Events which are sponsored or co-sponsored by the City of Maywood Park.

Section 6 - Penalties

Any person who violates any provision of this Ordinance, or who fails to comply with terms of a Special Events Permit commits a civil violation and shall be subject to a penalty. Penalties may include monetary amounts for Recovery of Police Services, trash removal or property damage of public property. Each day such a violation continues or is repeated by the same person, group or organization it shall constitute a separate violation. All penalties collected under this Ordinance shall be paid to the City of Maywood Park.

Section 7 - Enforcement

This Ordinance and the terms of a Special Events Permit issued by the City of Maywood Park shall be enforced by any law enforcement officer or any other City Official duly authorized to enforce its provisions. The authority of City Council Members and staff members to enforce this Ordinance is limited to the park properties.

Section 8 - General

1. No rights created This Ordinance grants no rights to and creates no property or other legal interests in any person. The City Council, as trustee of public property, retains full control over public property and may, in its sole and exclusive discretion issue, with conditions or deny Special Events permits. Decisions of the City Council under this Ordinance shall be final, and this Ordinance provides no right of appeal.

2. City not liable The holder of a Special Events Permit shall be solely responsible for conducting the Special Event in compliance with the conditions of the permit and for maintaining public safety and order during the Special Event. The City of Maywood Park assumes no liability or responsibility by issuing the permit.

3. Conflict with other Ordinance This Ordinance shall not repeal, annul, or in any way impair or remove the necessity of compliance with any other statute, rule, ordinance, regulation, bylaw, permit or other legal requirements. Where this Ordinance imposes a greater restriction upon the use of public property, the provisions of this Ordinance shall prevail.

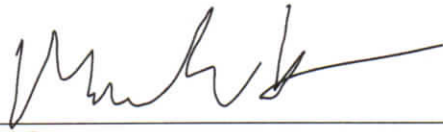
4. Validity and severability Should any section or provision of this Ordinance be declared by any court of jurisdiction to be invalid for any reason, such decision shall not invalidate any other section or provision of this Ordinance.

5. Exemptions This Ordinance shall not apply to any event sponsored, organized or conducted

by any department or agency of the City of Maywood Park. Scheduling of such municipal events shall be subject to the control of the City of Maywood Park or its designees for events held on property maintained by the City of Maywood Park and to the control of the City Council or its designees for events held on any other Public Property.

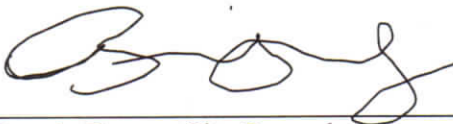
6. Effective Date THIS ORDINANCE TAKES EFFECT IN 30 DAYS FROM THE DATE OF ADOPTION.

PASSED and APPROVED by the City Council of the City of Maywood Park on the 18th day of June, 2018.



Mark Hardie, Mayor

ATTEST:



Bonnie Davey, City Recorder

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