

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

**ORDINANCE NO. 1008**

Amending Multnomah County Code Chapter 29, Building Regulations, to Add New Provisions Relating to Bridge Special Events

**Multnomah County Ordains as follows:**

**Section 1.** MCC Chapter 29, Building Regulations, is amended to add the following sections relating to bridge special events:

**§ 29.701 Title.**

This subchapter will be known as the Bridge Special Events Ordinance.

**§ 29.702 Findings.**

(A) Multnomah County operates and maintains six bridges over the Willamette River, known as the Broadway, Burnside, Hawthorne, Morrison, Sellwood, and Sauvie Island. These bridges are a crucial part of the regional transportation system for vehicular, bicycle and pedestrian traffic; this is their primary use. Although the bridges are extensions of streets and roads on the ground, they are probably best considered as limited public fora for activities and events outside of the primary use, as they have not traditionally been used to the same extent as parks and streets for public expression purposes. Moreover, the closure of a bridge to pedestrian, bicycle and/or vehicle traffic has a substantially greater impact to the community than the closure of streets and roads on the ground, as the areas served by the bridges do not have as many or sometimes any alternative routes. Additionally, the drawbridges are subject to the needs of river traffic as mandated by federal law.

(B) The critical transportation role also gives the bridges unique symbolic and commercial significance for the metropolitan area. For example, the unique, solitary presence of a bridge may highlight a public demonstration, provide a filmmaking location, or accommodate a parade crossing the water. The county maintains each of these bridges and must coordinate necessary maintenance work, repairs and renovation with the ongoing river and deck traffic and any proposed activity outside of these main functions.

(C) The section of the Willamette River these bridges cross is subject to the National Marine Fisheries Service (NMFS) listing under the Federal Endangered Species Act (ESA) to protect salmon and steelhead fish. If the county authorizes activities in this protected area, they must be undertaken in full compliance with the ESA. Further, all activities in the regulated area must be undertaken in compliance with any other applicable local, state or federal environmental protection or hazardous substance law, regulation or code including but not limited to the Clean Water Act; the Comprehensive Environmental Response, Compensation, and Liability Act

(CERCLA); the Hazardous Materials Transportation Act of 1975; Hazardous Materials Transportation Uniform Safety Act; and the Resource Conservation and Recovery Act.

(D) The county coordinates the day to day operation of the passage of river traffic below deck with bridge traffic on deck. The county is subject to federal maritime law mandates to open the bridges upon demand for river traffic. In most instances the City of Portland or the State of Oregon have jurisdiction over the streets and highways that directly connect to the bridges.

(E) The Broadway Bridge carries four lanes of traffic with an average daily volume of thirty thousand vehicles and more than one thousand pedestrians and bicyclists. Drawbridge openings are necessary about twenty-five times per month mainly to accommodate grain terminal traffic. Additionally, the unique double-leaf Rall-bascule design causes openings to last twenty minutes or longer in duration; over three times longer than the other county drawbridges.

(F) The five-lane Burnside Bridge is a major link between downtown Portland and the east side. The bridge has two bike lanes and two sidewalks. About 40,000 vehicles and more than 1,000 pedestrians and bicyclists cross the bridge daily. Burnside Street and bridge are designated as an official emergency transportation route under the regional Emergency Management Plan. The bridge, as part of this "lifeline corridor," is the one non-freeway river crossing which emergency vehicles and suppliers are asked to use. Burnside Bridge drawbridge openings are necessary about 40 times per month with average opening times running from five to eight minutes.

(G) The Hawthorne Bridge is a vertical lift drawbridge located farthest upriver of the other three drawbridges. It has a limited vertical clearance that makes openings for river traffic necessary about 200 times per month and 300 times in the summer months, with average opening times running from five to eight minutes. On the deck, over 30,000 vehicles including more than 750 public bus trips traverse the Hawthorne's four lanes every day. The sidewalks flanking the roadway accommodate several thousand daily pedestrian and bicycle trips.

(H) The Morrison Bridge carries six lanes of traffic that includes access to Interstates 5 and 84, making it a major highway corridor. With links to two interstate freeways, the Morrison Bridge carries the most traffic of the county bridges at 50,000 vehicles daily and 600 pedestrians and bicyclists daily. Drawbridge openings are necessary about 30 times per month with average opening times running from five to eight minutes. There is a sidewalk on the north and south side of the bridge.

(I) The Sauvie Island Bridge is the only road access to the island. The two-lane bridge sees about 4,000 vehicles daily and is also a popular bicycle crossing. The bridge also serves many commercial conveyances: during the harvest season, hundreds of truckloads of corn, cucumbers and other produce cross the bridge to the mainland from the island's farms. Commercial traffic also includes trucks and employees commuting to an industrial area on the island's southern tip. There is a sidewalk on the north and south side of the bridge. Because of the compelling and overriding community need for access to the Island this bridge is not suitable for a complete closure event.

(J) The Sellwood Bridge has a daily volume of over 30,000 vehicles. This narrow bridge is Oregon's most heavily traveled two-lane bridge. This heavy roadway traffic is further complicated by only one, narrow four foot, three-inch sidewalk on the north side. Given the Sellwood Bridge's dimensions, a bridge use permit requesting the Sellwood Bridge would have to be at most a one vehicle lane closure. The Sellwood Bridge is the only bridge serving south metropolitan Multnomah County; the nearest bridge to the south is over ten miles away in Oregon City. Like the Sauvie Island Bridge this bridge provides unique and limited access to the area served and therefore is also not suitable for a complete closure event.

(K) Each bridge is a vital link to its service area, some obviously more than others. When a bridge is closed to pedestrian or vehicle traffic it can create bottlenecks at the other available routes and frustration and inconvenience to the community. Unlike most city streets that may be closed for an event there is not a bridge just around the block to use. In this regard, it is important to note that for any event that would seek to close the bridge, there are ample streets and roads and other public spaces on either side of the river where such events can be held.

(L) Bridge sidewalks where available provide exposure to a greater number of bridge users than would a roadway event that merely excludes traffic. The use of bridge sidewalk gives visibility to an event and access to the symbolic nature of the bridge while preserving the public need for a clear roadway. For permit applications requesting a roadway closure, the sidewalk is a viable alternative that does not interfere with public order or safety. A non-exclusive sidewalk or vehicle lane use may not even require a permit be obtained.

(M) Under this ordinance any party seeking to close or restrict in any way a bridge to vehicle and/or pedestrian/bicycle access must obtain written consent from the City of Portland or the State as well as the written consent of the county as evidenced by a duly executed county permit. Due to the amount of daily traffic and the unique role the bridges play, there must be a minimum number of participants to qualify for a complete closure event. Although a filming event may involve less people than other events, they usually do involve several individuals, equipment, plus the need to control the areas in the shoot and on occasion curious onlookers, such that the cumulative impact is similar.

(N) This ordinance establishes a permit procedure and criteria that will provide for a systematic and objective review of bridge use permit applications. The review criteria are content-neutral and are used to evaluate the permit applications, most notably for the impact on river and road traffic, the structural integrity of the bridges and the cost to the county of accommodating proposed bridge events. The permit criteria for using county bridges will preserve the primary transportation duty of the bridges while accommodating public activities on the bridges.

(O) An event using one of the four drawbridges (Burnside, Broadway, Hawthorne, or Morrison) is subject to the rights of prevailing river traffic. The two fixed-span bridges (Sellwood or Sauvie Island) have only two vehicle lanes while the drawbridges have at least four vehicular traffic lanes. A permit application must address the physical attributes of the requested

bridge to assess the traffic impacts of a proposed use. The permit review criteria address separately the use of the sidewalk and roadway for activities.

(P) The permit review criteria address time of a proposed bridge use for traffic impacts. The five metropolitan bridges' proximity to downtown Portland makes rush-hour time periods, roughly 6:30AM until 9AM and 4PM until 6:30PM, a time of critical need for bridge access. Conversely, Sundays from 3am until noon are times of less bridge traffic use that are more readily available for bridge events. All approved Events will involve mitigation plans for traffic impacts to the extent necessary.

(Q) The permit review procedure begins with a permit application filed with the Multnomah County Landuse and Transportation Program. The application will request use of a specific bridge(s), area (sidewalk/roadway), time of day, event duration, expected event size, applicant contact information, secondary applicant contact information, special needs, and a detailed description of the proposed event including mitigation of any traffic impacts.

(R) The permit will be subject to review and approval by the Board, the Chair or the Director of the Department of Business and Community Services depending on factors such as the size of the event, the time of the event or whether alcohol is to be used during the event.

(S) The county will establish the fees and rates for implementing this permit program by resolution.

#### **§ 29.703 Definitions.**

For the purpose of this subchapter, the following definitions will apply unless the context requires a different meaning:

**ANNUAL EVENT.** A recurring event that has previously complied with requirements for a permit as set forth in this ordinance.

**BRIDGE.** One of the Willamette River Bridges operated and maintained by Multnomah County, namely the Sellwood, Broadway, Burnside, Hawthorne, Morrison or the Sauvie Island.

**COMPLETE CLOSURE OF LANE OR SIDEWALK:** The exclusion of the public from any vehicle or sidewalk for any period of time.

**COMPLETE CLOSURE EVENT.** Any special event that will require complete closure to the public of motor vehicle access on any bridge surface right-of-way for a period of time that is either:

(A) A continuous 30 minutes or longer in length; or

(B) Any proposed combination or series of intermittent complete public motor vehicle access closures, which in the judgment of the county bridge manager pose a significant risk of substantial public inconvenience or disruption.

**COUNTY CHAIR.** The Chair of the Multnomah County Board of Commissioners or the Chair's designee.

**DIRECTOR.** The Director of the County's Department of Business and Community Services or the Director's designee.

**EVENT MONITOR.** Persons provided by the sponsor who are stationed at the location of the special event to assist in the safe and orderly staging of the event.

**FILMING USE.** A special event, which uses a bridge for the production of a film, video, or any other visual or audio recording.

**PRIMARY BRIDGE USE.** The provision of pedestrian, bicycle and vehicle access on the bridge's surface right-of-way; and the county's maintenance and operation of the bridge including the coordination of river traffic under the bridge with the surface use in compliance with all applicable maritime laws and regulations.

**SIDEWALK.** Any multi-use pathway designed for both bicycle and pedestrian use or a sidewalk.

**SPECIAL EVENT or EVENT.** Any temporary activity held on a bridge, which significantly interferes with the normal operation and maintenance of the structure or the normal vehicular or pedestrian traffic; or which employs a bridge in a use outside of its primary use. PROVIDED any small temporary pedestrian, bicycle or motor vehicle parade or procession conducted and contained solely within a bridge sidewalk or vehicle lane, and which does not otherwise exclude the public's access to those areas and does not require consent of the US Coast Guard, is not a special event under this subchapter and does not require a permit.

**SPECIAL EVENT PERMIT.** A permit issued by the county to a sponsor to conduct a special event.

**SPECIAL EVENT VENUE.** The confines of a special event as defined in a special event permit.

**SPONSOR.** The person, entity or authorized agent thereof, responsible for all aspects and liability of planning, organizing and conducting the special event including applying for, canceling, or requesting changes to the event.

**UNDUE HARDSHIP.** Is established where the event requires a protracted complete closure or several intermittent or peak hours complete closures of a bridge, that would subject residents, businesses and property owners within a designated radius of the bridge to unreasonable inconvenience or disruption of their regular travel routes.

***UNDUE INTERFERENCE WITH PRIMARY USE.*** Is established where the event requires a protracted complete closure of the bridge, vehicle lane or sidewalk; or several intermittent or peak traffic hours complete closures of those areas such that the event would unreasonably disrupt the operation of the bridge for its primary use.

**§ 29.704 Special Event Permit Require**

(A) Except as provided in this subchapter, a special event permit is required to stage and conduct a special event.

(B) No special event permit which requires the closure or use of the roadway or sidewalks on a bridge will be effective unless the sponsor obtains written authorization from the City of Portland or the state to close or use the city or state streets, highways, bike lanes, sidewalks or ramps as appropriate that directly access the bridge.

(C) It is unlawful for any person to promote or manage any pending special event for which a special event permit has not been issued, unless such person engaging in those activities clearly indicates in any advertising, promotional materials, media releases or any other similar communication whether oral, written, or visual, that the event is still pending approval by the county.

**§ 29.705 Categories of Special Events, Conditions**

(A) Non-exclusive sidewalk or vehicle lane use for a celebration, procession, athletic event or other use, is not a special event and does not require a permit, deposit or cost recovery or insurance, if:

- (1) Held and fully contained on the sidewalk or vehicle lane;
- (2) 200 people or less or for a filming use;
- (3) All traffic control laws obeyed;
- (4) No county support or services required;
- (5) No closure of bridge to river traffic;
- (6) No exclusion of the general public from sidewalk or the lane; and

(7) No attachment of banners, signs, equipment or other objects to the bridge; or placement of people or equipment to exceed bridge load ratings; or any alteration of any kind to the bridge.

Provided that, should the proposed non-exclusive use under this subsection not comply with one or more of the above conditions, a permit, deposit, cost recovery and insurance may be required.

(B) Complete sidewalk closure event for a celebration, procession, athletic event or other use; requires a permit and is subject as applicable to the following conditions:

- (1) Must be held and fully contained within area designated on sidewalk;
- (2) More than 200 people or for a filming use;
- (3) Minimal county support and services may be required dependent upon size of the event, no alcohol service or consumption allowed;
- (4) Plans for crowd control including event monitors, security, fire safety and emergency medical services may be required dependent upon size of the event;
- (5) Deposit, cost recovery, liability insurance and indemnification may be required dependent upon size of the event;
- (6) U.S. Coast Guard's consent required for closure of bridge to river traffic;
- (7) Any proposed use of the bridge involving any of the following must comply with all county requirements relating to traffic control, traffic safety and bridge integrity including but not limited to load rating limits:

(a) The attachment of banners, signs, equipment or other objects to the bridge, or any alteration to the bridge; or

(b) The placement or grouping of people, animals, vehicles, equipment or any other objects on the bridge;

(C) Complete closure of vehicle lane(s) but not all vehicle lanes, for a celebration, procession, athletic event or other use; requires a permit and is subject as applicable to the following conditions:

- (1) Must be held and fully contained within designated traffic lane(s);
- (2) More than 200 people or a filming use;
- (3) County support required, no alcohol service or consumption allowed;
- (4) Plans for: crowd control including event monitors, security, traffic control, fire safety and emergency medical services are required;
- (5) Dependent on size of event a deposit and cost recovery may be required;

(6) Liability insurance and indemnification required;

(7) U.S. Coast Guard's consent required for closure of bridge to river traffic;

(8) Any proposed use of the bridge involving any of the following must comply with all county requirements relating to traffic control, traffic safety and bridge integrity including but not limited to load rating limits:

(a) The attachment of banners, signs, equipment or other objects to the bridge, or any alteration to the bridge;

(b) The placement or grouping of people, animals, vehicles, equipment or any other objects on the bridge;

(D) Complete closure event for a celebration, procession, athletic event or other use requires a permit and is subject as applicable to the following conditions:

(1) Must be contained within area designated on permit;

(2) 300 or more people or for a filming use;

(3) County support required;

(4) Plans as necessary for: crowd control including event monitors, security, traffic control, fire safety and emergency medical services are required;

(5) Deposit, cost recovery, liability insurance and indemnification required;

(6) U.S. Coast Guard's consent required for closure of bridge to river traffic;

(7) Service and consumption of alcohol is subject to county Board approval at its discretion;

(8) Any proposed use of the bridge involving any of the following must comply with all county requirements relating to traffic control, traffic safety and bridge integrity including but not limited to load rating limits:

(a) The attachment of banners, signs, equipment or other objects to the bridge or any alteration to the bridge; or

(b) The placement or grouping of people, animals, equipment, vehicles or any other objects on the bridge,

(9) The Sellwood and the Sauvie Island Bridges are not available for complete closure events.

**§ 29.706 Special Event Permit Application Deadlines.**

(A) Except as otherwise provided in subsection (B), a completed permit application for a special event must be submitted to the county Landuse and Transportation Program (LUTP) as follows:

(1) Annual event applications that require US Coast Guard consent must be filed with the county no later than January 31 of the event year, or 45 days before the event, whichever date is earlier.

(2) Any other special event applications that require US Coast Guard consent must be filed with the county no later than 45 days prior to the event.

(3) For any other annual event subject to Board review under MCC 29.707, applications must be filed with the county no later than January 31 of the event year, or no later than 30 days prior to the event, whichever is earlier.

(4) For any other special event subject to Board review under MCC 29.707, applications must be filed with the county no later than 30 days prior to the event.

(5) For all other special events, applications must be submitted no later than 15 days prior to the event.

(B) The county may accept late applications for special event permits, where good cause is shown for the expedited review; there is no conflict with river use requirements under federal law and the county has the available staff and resources to perform the review in a shorter time than as set forth in subsection (A).

**§ 29.707 Permit Application Review Procedure.**

(A) All permits for proposed special events that involve either:

(1) A complete closure event of four hours or longer in length, except any such closure during the hours of 3 AM to 12 PM on a Sunday; or

(2) The sale or consumption of alcoholic beverages on the bridge;

will be reviewed by the Board.

(B) All permits for a complete closure event outside the hours of 3 AM to 12 PM (noon) on a Sunday ~~of and~~ less than 4 hours in length or for an event that requests the complete closure of a lane or sidewalk during peak traffic hours (i.e. weekdays: 6:30 AM to 9 AM and 4 PM to 6:30 PM), will be reviewed by the Chair.

(C) Any special event permit application not covered under subsections (A) and (B) will be reviewed by the Director.

(D) Upon the receipt of a complete application as provided in § 29.708, the LUTP will:

(1) Within two working days, determine whether the proposed event, based on the category of the event under § 29.705, requires a deposit under § 29.712 to cover the additional costs; and

(2) If a deposit is necessary, contact the sponsor by telephone or fax no later than the next working day and request the amount from the sponsor. Upon receipt of the deposit or determination it is not necessary:

(a) Schedule the permit application on the Board's regular agenda for deliberation at its next available regularly scheduled public meeting,

(b) Forward the permit application to the Chair's office for review; or

(c) Forward the permit application to the Director's office for review,

(3) Contact the U.S. Coast Guard to initiate the consent review if the permit application requests bridge closure to river traffic, and

(4) On any pending completed special event application prepare a written report to the Board, the Chair or the Director as applicable, regarding the proposed special event and its potential impact on the structural integrity of the bridge and any foreseen conflicts with previously scheduled activities or construction projects.

(E) If the sponsor does not submit the deposit within five working days of the date the county initially requested the deposit, all further review of the application will cease and the application will be deemed denied.

(F) The sponsor of the proposed special event to be heard by the Board is required to attend the Board meeting to explain the event and to answer any questions of the Board and or the public regarding the event. If the sponsor does not attend the meeting, the Board may summarily deny the application without further review.

(G) The Board by resolution will approve, approve with contingencies, amend or deny any permit. The Chair or the Director, by a written decision will approve, approve with contingencies, amend or deny any permit.

(H) The Board, the Chair or the Director as applicable will review the permit and the proposed special event for compliance with all the criteria as set forth in § 29.708.

(I) No complete closure event of either the Sauvie Island Bridge or the Sellwood Bridge will be authorized under this subchapter.

(J) The Chair or the Director will complete review of a permit within three working days of receipt from the LUTP.

(K) Notwithstanding subsection 29.707 (A), the special event held every June and commonly known as the "Rose Festival Grand Floral Parade" will not be subject to prior Board approval under this section to obtain a permit.

(L) Any decision to approve, deny, amend or revoke any permit application or permit made by the Director, the Chair or the Board, is a final county decision and any further review must be to the State Circuit Court.

#### **§ 29.708 Permit Application Review Criteria.**

(A) The sponsor must submit a completed special event permit application to the county LUTP no later than the date required by § 29.706 for an application to be accepted by the county. The county will issue a special event permit if the county determines that the application establishes compliance with all requirements and applicable criteria as set forth in subsection (B) and (C) respectively.

(B) Each permit application must be submitted with the application fee and must contain:

(1) The sponsor's name, address, telephone number and if available, the sponsor's facsimile number or email address;

(2) The identification of the bridge(s) to be used, including a description of the portion of the bridge, including traffic lanes and sidewalks, that is to be used for the special event;

(3) The date, starting and ending time of the proposed special event, including an estimate of time necessary for set up and take down of equipment used in the event;

(4) The date the application is received by the LUTP;

(5) Identification of other government agencies if any, who must be notified or consent to the special event.

(C) In addition to the requirements set forth in subsection (B), the application will be reviewed for compliance with the following criteria to the extent applicable:

(1) The event will be conducted in compliance with all applicable laws in a safe and orderly manner, will not damage county owned or maintained real or personal property;

and is in compliance with county requirements relating to traffic control, traffic safety and bridge integrity including but not limited to load rating limits.

(2) County resources, if required, are available to stage and conduct the event;

(3) The event will not conflict with previously scheduled or approved construction, maintenance or other activities;

(4) The event will not cause undue interference with the bridge for its primary use or cause undue hardship to those residences, businesses and property owners within a one mile radius of the bridge;

(5) The sponsor has agreed to defend, hold harmless and indemnify the county and has adequate insurance to cover all potential liability to honor that obligation;

(6) The sponsor has provided adequate plans for crowd control, traffic control, security, fire safety and emergency medical services;

(7) The sponsor has paid the requisite fee and if applicable the deposit;

(8) The event will not cause or contribute to a violation of any applicable federal, state or local environmental protection law or regulation, including but not limited to the Endangered Species Act or the Clean Water Act, as established by a comprehensive environmental analysis of the proposed event and its impact on the river if appropriate;

(9) That any hazardous substances, hazardous materials or hazardous waste used, stored or released in anyway in connection with the event will be handled in a manner consistent with any applicable laws and regulations; including but not limited to any local, state or federal law or regulation relating to the storage, release, spill or discharge of hazardous substances, hazardous material or hazardous waste, as defined under any applicable local, state or federal law or regulation.

(D) The county may deny the issuance of a special event permit if at any time the county determines that:

(B); (1) The sponsor fails to provide all the information required under § 29.708

(2) The special event cannot be conducted in compliance with one or more of the applicable criteria set forth at § 29.708 (C);

(3) The sponsor fails to comply with the terms and conditions of the permit application;

(4) The sponsor within the past 24 months has failed to conduct a previously authorized special event in accordance with the law or the terms of a permit;

(5) If the sponsor was to obtain the written approval of any other public agency whose jurisdiction includes or is impacted by the special event in advance of the county issuing the permit and has not obtained the approval or the previously granted approval of the other public agency has been withdrawn or revoked; or

(6) An emergency has been declared pursuant to MCC §§ 7.900 et seq. that will impact the use of the bridge; or the bridge is subject to unforeseen emergency repair or has been declared unsafe for any reason by the county bridge manager.

(E) (1) Following receipt of a completed permit application for a four hour or longer complete closure event outside the hours of 3 AM to 12 PM (noon) on a Sunday or a peak traffic hours event as provided under § 29.707, the county's Public Affairs Office will notify by electronic mail, neighborhood and business associations sanctioned by the City of Portland or otherwise recognized and located within a one mile radius of the east and west side terminus of the specified bridge. This notice will include the dates and hours of the requested closure, explanation of how to submit comments or other participation before the Board or the Chair, prior to the decision on the application, and the phone number and name of a county contact person for more information.

(2) Following a final decision to approve a complete closure event or a peak traffic hours event as provided under § 29.707, the county's Public Affairs Office will notify by electronic mail, neighborhood and business associations sanctioned by the City of Portland or otherwise recognized and located within a one mile radius of the specified bridge of the decision. This notice will include the dates and hours of the approved closure, the bridge to be closed, and the phone number and name of a county contact person for more information.

(3) Prior to the complete closure event, the Public Affairs Office will issue a news release to local news media and emergency services, including the dates and hours of the closure and the bridge to be closed

#### **§ 29.709 Contents of Special Event Permit.**

A special event permit will contain the following information, terms or conditions, as applicable:

(A) Identification of the bridge; including a description of the portion of the bridge, including traffic lanes and sidewalks, that is to be used for the special event

(B) The date, starting time and ending time of the special event;

(C) The time required for any and all set up, break down, and clean up related to the special event;

(D) The name, address and phone number of at least one person authorized to act for or on behalf of the sponsor.

(E) The number of persons, number and type of animals, and vehicles, the number of bands, other musical units and equipment capable of producing sound, if any, and limitation thereon pertaining to noise abatement;

(F) The plans for traffic control, crowd control, security, fire safety and emergency medical services, each subject to approval by the county;

(G) Approval from the United States Coast Guard for the closure of the bridges to river traffic;

(H) The specifications, plans and location of any temporary structures, equipment, signs or banners to be located on or attached in an authorized manner to the bridges;

(I) The conditions and restrictions relating to the use, storage and disposition of hazardous substances, hazardous materials or hazardous waste as those terms are defined in any applicable local, state or federal law or regulation;

(J) The number and location of event monitors and other support personnel to be provided by the sponsor;

(K) The conditions or restrictions on the use of alcoholic beverages and authorization for and conditions of the exclusive control or regulation of vendors and related sales activity by the sponsor during the special event;

(L) Confirmation that county has received any and all fees as required by § 29.712.

(M) Any and all environmental protection assessments, plans, reports or similar documents for which the sponsor was required by the county or other government agency to obtain to conduct the Event.

(N) Adequate provisions for clean-up and maintenance costs.

(O) Any and all written consents or permits as required by the City of Portland, or any other government agency with regulatory authority over the special event location or activities;

(P) A copy of written notice sent to Tri-met;

(Q) Indemnification of county by sponsor with respect to any claims, liabilities, suits, damages, losses, expenses or costs, including but not limited to attorney fees and other legal costs relating to or arising out of the special event or activities of the sponsor in connection with the special event.

(R) Proof of public liability insurance.

**§ 29.710 Insurance Requirements.**

(A) The sponsor of a complete closure event must provide public liability insurance coverage for the special event and sponsor's activities, including volunteers and all other participants in connection with the special event. Sponsors of other events may be required to provide insurance based on the category and size of the event as provided under § 29.705. Such insurance must name Multnomah County, its officers, employees, and agents, as an additional insured. Insurance coverage must be maintained for the duration of the special event. Notice of cancellation must be provided immediately to the county and with a minimum of 30 days notice prior to the termination of the policy.

(B) The sponsor's current effective insurance policy, or copy, along with necessary endorsements, must be filed with the county at least 15 calendar days before the start of the special event, unless the county for good cause modifies the filing requirement.

**§ 29.711 Revocation of Special Event Permit.**

(A) The Board may revoke a special event permit if at any time it is determined:

(1) That one or more of the grounds for denial of issuance of a permit as set forth at § 29.708 (D) (1)-(6) is or are applicable;

(2) The event is being conducted in violation of any condition of the special event permit, including but not limited to any discontinuance for any reason of insurance coverage for the event;

(3) The event sponsor has failed to obtain any other permit, written consent or similar formal approval as required by another government agency with jurisdiction over the event location or activities;

(4) The special event permit was issued in error or contrary to law, or

(5) The sponsor has failed to pay upon reasonable demand any additional county costs incurred pursuant to the permit as provided under § 29.712.

(B) Except as provided in § 29.711(C), notices of revocation will be in writing and specifically set forth the reasons for the revocation.

(C) If there is an emergency requiring immediate revocation of a special event Permit, the county may notify the sponsor orally of the revocation, but will issue a notice of revocation as provided in § 29.711 (B) as soon as reasonably practical thereafter.

(D) The Chair or the Director are authorized to act in lieu of the Board to revoke any previously approved permit pursuant to subsections (A)-(C) of this section.

**§ 29.712 Special Event Permit Application Fee, Deposit and Cost Recovery.**

(A) The Board by resolution will establish a permit application fee and a minimum deposit amount. The county will draw from the deposit to cover the costs identified in this section on an actual cost incurred basis.

(B) The deposit will be required if the LUTP estimates, based upon initial review of the permit application, that the event is likely to require any of the following:

(1) More than 10 hours of county administrative services in preparation for and during the event, including but not limited to costs incurred for: document drafting, contacting and or meeting with the U.S. Coast Guard or other government agencies; providing expanded public notice; legal services; reviewing plans for traffic control, crowd control, fire safety, security or emergency medical services; conducting or attending special community meetings or similar activities;

(2) County personnel will need to be involved or its equipment used in the set-up or the operation of the event;

(3) County personnel will need to be involved or its equipment used in the removal of alterations or attachments; clean-up, or repair of county facilities because of the special event; or

(4) Any other extraordinary costs directly attributable to the staging and conducting of the special event.

(C) If at any time the county determines any deposit previously submitted is inadequate to cover the county's charges or costs, any additional funds required, or a reasonable estimate thereof, will be billed and collected from the sponsor. The county reserves the right to stop any further review of an application, deny the issuance of the permit or revoke an existing permit if the sponsor fails to deposit any outstanding costs and charges identified and billed to sponsor under this section.

(D) If the sponsor fails to comply with any obligations imposed upon it under this subchapter and the county incurs any costs or expenses, directly relating to sponsor's failure to comply, the sponsor will be billed for actual county costs incurred to remedy or mitigate sponsor's failure to comply.

(E) If after the special event has occurred or is cancelled, there is a surplus in the sponsor's deposit account and the county determines that there are no further costs to be billed or charged to the sponsor in connection with the special event, the county will refund to the

sponsor, subject to any administrative processing fees the remaining balance of the deposit account.

**§ 29.713 Interference with a Special Event Prohibited.**

It is unlawful for any person to interfere with a permitted special event. The following acts, among others, are prohibited by this section, when done with the intent to cause interference or without the permission of the sponsor:

(A) Blocking, obstructing or impeding the passage of participants, vehicles or animals in the special event route.

(B) Walking or running; driving a vehicle; riding a bicycle or skateboard through, between, with or among participants, vehicles or animals.

(C) Dropping, throwing, rolling or flying any object toward, among or between participants, vehicles or animals.

(D) Throwing, squirting, dumping or dropping any liquid or gaseous substance on, toward, among or between participants vehicles or animals.

(E) Grabbing at; taking hold of; hitting, pulling or pushing any participant, vehicle or animal or anything in the possession of any participant.

(F) Vending or offering for sale any food or merchandise within the special event area of the bridge during the time the event is to be conducted without first having obtained the written permission of the sponsor.

**§ 29.714 Cancellation, Recovery of Costs.**

If an event is cancelled or postponed by the sponsor, all costs the county has incurred in connection with the event are collectible from the sponsor and may be deducted from the deposit.

**Section 2.** MCC § 29.999 is amended as follows:

(A) *Plumbing Code violations.* A person who violates § 29.206 of this chapter will be subject to a civil penalty of not to exceed \$100 per violation. In the case of a continuing violation, every day's continuance of the violation is a separate violation. (ORS 456.885) ('90 Code; § 9.30.090) (Ord. 362, passed 1983)

(B) *Street standards violations.* No person shall violate any requirement of §§ 29.500 through 29.583 of this chapter or rule adopted under it. Each violation is subject to a civil penalty

not to exceed \$500. It is a separate violation for each day during any portion of which a violation of any provision of this subchapter or rule adopted under it occurs.

(C) Bridge Special Events violations: No person shall violate any requirement of §§ 29.700 et. seq. or rule adopted under it. Each violation is subject to a civil penalty not to exceed \$500.00. It is a separate violation for each day during any portion of which a violation of any provision of this subchapter or rule adopted under it occurs.

**Section 3.** This ordinance is effective March 29, 2003.

FIRST READING: February 20, 2003

SECOND READING AND ADOPTION: February 27, 2003



BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

*Diane M. Linn*  
Diane M. Linn, Chair

REVIEWED:

THOMAS SPONSLER, COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

By *Matthew O. Ryan*  
Matthew O. Ryan, Assistant County Attorney