STREET AND SIDEWALK USE ADMINISTRATIVE REGULATIONS

(Pursuant to PCC Chapter 1.07 this document constitutes Administrative Rules.)

Effective Date: October 15, 2012

Sections:

Section 1. Purpose
Section 2. Definitions
Section 3. Application Process
Section 4. Categories of Special Event Permits
Section 5. Other Permits
Section 6. Street and Sidewalk Use Advisory Committee
Section 7. Review Process
Section 8. Monitors
Section 9. Publicity
Section 10. Insurance, Liability Agreement, and Insurance Waivers
Section 11. Participant and Sponsor Acknowledgement
Section 12. Appeals

Section 1. Purpose

The purpose of these Administrative Regulations is to implement the provisions of Portland City Code (PCC) Chapter 7.22. These Administrative Regulations provide for issuance of permits and assessment of fees for walks, marches, parades, athletic events or other processions in streets or on sidewalks based on the need to maximize the safety of Special Event participants and others; to minimize inconvenience to the general public and disruption of public services caused by Special Event permits; and, to provide the public with the opportunity to exercise constitutionally protected rights of assembly and expression.

By issuance of these Administrative Regulations, the City has attempted to provide a clear and complete description of the Special Event Permit process. Sponsors are strongly encouraged to contact the Special Events Coordinator in the Revenue Bureau, as much in advance of the proposed event as possible, for assistance in completing the application and to ensure that the application may be processed in a timely manner. All event approvals are subject to the capacity of the City and associated agencies to provide the services required to protect the safety and convenience of the public.

Section 2. Definitions

A. Annual Special Event: An event retaining the same primary organization from prior years, occurring on or near the same date or within the same week of the year (i.e., 3rd Sunday in January), and retaining the same general geographic area (i.e., downtown) for at least the past two (2) years.

B. Application Fee: Non-refundable fee due with application.

C. Athletic Event: Any sporting event, timed or untimed, comprising all fitness levels, including but not limited to running, jogging, or walking, fun runs, persons using bicycles, wheelchairs, roller blades, roller skates, or other vehicular devices powered by human effort, as opposed to a motorized vehicle.

D. Bureau Director: The Director of the Revenue Bureau.

E. Capacity: The ability of all the service providers (Portland Bureaus of Police, Parks, Fire, and Transportation; Portland Office of Neighborhood Involvement; Portland Streetcar; Tri-Met; Multnomah County and other affected bureaus; Municipal, County or State agencies as needed on a per event basis) to provide the necessary financial, material and personnel resources to support the event, while protecting public safety and freedom of mobility within the public right-of-way.

F. City Resources: Any City service that is required to facilitate safe and orderly conduct of street and sidewalk use as allowed by Special Event Permit.

G. Closed Course: A method of securing a portion of a street for use by the sponsor by the use of traffic control devices.

H. Complete Application: An application received by the Revenue Bureau that fully responds to all questions on the application form, including, but not limited to, routing and descriptions of all event activities, as determined by the Special Events Coordinator, and which includes full payment of the non-refundable application fee.

I. Courtesy Towing: Holders of City permits which reserve specific areas for special events are allowed to remove, by towing, vehicles legally parked in the reserved area. In such instances, the permittee pays the tower based upon the “tow by the hour” rate established in the City of Portland Towing Contract.

J. Monitor: Person pre identified and designated by sponsor who is stationed along the event route to assist in the safe and orderly use of the sidewalks and streets.

K. New Special Event: any event not meeting all factors required to be defined as an Annual Special Event.

L. Organizer: An authorized representative of the sponsor and the primary contact.

M. Per Participant Fee: For all athletic events, the fee, as identified in these Administrative Rules, charged for each registered event participant.

N. Permit: A grant of permission from the City to a sponsor that authorizes the sponsor to use designated portions of the City streets or sidewalks for a use to which is lawful, but not normally allowed. The conditions of the permit are developed by the Special Events Coordinator, in conjunction with the sponsor, based on the sponsor's application and these Administrative Regulations.

O. Regulatory Division Manager: Manager of the Regulatory Division of the Revenue Bureau. The Regulatory Division Manager reviews recommendations to deny permits and may request additional information for reconsideration before ruling on denials.

P. Sidewalk: The portion of a street between the curb or the lateral lines of the roadway and the adjacent property lines, intended for use by pedestrians.

Q. Special Event: Street or sidewalk use (such as processionals, marches, walks, parades, athletic events, or demonstrations) that occupies authorized portions of City street(s) and/or sidewalk(s) for less than 24 hours and are free for the public to watch. Does not include City-sponsored events, festivals, neighborhood block parties, events that charge a fee to spectators, wedding celebrations or processionals, motorcade escorts, or funeral processionals.

R. Special Events Coordinator: The person charged with assisting sponsors with Special Event applications, coordinating with the Street and Sidewalk Use Advisory Committee, facilitating use of City resources and issuing permits.

S. Sponsor: That person, business or organization granted rights for use of the public right-of-way by mechanism of a Special Event Permit. The person or group responsible for all aspects of the approved street or sidewalk use.

T. Street: The entire width between the property lines of every public right-of way when any part thereof is open to the use of the public for purposes of use by vehicular traffic.

U. Street and Sidewalk Use Advisory Committee: The review body charged with assisting the Revenue Bureau with review of Special Event applications, in accordance with these Administrative Regulations, and with reviewing and making recommendations on changes to the Administrative Regulations.

V. Traffic Control Devices: All signs, signals, markings, and devices placed or operated by direction of the City Traffic Engineer for the purpose of guiding, directing, warning, or regulating traffic or parking.

Section 3. Application Process

A. For every type of Special Event for which a permit is required, the sponsor shall complete an application on a form provided by the Revenue Bureau and file the

B. All potential applicants should check with the Special Events Coordinator for determination of permits that may be required.

C. All potential applicants are encouraged to contact the Special Events Coordinator at the Revenue Bureau as soon as possible to discuss the desired date, planning, and conditions for issuance of a permit.

D. Applications should be filed no later than 30 days prior to the date of the Special Event to allow the City and the sponsor sufficient time to plan the Special Event. Applications filed less than 30 days prior to the date of the Special Event may be denied if there is not sufficient time available to the Revenue Bureau to process them.

E. Applications received less than 30 days prior to the proposed Special Event date are excluded from the appeal process.

F. Except for recurring, annual Special Events, no date shall be reserved until a completed application is filed with the Revenue Bureau and confirmation has been received from the Special Events Coordinator.

G. Applications for annual Special Events:

1. Dates for annual Special Events shall be reserved until 9 months prior to event date. Sponsor shall file a completed application with the Revenue Bureau no later than 9 months prior to their annual event date, or the annual Special Event date may be considered open and available.

2. The Special Events Coordinator shall review applications for annual Special Events to determine if the application is in fact for the same use held the prior year. This review shall be based on the following factors: Event name, date, timing, requested route, and sponsor.

3. Annual Special Events that fail to comply with the requirements of PCC Chapter 7.22 and these Administrative Regulations shall be placed on probation for one year. If the annual Special Event meets the requirements in the probationary year, its annual status will be reinstated. If it fails to comply in the probationary year, the use will lose annual status.

H. Application Fees, Permit Fees, Cost Recovery, and Fee Waiver:

1. Application Fees: Application fees shall be submitted with the application.

2. Permit Fees: Are determined by Special Event Coordinator and billed post-event with invoice of any other City charges for service.

3. Cost Recovery Fees: Athletic events permitted under these administrative rules are subject to the recovery of expenses incurred by Portland Police Bureau (PPB) and Portland Bureau of Transportation (PBOT). These fees will be estimated pre-event and billed on actual costs post event. Costs include, but are not limited to, staff planning and mapping hours and event day support.

4. Application and Permit Fees collected by the Revenue Bureau are for the purpose of funding one position and administrative costs associated with the Special Events program.

5. Application, permit, and cost recovery fees shall be reviewed every year. The escalation or de-escalation of application fees shall be based on the percentage increase of the Consumer Price Index for the year preceding review over the then current fee amount. The index to be used shall be the Consumer Price Index, Urban Wage Earners and Clerical Workers; Portland/Salem published by the United States Department of Labor, Bureau of Labor Statistics. The change in fee, if any, shall take effect as of the anniversary of the previous effective date of the fees. The Director may determine that fee escalation is not necessary even if the Consumer Price Index indicates an escalation may be made.

6. Waivers: For the fiscal year 2012-13 ONLY, any event that has become subject to cost recovery for required City services may apply to the Director of the Revenue Bureau for a waiver or reduction of fees. The sponsor must include the specific reasons for the request. Examples of reasons may include; irreversible ticket sales, contracts for services have been executed, or other financial commitments have been made that create a hardship for sponsor to reimburse the City for its services. The decision of the Director shall be final.

I. Modification of Special Event Permit. For Street, Small Parade, or Large Parade events, at least 75% of the minimum number of participants must be present within 15 minutes of the designated start time for the use to proceed as planned. If inadequate participation is present, the Special Events Coordinator or the police supervisor assigned to the event may reasonably modify the permit so the use may proceed in a manner other than as planned which will not unduly require use of City resources and will minimize inconvenience to the public.

Section 4. Categories of Special Event Permits

A. The City has created the following categories of Special Event permits:

1. Small Sidewalk Event;

2. Large Sidewalk Event;

3. Street Event;

4. Public Event;

5. Small Parade Event;

6. Large Parade Event;

7. Small Athletic Event;

8. Medium Athletic Event;

9. Large Athletic Event;

B. The City has based the Special Event categories on the following criteria:

1. The location of the event: on a sidewalk or pedestrian pathway, or on a street.

2. The number of participants.

3. Activities included in the event.

4. Event distances in the right of way.

5. The use of motor vehicles and/or animals.

6. The City resources required to ensure that the event may be conducted in a safe manner that minimizes the inconvenience and disruption of public services caused by the event.

7. The assessment of risk of personal injury or property damage that may occur as a result of the event.

C. Fees are assessed based on the amount of administration, police and transportation support required for the category of Special Event.

D. Summary of permit requirements:

Special Event Permit Categories	**Application Fee**	**Other Fees Required**	**Insurance & Liability Required**
Small Sidewalk Event • Less than 200 people • Held on sidewalk • Obey all traffic regulations • No City support required	$25.00	None	Yes
Large Sidewalk Event • At least 200 people • Held on sidewalk • Obey all traffic regulations • Minimal City support required	$25.00	None	Yes
Street Event • At least 75 people • Held in street • Typically requires participants to obey all traffic regulations • Police and transportation support, if needed, if interference with vehicular traffic	$25.00	None	Yes

Special Event Permit Categories	Application Fee	Other Fees Required	Insurance & Liability Required
Public Event • No event fee is charged to participants. • No vendors allowed sell food, beverages, merchandise or services during the event, nor charge any fee for the use of a float or motorized vehicle on the selected event route. • Requires closure of less than five or more contiguous city blocks and/or does not require the closure of any city block for more than 1 hour • Requires at least 200 participants if the event intends to use the street in the downtown area, requires at least 100 participants elsewhere in the city.	$25.00	None	Yes
Small Parade Event • At least 75 people, and the combination of people, vehicles and/or animals is fewer than 10 blocks in length and the route is less than one mile • Held in street • Limited animals or vehicles allowed • Police Transportation support may be required because of interference with vehicular traffic	$25.00	$150.00 Permit	Yes
Large Parade Event • At least 75 people, and the combination of people, vehicles and/or animals is greater than 10 blocks in length and the route is longer than one mile • Held in street • Animals or vehicles allowed • Police and Transportation support required, including mapping and traffic control devices, because of interference with vehicular traffic	$25.00	$1000.00 Permit	Yes
Small Athletic Event • Fewer than 750 participants • No event distance greater than 10 kilometers on City streets or sidewalks • Held in the street, or combination of street/sidewalk/park • Preapproved route required • Police and Transportation services may be required	$25.00	• $300.00 Flat Fee plus; • $0.15 per participant plus; • actual PPB/PBOT* costs plus; • 10% surcharge of PPB/PBOT costs	Yes
Medium Athletic Event • More than 750 participants • No event distance greater than 10 kilometers on City streets or sidewalks (excludes distances on Parks and private property) • Held in the street, or combination of street/sidewalk/park • Preapproved route required • Police and Transportation services may be required	$25.00	• $2000.00 Flat Fee plus; • $0.15 per participant plus; • actual PPB/PBOT* costs plus; • 10% surcharge of PPB/PBOT costs	Yes
Large Athletic Event • More than 750 participants • Requires greater than 120 City staff hours or includes event distances greater than 10 kilometers on City streets or sidewalks (excludes distance on Parks or private property) • Held in the street, or combination of street/sidewalk/park • Preapproved route required • Police and Transportation services may be required	$25.00	• 3500.00 Flat Fee plus; • $0.15 per participant plus; • actual PPB/PBOT* costs plus; • 10% surcharge of PPB/PBOT costs	Yes

*PPB is the abbreviation of Portland Police Bureau; PBOT is the abbreviation of Portland Bureau of Transportation

E. Special Event requirements:

1. Small Sidewalk Event:

a. Fees, Application and Permit Requirements:

(1) Fees: $25.00 Application Fee

(2) Application and Permit Required: Yes.

b. Criteria:

(1) Location: The small sidewalk event is held on a sidewalk or a pedestrian pathway; and

(2) Number of Participants: It is anticipated that there will be fewer than 200 participants total, or no more than 200 participants starting within any one hour period for the duration of the small sidewalk use; and

(3) Use of Animals and/or Motor Vehicles: No animals and/or motor vehicles will participate; and

(4) City Resources Required: Minimal City resources are required because the small sidewalk event is held on the sidewalk, participants are required to cross streets only at legal crossings, and to obey all traffic regulations; and

2. Large Sidewalk Event

a. Fees, Application and Permit Requirements:

(1) Fees: $25.00 Application Fee.

(2) Application and Permit Required: Yes.

b. Criteria:

(1) Location: The large sidewalk event is held on a sidewalk or pedestrian pathway; and

(2) Number of Participants: It is anticipated that there will be 200 or more participants; and

(3) Use of Animals and/or Motor Vehicles: No animals and/or motor vehicles will participate; and

(4) City resources required: Only minimal use of City resources is required because the large sidewalk event is held on the sidewalk, participants are required to cross streets only at legal crossings, and to obey all traffic regulations along the entire length of the route. However, because the large sidewalk event may interfere with normal pedestrian traffic due to the number of participants, administration support including route review and scheduling is required.

(a) Administration Support:

(i) Route Review: The sponsor in consultation with the Special Events Coordinator shall designate the route. After the route has been approved by the Special Events Coordinator, it may not be changed without prior written approval of the Special Events Coordinator;

(ii) Routes for large sidewalk events shall be designed so that they do not cross streets except at legal crossing points. The City will not divert traffic or permit a closed course for the large sidewalk event;

(iii) The sponsor shall organize the large sidewalk event to ensure that all participants remain on the sidewalk or pedestrian pathway and obey all traffic regulations along the entire length of the route. Sponsor shall submit a plan to the Special Events Coordinator, with the application, describing how the sponsor plans to ensure compliance with this section, including provision of monitors;

(iv) The method of marking the route shall be submitted to the Special Events Coordinator with the application. Painting or other methods that will cause damage to the sidewalk, street or other fixtures is prohibited. All approved route markings shall be removed within 24 hours of the conclusion of the large sidewalk event.

(v) Scheduling: To avoid conflicts and to minimize public inconvenience, it is necessary for the large sidewalk event to be scheduled. Scheduling includes picking a date that does not conflict with other permitted events or activities on the route.

3. <u>Street Use Event</u>

a. Fees, Application and Permit Requirements:

(1) Fees: $25.00 Application Fee

(2) Application and Permit Required: Yes.

b. Criteria:

(1) Location: The street use event is held in the street; and

(2) Number of Participants: It is anticipated that there will be 75 participants or more; and

(3) Use of Animals and/or Motor Vehicles: No animals and/or motor vehicles, other than support vehicles, will participate; and

(4) Typically requires participants to obey all laws.

(5) City Resources Required: Use of City resources may be required if the street use interferes with normal vehicular traffic.

(a) Administration Support:

(i) Route Review: The sponsor in consultation with the Special Events Coordinator shall designate the route of at least four blocks. After the route has been approved by the Special Events Coordinator, it may not be changed without prior written approval of the Special Events Coordinator;

(ii) The sponsor shall organize the street use to ensure that all participants remain on the designated route, and obey instructions of police officers and traffic control devices, if any, along the entire length of the route. Sponsor shall submit a plan to the Special Events Coordinator, with the application, describing how the sponsor plans to ensure compliance with this section, including provision of monitors. A closed course may be required;

(iii) No route markings are permitted without prior written approval of the Special Events Coordinator.

(iv) Scheduling: To avoid conflicts and to minimize public inconvenience, it is necessary for the street use to be scheduled. Scheduling includes picking a date that does not conflict with other permitted events or other activities on the route and arranging transportation support if needed, and police support.

(b) Police Support: Street events may require police support; and;

(c) Transportation Support:

(i) Maps: Mapping of the route may be required; and;

(ii) Traffic Control Devices: The City may provide traffic control devices or may require sponsor to contract those services from an approved private vendor.

4. Public Event

a. Fees, Application and Permit Requirements

(1) Fees: $25.00 Application Fee

(2) Application and Permit Required: Yes.

b. Criteria

(1) No event fee is charged to participants.

(2) The sponsor does not charge a fee to any vendor for the right to sell food, beverages, merchandise or services during the event, nor charge any fee for the use of a float or motorized vehicle on the selected event route.

(3) The event is open to all members of the public. No payment, pledge, services or fee is required to participate.

(4) The event does not require the closure of five or more contiguous city blocks and/or the event does not require the closure of any city block for more than 1 hour.

(5) The event has at least 200 participants if the event intends to use the street in the downtown area, at least 100 participants required in other areas of the city.

(6) Use of Animals or Motor Vehicles: Small numbers of animals and/or motor vehicles may participate; and

(7) City Resources Required: Use of City resources is required if the event is held in the street and will interfere with normal vehicular traffic.

(a) Administration Support:

(i) Route Review: The sponsor in consultation with the Special Events Coordinator shall designate the route. After the route has been approved by the Special Events Coordinator, it may not be changed without prior written approval of the Special Events Coordinator;

(ii) The sponsor shall organize the public event to ensure that all participants remain on the designated route, and obey instructions of police officers along the entire length of the route. Sponsor shall submit a plan to the Special Events Coordinator, with the application, describing how the sponsor plans to ensure compliance with this section including provision monitors;

(iii) No route markings are permitted without prior written approval of the Special Events Coordinator.

(iv) Scheduling: To avoid conflicts and to minimize public inconvenience, it is necessary for the public events to be scheduled. Scheduling includes picking a date that does not conflict with other permitted events or other activities on the route and arranging for police support.

(b) Police Support: Public events in the street require police support.

5. Small Parade Event

a. Fees, application and permit requirements:

(1) Fees:
(a) $25.00 Application Fee
(b) $150.00 Permit Fee

(2) Application and Permit Required: Yes.

b. Criteria:

(1) Location: The small parade is held in the street; and

(2) Number of Participants: It is anticipated that there will be a minimum of 75 participants, and the combination of people, vehicles and/or animals will not exceed ten blocks

in length, and generally the route will be less than one mile; and

(3) Use of Animals or Motor Vehicles: Small numbers of animals and/or motor vehicles may participate; and

(4) City Resources Required: Use of City resources is required because the small parade is held in the street and will interfere with normal vehicular traffic.

(a) Administration Support:

(i) Route Review: The sponsor in consultation with the Special Events Coordinator shall designate the route. After the route has been approved by the Special Events Coordinator, it may not be changed without prior written approval of the Special Events Coordinator;

(ii) The sponsor shall organize the small parade to ensure that all participants remain on the designated route, and obey instructions of police officers along the entire length of the route. Sponsor shall submit a plan to the Special Events Coordinator, with the application, describing how the sponsor plans to ensure compliance with this section including provision monitors;

(iii) No route markings are permitted without prior written approval of the Special Events Coordinator.

(iv) Scheduling: To avoid conflicts and to minimize public inconvenience, it is necessary for the small parade to be scheduled. Scheduling includes picking a date that does not conflict with other permitted events or other activities on the route and arranging for police support.

(b) Police Support: Small parades require police support.

6. <u>Large Parade Event</u>

a. Fees, application and permit requirements:

(1) Fees:

(a) $25.00 Application Fee

(b) $1000.00 Permit Fee

(2) Application and Permit Required: Yes.

b. Criteria:

(1) Location: The large parade is held in the street; and

(2) Number of Participants: It is anticipated that there will be a minimum of 75 participants, and the combination of people, vehicles and/or animals will exceed ten blocks in length and generally the route will be longer than one mile; and

(3) Use of Animals or Motor Vehicles: Animals and/or motor vehicles may participate if approved; and

(4) City Resources Required: Use of City resources is required because the large parade is held, at least partially, in the street and will interfere with normal vehicular traffic.

(a) Administration Support:

(i) Route Review: The sponsor in consultation with the Special Events Coordinator shall designate the route. After the route has been approved by the Special Events Coordinator it may not be changed without prior written approval of the Special Events Coordinator;

(ii) The sponsor shall organize the large parade to ensure that all participants remain on the designated route, and obey instructions of police officers and traffic control devices along the entire length of the route. Sponsor shall submit a plan to the Special Events Coordinator, with the application, describing how the sponsor plans to ensure compliance with this section including provision of monitors. A closed course is required;

(iii) No route markings are permitted without the prior written approval of the Special Events Coordinator.

(iv) Scheduling: To avoid conflicts and to minimize public inconvenience, it is necessary for the large parade to be scheduled. Scheduling includes picking a date that does not conflict with other

permitted events or other activities on the route, and arranging police and transportation support.

(b) Police Support: Police support is required.

(c) Transportation Support:

(i) Maps: A traffic control plan and maps of intersections may be required for use of police support and monitors.

(ii) Traffic Control Devices: The City may provide traffic control devices.

7. Small Athletic Event

a. Fees, Application and Permit Requirements:

(1) Fees:
- **(a)** $25.00 Application Fee
- **(b)** Permit Fee Consisting of:
  - **(i)** $300.00 Flat Fee
  - **(ii)** $0.15 Per Participant Fee
  - **(iii)** Full Recovery of PPB & PBOT Costs
  - **(iv)** 10% Surcharge of Combined PPB & PBOT Costs

(2) Application and Permit Required: Yes.

b. Criteria:

(1) Location: The small athletic use is held in the street, or combination of street, sidewalk, and/or park; and

(2) Distance: No event distance in the City right-of-way is greater than 10 kilometers; and

(3) Number of Participants: It is anticipated that there will be fewer than 750 participants; and

(4) Use of Animals and/or Motor Vehicles: Animals and/or motor vehicles may participate if approved; and

(5) City Resources Required: Use of City resources may be required for events that utilize City streets; coordination, traffic control planning, police services, and potential use of traffic control devices.

(a) Administration Support:

(i) Route Review: The sponsor, in consultation with the Special Events Coordinator shall propose route. After the route has been reviewed and approved by the Special Events Coordinator, Changes require approval of the Special Event Coordinator, or Designee on day of the event.;

(ii) Compliance and Monitors: The sponsor shall organize the athletic use to ensure that all participants: remain on the designated route, obey instructions of police officers, and comply with traffic control devices along the entire length of the route. Sponsor must submit a plan to the Special Events Coordinator, with the application, describing how the sponsor plans to ensure compliance with this section, including provision of monitors. A closed course is required;

(iii) Route Marking: No route markings are permitted without the prior written approval of the Special Events Coordinator;

(iv) Scheduling: To avoid conflicts and to minimize public inconvenience, it is necessary for the small athletic events to be scheduled. Scheduling includes selecting a date that does not conflict with other activities on, or immediately adjacent to, the route, and does not exceed the City's capacity to provide required services.

(b) Police Support: Police support may be required to meet safety standards. The sponsor is required to pay full cost recovery for any required police services.

(c) Transportation Support: May be required to meet safety standards. The sponsor is required to pay full cost recovery for any required services.

(i) Maps: A traffic control plan and intersection diagrams are required. The sponsor is required to pay cost recovery on any traffic engineering services provided by the City.

(ii) Traffic Control Devices: When practical, the sponsor may hire resources from an approved, private traffic control vendor. If

contracted from a private company, controls must meet designated requirements of the City developed traffic control plan. The sponsor is required to pay full cost for traffic control devices and services provided by the City.

(6) Other factors for all athletic events:

(a) Athletic events that close streets shall be held on Sundays or approved holidays; with starting times no later than 9:00 a.m. Exceptions are permitted only with prior written approval of the Special Event Coordinator.

(b) The tail cars for athletic events that consist of road runs shall maintain an overall pace of 12 minutes per mile, and the City will only control the course in front of the tail car. The police supervisor may adjust the pace as necessary for the safety of the runner participants.

8. Medium Athletic Events

a. Fees, permit and application requirements:

(1) Fees:
- **(a)** $25.00 Application Fee
- **(b)** Permit Fee consisting of:
  - **(i)** $2000.00 Flat Fee
  - **(ii)** $0.15 Per Participant Fee
  - **(iii)** Full Recovery of PPB & PBOT Costs
  - **(iv)** 10% Surcharge of PPB & PBOT Costs

(2) Application and Permit Required: Yes.

b. Criteria:

(1) Location: The medium athletic use is held in the street, or combination of street, sidewalk, and/or park; and

(2) Distance: No event distance in the City right-of-way is greater than 10 kilometers; and

(3) Number of Participants: It is anticipated that there will be a minimum of 750 participants; and

(4) Use of Animals and/or Motor Vehicles: Animals and/or motor vehicles may participate if approved; and

(5) City Resources Required: Use of City resources is required because the medium athletic use is held in the street and will interfere with normal vehicular traffic, will have large numbers of participants, and will involve athletic activity.

(a) Administration Support:

(i) Route Review: The sponsor in consultation with the Special Event Coordinator shall designate the route. After the route has been approved by the Special Event Coordinator it may not be changed without prior written approval of the Special Event Coordinator;

(ii) The medium athletic use sponsor shall organize the large athletic use to ensure that all participants remain on the designated route, and obey instructions of police officers and traffic control devices along the entire length of the route. Sponsor shall submit a plan to the Special Event Coordinator, with the application, describing how the sponsor plans to ensure compliance with this section including provision of monitors. A closed course is required;

(iii) No route markings are permitted without the prior written approval of the Special Event Coordinator;

(iv) Routes for special events, held in conjunction with large athletic events, shall be designed so that they do not cross the medium athletic event route or any locations where motor vehicle traffic is allowed to cross the large athletic event route.

(v) Scheduling: To avoid conflicts and to minimize public inconvenience, it is necessary for the large athletic event to be scheduled. Scheduling includes picking a date that does not conflict with other permitted events or other activities on the route, and arranging police and transportation support.

(b) Police Support: Police support may be required to meet safety standards. The sponsor is required to pay full cost recovery for any required police services.

(c) Transportation Support: May be required to meet safety standards. The sponsor is required to pay full cost recovery for any required services.

(i) Maps: A traffic control plan and intersection diagrams are required. The sponsor is required to pay cost recovery on any traffic engineering services provided by the City.

(ii) Traffic Control Devices: When practical, the sponsor may hire resources from an approved, private traffic control vendor. If contracted from a private company, controls must meet designated requirements of the City developed traffic control plan. The sponsor is required to pay full cost for traffic control devices and services provided by the City.

(6) Other factors for all athletic events:

(a) Athletic events that close streets shall be held on Sundays or approved holidays; with starting times no later than 9:00 a.m. Exceptions are permitted only with prior written approval of the Special Event Coordinator.

(b) The tail cars for athletic events that consist of road runs shall maintain an overall pace of 12 minutes per mile, and the City will only control the course in front of the tail car. The police supervisor may adjust the pace as necessary for the safety of the runner participants.

9. <u>Large Athletic Events</u>

a. Fees, Application and Permit Requirements:

(1) Fees:
- **(a)** $25.00 Application Fee
- **(b)** Permit Fee Consisting of:
  - **(i)** $3500.00 Flat Fee
  - **(ii)** $0.15 Per Participant Fee
  - **(iii)** Full Recovery of PPB & PBOT Costs
  - **(iv)** 10% Surcharge of PPB & PBOT Costs

(2) Application and Permit Required: Yes.

b. Criteria:

(1) Location: The large athletic event is held in the street; or combination of street, sidewalk, and/or park; and

(2) Number of Participants: It is anticipated that there will be more 750 participants and/or spectators; and

(3) Distance: Event distance is the City right-of-way is greater than 10 kilometers; and

(4) Use of Animals and/or Motor Vehicles: Animals and/or motor vehicles may participate if approved; and

(5) City Resources Required: Use of City resources is required because the large athletic event is held in the street and will interfere with normal vehicular traffic, and because of the large numbers of participants and/or spectators which will require extensive traffic and crowd control measures. Any event that utilizes over 120 hours of City staff time will be included in this category.

(a) Administration Support:

(i) Route Review: The sponsor in consultation with the Special Event Coordinator shall designate the route. After the route has been approved by the Special Event Coordinator it may not be changed without prior written approval of the Special Event Coordinator;

(ii) The sponsor shall organize the large athletic event to ensure that all participants remain on the designated route, and obey instructions of police officers and traffic control devices along the entire length of the route. Sponsor shall submit a plan to the Special Event Coordinator, with the application, describing how the sponsor plans to ensure compliance with this section including provision of monitors. A closed course is required;

(iii) No route markings are permitted without prior written approval of the Special Events Coordinator.

(iv) Scheduling: To avoid conflicts and to minimize public inconvenience, it is necessary for the large athletic event to be scheduled. Scheduling includes picking a date that does not conflict with other

permitted events or other activities on the route, and arranging police and transportation support.

(b) Police Support: Police support may be required to meet safety standards. The sponsor is required to pay full cost recovery for any required police services.

(c) Transportation Support: May be required to meet safety standards. The sponsor is required to pay full cost recovery for any required services.

(i) Maps: A traffic control plan and intersection diagrams are required. The sponsor is required to pay cost recovery on any traffic engineering services provided by the City.

(ii) Traffic Control Devices: When practical, the sponsor may hire resources from an approved, private traffic control vendor. If contracted from a private company, controls must meet designated requirements of the City developed traffic control plan. The sponsor is required to pay full cost for traffic control devices and services provided by the City.

(6) Other factors for all athletic events, including large events that include athletic activity:

(a) Athletic events that close streets shall be held on Sundays or approved holidays; with starting times no later than 9:00 a.m. Exceptions are permitted only with prior written approval of the Special Event Coordinator.

(b) The tail cars for athletic events that consist of road runs shall maintain an overall pace of 12 minutes per mile, and the City will only control the course in front of the tail car. The police supervisor may adjust the pace as necessary for the safety of the runner participants.

Section 5. Other Permits

A. The Special Event Permit covers only activities on a sidewalk or pedestrian pathway or on a street. It is the responsibility of the sponsor to obtain any other

permit that may be required for a particular use. Permits for other uses may be obtained from the following agencies:

1. Parks use:

a. City Parks, Portland Parks and Recreation.

b. Schrunk Plaza, U. S. General Services Administration.

c. Pioneer Courthouse Square, Pioneer Courthouse Square Office.

2. Amplified sound, City Noise Control Officer.

3. Structure erected in or over a street, City Street Systems Division.

4. Use of Bridges, Contact Special Events Coordinator for information regarding specific bridges.

5. Bridge closure (60 day notice required), United States Coast Guard.

6. Food service, Multnomah County Health Division.

7. Alcoholic beverages, Oregon Liquor Control Commission.

8. Light rail or bus routes, TriMet.

9. Block parties, Portland Office of Neighborhood Involvement.

10. Community events, Portland Bureau of Transportation.

B. Telephone numbers and addresses for these agencies are available from the Revenue Bureau or City/County Information.

Section 6. Street and Sidewalk Use Advisory Committee

A. The Street and Sidewalk Use Advisory Committee shall be composed of representatives from the following:

1. Revenue Bureau (Chair);

2. Portland Police Bureau;

3. Portland Fire & Rescue;

4. Portland Bureau of Transportation, Maintenance Division;

5. Tri County Metropolitan Transportation District of Oregon (TriMet);

6. Portland Bureau of Transportation, Traffic Management Division;

7. Portland Streetcar;

8. Portland Parks and Recreation; and

9. Office of Neighborhood Involvement

B. The Street and Sidewalk Use Advisory Committee shall be charged with the following duties:

1. It shall review applications for exceptional uses based on the criteria listed in section 7.A.1 of these Administrative Regulations; and

2. It shall make recommendation at for the level of services required for each special event.

3. It shall review proposed changes to these Administrative Regulations and make recommendations on the changes to the Bureau Director; and

4. It shall determine whether a closed course is required for a category of Special Event; and

5. It shall review and make recommendations on objections to closed course event applications; and

6. It shall assist the Special Events Coordinator in the performance of the Coordinator's duties as needed; and

7. It shall periodically review the effectiveness of City resources provided for permitted events.

Section 7. Review Process

A. Special Events Coordinator

1. In order to make reasonable accommodation for all categories of events, the Special Events Coordinator shall review applications for permits based on the following criteria:

a. The proposed event can function safely; and

b. The proposed event is designed to protect the safety of participants and others; and

c. The required City resources, including administrative, police and transportation support are available to support the proposed event and the proposed event will not deny reasonable City services, including police protection, to the City; and

d. The proposed event will not cause undue interference with previously approved construction, maintenance or other activities, including other approved events; and

e. The proposed event will not cause undue interference with public transit systems or the use of rights-of-way, and will not unduly inconvenience the general public; and

f. The date the application is received by the Revenue Bureau.

2. Closed Course Review

a. The Special Events Coordinator shall determine whether a particular event requires a closed course.

b. For closed course events that restrict access for six hours or more, the sponsor shall obtain permission of property owners and tenants whose property is enclosed by or abuts the closed course, and submit written evidence of permission to the Revenue Bureau.

(1) If there are objections to the closed course, the Special Events Coordinator will review them and attempt to mediate. If concerns remain after mediation, the closed course event application shall be referred back to the Street and Sidewalk Use Advisory Committee for review and recommendation.

(2) If all concerns are resolved, the Special Events Coordinator shall issue a permit for a closed course event.

B. Revenue Bureau

1. Based on the review required by section 7. A. of these Administrative Regulations, the Special Events Coordinator may issue a permit, or if the application for the Special Event does not comply with these Administrative Regulations or PCC Chapter 7.22, the Special Events Coordinator may offer a modification of the requested permit or recommend denial of the permit to the Regulatory Division Manager. The Special Events Coordinator shall notify the sponsor in writing of the disposition of the application. A permit that is denied or modified may be appealed as provided in section 12 of these Administrative Regulations.

2. The Special Events Coordinator may limit the number of Special Events permitted based on the availability of City resources.

3. For small parades, large parades, or athletic events, the Special Events Coordinator may require a sponsor to submit status reports on planning for event and the financial commitment of sponsors at any time after the application is filed and before the event occurs. If the Special Events Coordinator determines, based on the status reports, that the event is underfunded or that planning is insufficient so that the event is likely to fail, the Special Events Coordinator may request denial or revocation of the permit within a reasonable time before the date of the event.

Section 8. Monitors

A. Sponsors of Special Events shall provide monitors and shall instruct the monitors in methods of assisting in staging safe and orderly street and sidewalk use.

B. Monitors must be a minimum of 16 years old, and easily identifiable through a means such as a badge, arm band, bib, shirt or cap.

C. The Portland Bureau of Transportation representative on the Street and Sidewalk Use Advisory Committee shall prepare a traffic control plan for large parades and athletic events. The traffic control plan shall indicate the locations where monitors shall be present and shall provide guidelines on monitor use and barricade locations.

D. The Special Events Coordinator and the Street and Sidewalk Use Advisory Committee shall assist the sponsors of street and small parade events in determining the recommended number of monitors and their function.

E. The Special Events Coordinator may request proof of sufficient numbers of monitors from sponsors of large parade and athletic events. Proof shall consist of names and contact information, and the means of identifying monitors as provided in section 8.B of these Administrative Regulations. Proof shall be provided to the Special Events Coordinator five working days prior to the date of the use.

F. The Special Events Coordinator or the police supervisor assigned to the Special Event permit may request that the sponsor provide proof of sufficient monitors, and the means of identifying the monitors as provided by section 8.B of these Administrative Regulations immediately prior to the start of the use. Proof shall be in the form of a head count of monitors present.

Section 9. Publicity

A. Sponsors are advised not to publicize proposed Special Events until after receipt of the permit from the Revenue Bureau to avoid publication of misinformation. Sponsors who disregard this precaution shall not receive special consideration in determining approval for the proposed event because of advance preparation or the expenditure of money.

B. Sponsors of athletic and large parade events with a closed course, shall notify residential complexes, neighborhood groups, businesses and churches which will be affected by the event closures. The notification shall be made not more than fourteen (14) days before, and not less than 6 days prior to the event date. The notification shall be in writing and shall include the name and telephone number of the appropriate City official to contact in case of questions or concerns. A sample form of notification is available at the Revenue Bureau. A copy of the actual form of notification shall be sent to the Revenue Bureau not less than six (6) days before the event date with a list of those notified.

Section 10. Insurance, Liability Agreement and Insurance Waivers

A. Insurance

1. Proof of public liability and property damage insurance as provided in section 2. below shall accompany applications for small parades, large parades, and athletic events.

2. The sponsor shall maintain public liability and property damage insurance that protects the sponsor and the City and its officers, agents and employees from any and all claims, demands, actions and suits for damage to property or personal injury, including death, arising from the sponsor's event. The insurance shall provide coverage for not less than $1,00,000 for personal injury to each person, $1,000,000 for each occurrence, and $500,000 for each occurrence involving property damage; or a single limit policy of not less than $1,000,000 covering all claims per occurrence. The limits of the insurance shall be subject to statutory changes as to maximum limits of liability imposed on municipalities of the State of Oregon. The insurance shall be without prejudice to coverage otherwise existing and shall name as additional insureds the City and its officers, agents and employees. Notwithstanding the naming of additional insureds, the insurance shall protect each insured in the same manner as though a separate policy had been issued to each, but nothing herein shall operate to increase the insurer's liability as set forth elsewhere in the policy beyond the amount or amounts for which the insurer would have been liable if only one person or interest had been named as insured. The coverage shall apply as to claims between insureds on the policy. The insurance shall provide that the insurance shall not terminate or be cancelled without thirty (30) days written notice first being given to the Special Events Coordinator. If the insurance is cancelled or terminated prior to completion of the event, the sponsor shall provide a new policy with the same terms. The sponsor agrees to maintain continuous, uninterrupted coverage until the completion of the event. The insurance shall include coverage for any damages or injuries arising out of the use of automobiles or other motor vehicles by the sponsor. The sponsor shall maintain on file with the Revenue Bureau a certificate of insurance certifying the coverage required by this section. The adequacy of the insurance shall be subject to the approval of the City Attorney. Failure to maintain liability insurance shall be cause for immediate revocation of sponsor’s Special Event Permit.

B. Liability Agreement: Sponsors of small parades, large parades, and athletic events shall hold harmless, defend and indemnify the City and the City’s officers, agents and employees against all claims, demands, actions and suits (including all attorney fees and costs) brought against any of them arising from sponsor’s activities authorized by a Special Event Permit.

C. Insurance Waivers

1. If an event organizer cannot provide event insurance, the organizer may request an insurance waiver. A request for an insurance waiver must be indicated on the event application. The Event Coordinator will refer all requests for an insurance waiver to the Revenue Bureau Director.

2. The Revenue Bureau Director will review the request for an insurance waiver and issue an approval or denial of the waiver within seven (7) business days of receiving an application that requests an insurance waiver. This timeline may be expedited.

3. Criteria for Insurance Waivers. Events will be eligible for an insurance waiver if:

a. Event is an exercise of rights protected by the First or Fourteenth Amendments to the US Constitution or Article I, Section 8 of the Oregon Constitution.

OR

b. Event is categorized as a Public; Small, or Large Sidewalk Event; and

c. Event organizer can show the cost of insurance would present a financial hardship; and

d. Event organizer does not charge an entry fee to participants, floats or vendors; and

e. Event does not qualify for coverage under a Neighborhood Association or school, or parent organization.

Section 11. Participant and Sponsor Acknowledgement

A. Participants in and sponsors of special events acknowledge and understand that participating in an event includes an element of risk to participants and sponsors. Participants and sponsors also acknowledge and understand that although police support may be provided, motor vehicle traffic and spectators may be present along the route and the route may be in a street that is not designed for pedestrian travel or athletic activity. Therefore participants and sponsors assume the risk of participating under such conditions, and all other risks associated with participating in an event including but not limited to illness, traveling to and from the event, falls, contact with spectators and other participants, animals or motor vehicles, the effects of the weather and the surface condition of streets and sidewalks.

B. The acknowledgement provided in subsection A. of this section applies to all Special Events. However, sponsors of events that require participants to complete an application form to participate shall include the language of subsection A. of this section in the application form.

Section 12. Appeals

Denial of an application for a Special Event Permit may be appealed as provided by this section.

A. A sponsor whose application for a Special Event Permit is denied or modified may appeal the denial or modification by filing a written notice of appeal with the Bureau Director no later than five business days following receipt of written notice from the Revenue Bureau that the application for a permit is denied or modified.

B. The burden of persuasion is on the sponsor. The sponsor may provide written or oral evidence to the Bureau Director in support of the sponsor's appeal. If written evidence is to be presented, it shall accompany the sponsor's notice of appeal. If the sponsor wants to present oral evidence, the sponsor shall request a hearing before the Bureau Director in the sponsor's written notice of appeal.

C. The Bureau Director shall schedule any requested oral presentation as soon as reasonably possible, but no more than five business days, following receipt of the notice of appeal by the Revenue Bureau.

D. The Bureau Director shall make a decision on the appeal as soon as reasonably possible following conclusion of presentation of additional evidence by the sponsor, but no more than five days following conclusion of presentation of evidence.

E. The decision of the Bureau Director may be appealed to City Council, but only after the sponsor has exhausted the administrative remedies provided by this section.

F. In any appeal to City Council, no additional evidence may be presented and City Council will make its decision based on the evidentiary record before the Bureau Director.

STREET AND SIDEWALK USE
INTERIM ADMINISTRATIVE REGULATIONS

Issuance of permits for Special Events shall be in accordance with provisions of Chapter 7.22 of the Code of the City of Portland, Oregon (PCC) and as further outlined in these Administrative Regulations established by the Revenue Bureau.

STREET AND SIDEWALK USE
INTERIM ADMINISTRATIVE REGULATIONS

Issuance of permits for Special Events shall be in accordance with provisions of Chapter 7.22 of the Code of the City of Portland, Oregon (PCC) and as further outlined in these Administrative Regulations established by the Revenue Bureau.

These interim rules are adopted pursuant to PCC 7.22.020(b) 3. Failure to act promptly and without prior public notice may result in serious prejudice to the public interest or the affected parties. There is insufficient time to conduct public hearings for administrative rule proposals, therefore these interim rules are adopted and will remain in effect for a period not to exceed 180 days.

Thomas W. Lannom
Director
Revenue Bureau

8 NOV 2012
Date Adopted*

*These interim rules are effective for a period not to exceed 180 days or until permanent rules are adopted.