

[Integrated through August 2008]

COLUMBIA COUNTY

PUBLIC ROAD EVENT ORDINANCE

Enacted by Ordinance No. 97 - 6

AMENDED:

ORDI NO.	EFFECTIVE DATE	DESCRIPTION
2001 - 7	12/ 18/ 01	Provides that the Administrator of the ordinance will be designated by order or resolution of the Board of County Commissioners.
2006 - 1	01/ 25/ 06	Changes definition to include footrace, events requiring extensive roadside parking, road rally, and other significant road event.
2008 - 01	05/ 14/ 08	Allows any city within Columbia County to consent to the application of the Ordinance within the city, and increases application fees.

COLUMBIA COUNTY PUBLIC ROAD EVENT ORDINANCE

SECTION 1. TITLE

This ordinance shall be known as the “Columbia County Public Road Event Ordinance”.

SECTION 2. DEFINITIONS

A. Parade. “Parade” means any march or procession consisting of people, animals or vehicles, or combination thereof, except funeral processions, upon any portion of a public road which does not comply with normal and usual traffic regulations or controls.

B. Footrace. “Footrace” means an organized run of 100 or more participants who are at any one time upon any portion of a public road. Athletic competitions sponsored by a Columbia County school district are not included within this definition.

C. Motorcade. “Motorcade” means an organized procession containing twenty-five or more vehicles, except funeral processions and military convoys, upon any portion of a public road.

D. Walkathon. “Walkathon” means any organized walk of 100 or more participants who are at any one time upon any portion of a public road.

E. Bicycle Tour. “Bicycle Tour” means any organized group of 50 or more bicycles upon any portion of a public road.

F. Public Road Event. “Public Road Event” means any parade, footrace, motorcade, walkathon, bicycle tour, events requiring extensive roadside parking, road rally, other significant road event or large event as defined in this section.

G. Public Road. “Public Road” means any public road, as defined in ORS 368.001(5), in Columbia County. “Public Road” shall not include any road within the limits of any incorporated city in Columbia County unless consent is given to the Administrator for the application of this ordinance within the city, either generally or for a particular Public Road Event.

H. Large Event. “Large Event” is any parade, footrace motorcade, walk-a-thon, bicycle tour, events requiring extensive roadside parking, road rally, or other significant road event, except funeral processions, involving more than 100 vehicles, 300 bicycles or 300 pedestrian participants that are at any one time upon any portion of a public road.

I. Administrator. “Administrator” means the person designated by order or resolution of the Board of County Commissioners to administer this ordinance.

J. Event Requiring Extensive Roadside Parking. “Event Requiring Extensive Roadside Parking” means any scheduled or planned event which will result in more than 50 vehicles at any one time parking within the right-of-way of a public road. Parking within state highway right-of-way is not included in this definition.

K. Road Rally. “Road Rally” means any organized contest of speed or of driving skills utilizing automobiles or motorized vehicles of any kind upon any public road.

L. Other Significant Road Event. "Other Significant Road Event" means any scheduled or planned event which requires a detour or road closure, partial or complete, or the use of pilot vehicles to guide traffic, which is expected to exceed 45 minutes of time, either for one period of time, or separate intervals of time which in the aggregate are expected to exceed 45 minutes of time. Road construction and maintenance, utility placement and maintenance, search and rescue activities, and response by law enforcement agencies, fire departments, ambulance companies or public works departments to criminal activities, fires, accidents, landslides, or other emergencies are not considered other significant road events under this ordinance.

SECTION 3. PERMITS.

A. It shall be unlawful for any person to conduct a parade, footrace, motorcade, walk-a-thon, bicycle tour, events requiring extensive roadside parking, road rally, other significant road event or large event in or upon any public road or knowingly participate in any such public road event unless and until a permit to conduct such public road event has been obtained from the Administrator or, as hereinafter provided, from the Board of County Commissioners.

B. It shall be unlawful, and no permit shall be issued, to conduct any public road event after sunset and before sunrise, unless the Administrator or the Board of County Commissioners is assured that adequate steps have been taken to provide for the safety of the participants, spectators, and residents in the vicinity of the activity.

SECTION 4. APPLICATIONS FOR PERMITS; FEES.

A. Any person who wants to conduct a public road event shall apply to the Administrator for a permit at least sixty (60) days in advance of the date of the proposed public road event. The Administrator may at his or her discretion consider any application for a permit to conduct a public road event which is filed less than sixty (60) days prior to the date the public road event is to be conducted. The application for such permit shall be made in writing on a form approved by the Administrator. In order that adequate arrangements may be made for the proper policing of the public road event, the application shall contain the following information:

1. The name of the applicant, the sponsoring organization, the public road event chairperson and the addresses and telephone numbers of each;

2. The purpose of the public road event, the date when it is proposed to be conducted, the location of the assembly area(s), route(s) to be traveled and the approximate time when the public road event will assemble, start and terminate;

3. Such other information as the Administrator may deem reasonably necessary;

B. The person or organization applying for the public road event permit shall also tender along with the application an application fee. The application fee shall be \$100.00, except that for large events the application fee shall be \$300.00.

C. The person or organization applying for the public road event permit shall also tender along with the application the deposit required by Section 12 of this ordinance.

SECTION 5. ISSUANCE OR DENIAL OF PERMIT.

A. Standards for Issuance. The Administrator or, in the event of a large event, the Board of County Commissioners, shall issue a permit conditioned upon the applicant's written agreement to comply with the terms of such permit unless the Administrator or Board of County Commissioners finds that:

1. The time, route and size of the public road event will disrupt to an unreasonable extent the movement of other traffic or will endanger the safety of participants or citizens, or cause a safety hazard other than traffic.

2. The public road event is of a size or nature that requires the diversion of too many law enforcement officers, public works employees or other personnel to properly control the public road event or that allowing the public road event would deny reasonable law enforcement or other emergency service protection to citizens of the County.

3. Such public road event will interfere with another public road event for which a permit has been issued.

4. The County Public Works Director determines the public road event would damage public roads.

B. Standard for Denial. The Administrator or, in the case of Large Events, the Board of County Commissioners, shall deny an application for a public road event permit and notify the applicant of such denial where:

1. The Administrator or Board of County Commissioners makes any finding contrary to the findings required to be made for the issuance of a permit.

2. The information contained in the application is found to be false or nonexistent in any material detail.

3. The applicant refuses to agree to abide by or comply with all conditions of the permit.

SECTION 6. CONTENTS OF PERMIT.

A. In each permit the Administrator or, in the case of large events, the Board of County Commissioners, shall specify:

1. The assembly area and time therefor;

2. The starting and ending time of the public road event;

3. The minimum and maximum speeds, if applicable;

4. The route of the public road event;

5. What portions of public roads to be traversed may be occupied by such public

road event;

6. The number of persons required to monitor the public road event;
 7. The number and types of vehicles, if any;
 8. That permittee shall advise all participants in the public road event by written notice of the terms and conditions of the permit prior to the commencement of such public road event;
 9. Such other requirements as are found by the Administrator to be reasonably necessary for the protection of persons or property;
 10. The amount of deposit required as set forth in Section 12.
- B. All conditions of the permit shall be complied with so far as reasonably practicable.

SECTION 7. REVIEW PROCEDURE

Approval or denial of an application made pursuant to Section 5.B may be appealed to the Board of County Commissioners. Said appeal must be in writing and received by the Board of County Commissioners not later than 5:00 p.m. on the seventh calendar day after the date of the decision by the Administrator. The Board shall consider the appeal as soon as practicable after receipt of the appeal. Upon such appeal, the applicant and appellant shall have the right to be heard. The Board of County Commissioners may reverse, affirm, or modify in any regard the determination of the Administrator.

SECTION 8. LARGE EVENTS

The permit of any large event shall be issued solely by the Board of County Commissioners.

SECTION 9. REVOCATION OF PERMITS

Any permit for a public road event issued pursuant to this ordinance may be summarily revoked by the Administrator at any time when by reason of disaster, public calamity, riot or other emergency, the Administrator determines that the safety of the public or property requires such revocation. Notice of such action revoking a permit shall be delivered in writing to the permittee by personal service or by certified or registered mail, return receipt requested.

SECTION 10. HOLD HARMLESS

Applicants shall agree in writing to indemnify, defend and save and hold harmless the County, its Commissioners, boards, officers, including the Administrator, employees and agents, from all suits, actions, damages or claims to which the County may be subjected of any kind or nature whatsoever resulting from, caused by, arising out of or as a consequence of such public road event and the activities permitted in connection therewith. Applicants shall provide County with evidence of insurance with single limit policy amounts of \$1,000,000.00, naming County, its officers, agents and employees as additional insureds. The Administrator may waive proof of insurance if circumstances warrant for public road events other than large events. Applicants shall also agree to indemnify,

defend and save and hold harmless any city that consents to the application of this Ordinance, either generally or for a particular Public Road Event, its council, officers, agents and employees, and provide a certificate of insurance naming that city and its council, officers, agents and employees as additional insureds whenever a Public Road Event or portion of a Public Road Event is scheduled to take place in that city.

SECTION 11. COSTS AND EXPENSES.

Applicants shall pay to the County the cost of County personnel and personnel from other public agencies who are required to work or perform duties during or as a result of such public road events and all other costs and expenses incurred by County and other public agencies including but not limited to trash removal, road repairs, policing, fire protection, medical assistance and medical standby, administrative costs, and manning of barricades. Applicants shall deposit with the County, as described in Section 12, a sum in an amount required by the Administrator or Board of County Commissioners for the purpose of covering costs and expenses to the County and other public agencies.

SECTION 12. DEPOSIT.

Applicants shall provide a deposit to the County not less than 15 days prior to the public road event in an amount set by the Administrator or, in the case of a Large Event, the Board of County Commissioners. The deposit shall be in cash or by certified check. Applicants shall not be entitled to interest on funds deposited. The costs and expenses County and other public agencies incur before, during, after or as a result of the public road event, including any costs and expenses associated with enforcing the conditions of an applicant's permit, shall be deducted from the deposit. If the costs and expenses incurred by the County and other public agencies exceed the amount of the deposit, the Administrator shall bill the permittee and the permittee shall pay the bill for such additional costs and expenses within 90 days after the public road event. If the deposit exceeds the amount of the costs and expenses incurred by the County and other public agencies, the remaining balance shall be refunded to the applicant within 30 days of the public road event. The Administrator shall present the documentation of costs and expenses to the Board for approval prior to billing the permittee, disbursing the reimbursement monies, and/or returning any unused deposit amounts.

SECTION 13. COMPLIANCE WITH LAWS.

Issuance of a permit under this ordinance shall not relieve applicant of the responsibility to comply with all applicable ordinances and laws, and obtain all other required permits and licenses necessary for a public road event.

SECTION 14. CONDITIONS IN PERMITS.

Any permit granted under this ordinance may contain conditions reasonably calculated to reduce or minimize the dangers and hazards to vehicular or pedestrian traffic and the public health, safety, tranquility and welfare including but not limited to changes in time, duration and number of participants.

SECTION 15. PENALTY.

This ordinance is enforceable under, and violators hereof are subject to, the penalties

provided in the Columbia County Enforcement Ordinance.

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