

ORDINANCE NO. 13

AN ORDINANCE RELATING TO, REGULATING AND LICENSING OUTDOOR PUBLIC EVENTS, ENTERTAINMENTS, AMUSEMENTS AND ASSEMBLIES; ESTABLISHING LICENSING PROCEDURES THEREFOR; PRESCRIBING OFFENSES AND PENALTIES; AND DECLARING AN EMERGENCY.

WHEREAS, it appears necessary for the protection, health and welfare of the general public in regard to outdoor public events, entertainments, amusements and assemblies (hereinafter referred to as "outdoor assemblies") catering to the general public, that certain regulations and rules be established; and

WHEREAS, there is a danger to the people attending or taking part in outdoor assemblies if proper sanitary, police and other health and safety measures are not adequately provided for; the Wilsonville City Council hereby finds and declares that it is necessary to pass under the police power of the City an Ordinance to regulate and license the holding of such outdoor assemblies, now, therefore:

THE CITY OF WILSONVILLE ORDAINS AS FOLLOWS:

Section 1: LICENSE REQUIRED: It shall be unlawful for any person, persons, corporation, organization, landowner or lessor except local Wilsonville civic organizations which are generally recognized as such and are first approved by the Wilsonville City Council to allow, encourage, organize, promote, conduct, permit or cause to be advertised an outdoor event, entertainment, amusement or assembly of persons which would probably attract 250 or more persons unless a valid City permit has been obtained for the operation of said assembly.

Section 2: PERMIT APPLICATION: Written application for a permit to hold outdoor assemblies as herein defined and catering to the general public shall be made to the Wilsonville City Recorder forty (40) or more days prior to the date upon which such assembly is scheduled to be held. Written notice of approval or disapproval of said application shall be given the applicant no later than fifteen (15) days after the application has been filed. Permits shall not be denied providing the conditions enumerated in Section 4 are met by the applicant and the permit fee as required by Section 3 is paid.

Provided, however, that no permit shall be granted to anyone who has been convicted of a felony or a crime involving moral turpitude, and in this regard every application shall be accompanied by the fingerprints and a 3" x 5" photograph of each and every person having any proprietary interest in said licensed activity.

Section 3: FEE: The fee required to be paid to the City Recorder with the filing of the application shall be TWO HUNDRED AND NO/100 DOLLARS (\$200.00) for each event. No permit shall be granted for a period of more than one day expiring at midnight of that day, and no permit shall be granted for consecutive days at the same location. The permit fee shall be retained by the City whether a permit be granted, denied or withdrawn.

Section 4: CONDITIONS:

Condition #1 - Location

No permit for an outdoor assembly shall be granted unless said assembly is to be held in those areas of the City zoned or otherwise designated for parks and recreation, or unless the owner of any private property where said assembly is to be held files with the City Recorder as a part of the application his written consent to the use of his property for such purpose and furnishes evidence of his ownership, together with a description and map of the property to be used for the proposed assembly.

Condition #2 - Sanitary Facilities

No permit shall be granted unless the applicants obtain the written approval of the Clackamas County Health Department indicating that sanitary facilities are satisfactory at the location and for the size and purpose of the assembly.

Condition #3 - Fire Protection Required

No permit shall be granted hereunder unless the applicants have shown that the State Fire Marshall has approved fire protection devices and equipment available for and at the location of the assembly.

Condition #4 - Public Safety

No permit shall be granted hereunder unless the applicants have obtained the written approval of the Clackamas County Sheriff indicating that

adequate traffic control and crowd protection policing have been contracted for or otherwise provided by the applicants.

Conditions #5 - Parking Facilities

Application for a permit hereunder shall be accompanied by a scale drawing showing adequate parking facilities have been made available within or adjacent to the location for which the permit is requested. Such parking facilities shall provide parking space for one vehicle for every four persons expected or reasonably to be expected. Adequate ingress and egress shall be provided to or from such parking area to facilitate the movement of any vehicle at any time to or from the parking area.

Section 5: HOURS OF OPERATION: No outdoor assembly shall be conducted in the City during the hours of 12:01 a.m. and 9:00 a.m. Provided that no license shall be issued for more than one twenty-four hour period ending at midnight. The participants shall be required to have cleared the licensed area and its immediate environs no later than 1:00 a.m. of the day following the licensed event.


Section 6: PENALTIES: Any person who shall violate or fail to comply with any provision of this Ordinance, or who having obtained a permit hereunder, shall willfully fail to continue to comply with the terms and conditions hereunder, or who shall counsel, aid or abet a violation of this Ordinance, shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than FIVE HUNDRED AND NO/100 DOLLARS (\$500.00) or by imprisonment in the County Jail for not more than Six (6) months or by both such fine and imprisonment.

Section 7: FAILURE TO COMPLY: Compliance with the terms and conditions of this Ordinance shall constitute the minimum health, sanitation and safety provisions, and failure to comply with the terms and conditions shall constitute a public nuisance, and the sponsors of said event shall be subject to all criminal and civil remedies as such.

Section 8: SEVERABILITY: If any provision of this Ordinance, or its application to any person or circumstances is held invalid, the remainder of this Ordinance, or the application of the provision to other persons or circumstances is not affected.

Section 9: EMERGENCY: Inasmuch as it is necessary for the health, peace, safety and welfare of the City of Wilsonville and the inhabitants thereof to properly and adequately regulate outdoor public assemblies within the City, an emergency is hereby declared to exist, and this Ordinance shall take effect immediately upon its final passage by the City Council.


Passed on first reading at a regular meeting of the Wilsonville City Council held on the 13th day of July, 1970; amended and passed as amended at a special meeting of the Wilsonville City Council on July 20th, 1970; ordered posted in three (3) public and conspicuous places in the City of Wilsonville for a period of five (5) consecutive days as required by the Wilsonville City Charter, and to come up for final reading and action of the Wilsonville City Council at a regular meeting thereof to be held on the 27th day of July, 1970, at the hour of 7:30 o'clock p.m., Oregon Daylight Saving Time, at the Council's regular meeting place in the Wilsonville IOOF Hall.


PHILLIP R. BALSIGER - Mayor

ATTEST:


LEE RESLOCK - City Recorder

Passed on final reading at a regular meeting of the Wilsonville City Council this 27th day of July, 1970, by the following vote: Yeas 4. Nays 0.


PHILLIP R. BALSIGER - Mayor

ATTEST:


LEE RESLOCK - City Recorder

AFFIDAVIT OF POSTING ORDINANCE NO. 13

STATE OF OREGON)
Counties of Clackamas) ss.
and Washington)
City of Wilsonville)

I, the undersigned, City Recorder of the City of Wilsonville, Oregon, being first duly sworn on oath depose and say:

On Monday, the 20th day of July, 1970, I caused to be posted copies of the attached Ordinance No. 13 in the following three (3) public and conspicuous places of the City, to-wit:

1. Lowrie's Food Mart
2. Wilsonville Post Office
3. Kopper Kitchen

The Notices remained posted for more than five (5) consecutive days prior to the time for final reading and passage of the Ordinance on the 27th day of July, 1970.

Dated at Wilsonville, Oregon, this 27th day of July, 1970.

Lee Reslock
City Recorder

Subscribed and sworn to before me this 27 day of July, 1970.

Raymond R. Reif
Notary Public for Oregon
My Commission Expires: 11-30-72

