

**CITY OF GARIBALDI
ORDINANCE NO. 295**

(ENACTED 11/20/2006, EFFECTIVE 12/20/2006)

**AN ORDINANCE PROVIDING FOR THE PERMITTING AND
REGULATING OF SPECIAL EVENTS.**

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WHEREAS, the City would like to encourage special events as a component of economic development; and

WHEREAS, previously vendors/hawkers were required to pay for an annual license even for two- and three-day events; and

WHEREAS, special events that attract a number of vendors also have other administrative and policy tasks; and

WHEREAS, the City hosted a number of public meetings to discuss the elements of business licenses and special event permits through the Fall of 2006;
NOW THEREFORE,

THE CITY OF GARIBALDI ORDAINS AS FOLLOWS:

Section 1. PURPOSE: The purpose of this ordinance is to provide a more efficient process for individuals and/or businesses organizing a special event specifically provisions relieving hawkers/vendors from purchasing annual business licenses. This ordinance shall be used to facilitate events when other ordinances and processes do not fully cover the needs of the organizers.

Section 2. DEFINITIONS: The following words and phrases, as used in this ordinance, shall have the following definitions and meanings:

- A. *Hawker* is defined by Peddlers, Solicitors and Hawkers Ordinance No. 131. Vendors and hawkers are synonymous for the sake of this ordinance.
- B. *Organization* means the individual(s), business, non-profit or other entity responsible for the event.
- C. *Coordinator* means the contact individual(s) representing this organization.
- D. *Staff* means the Administrator, Public Works Director, and/or their assigns.

Section 3. PERMIT APPLICATION: Any organization seeking a Special Event Permit by this ordinance shall apply on forms provided by the City that contain the following:

- A. Title of the Special Event.
- B. Name of the organization responsible for the event.
- C. Name and contact information of the coordinator representing the organization.
- D. Description and location of the event.
- E. Dates and times of the event.
- F. Any of the following depending on the scope of the event:
 - 1. Oregon Liquor Control Commission (OLCC) permit application
 - 2. Oregon Dept. of Transportation (ODOT) permit application
 - 3. City Right-of-Way permit application
 - 4. Map of parade route/street closure
 - 5. Map showing location of stage(s) and sound direction
 - 6. Insurance policy listing City as additionally insured
 - 7. List of hawkers and contact information attending the event
 - 8. Current City business license
 - 9. Proof of non-profit 501(c) status

Section 4. TEMPORARY LIQUOR PERMITS: For events requesting a state temporary liquor license, a completed OLCC permit application shall be submitted for a City Council recommendation.

Section 5. HIGHWAY BANNERS: For events requesting a promotional banner to be hung over Garibaldi Ave. (US101), a completed ODOT permit application shall be submitted for a City Council recommendation.

Section 6. PARADE ROUTES/ROW PERMIT: For events requesting a parade route or requiring the use of public rights-of-way, a map showing the route/closure shall be submitted along with the ROW permit application pursuant to Ord. No. 227.

Section 7. STAGE CONCERTS: For events with staged music or entertainment, a map showing the location of stage(s) and sound direction is required. Stages shall face away from the Residential (R-1) Zone.

Section 8. CITY NAMED AS ADDITIONALLY INSURED: For events requiring a ROW permit or using public property, the organization shall provide the City with an insurance certificate in an amount prescribed by resolution naming the City as an additional insured.

Section 9. HAWKERS/VENDORS: For events renting space to, using the services of, and/or providing business opportunities to hawkers/vendors, a list of all participating vendors and contact information shall be provided. If, during the course of the special event, the vendor roster changes every attempt will be made to provide the City with an updated roster.

Section 10. BUSINESS LICENSE: If the organization responsible for the event is required to have a business license as prescribed by Ord. No. 77 but does not have one, an annual business license will be issued to the organization as part of this permit.

Section 11. NON-PROFIT STATUS: An organization claiming its non-profit status shall provide Articles of Incorporation.

Section 12. PUBLIC PROPERTY: The City Council shall approve all requests for the use of city property excluding ROWs and the Community Hall.

Section 13. DURATION: Permits issued through this ordinance are valid for no more than a total of 24 days in any given 12-month period. Hawkers operating in the city under the provisions of this ordinance for more than 24 days are required to have an individual business license prescribed by Ord. No. 131.

Section 14. CITY EXEMPTIONS: The "Garibaldi Days" and "Crab Races"

organizers are exempt from any fees associated with this permit. Coordinators shall still submit the required application and additional documentation including insurance coverage as aforementioned.

Section 15. FEES AND CREDITS: Fees and credits required by this ordinance shall be established by resolution. Half of the total fee will be retained for unapproved applications.

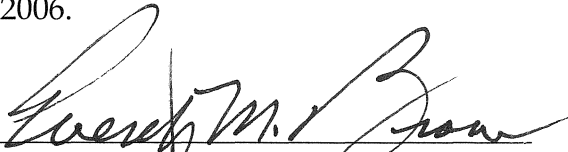
Section 16. STAFF ACTION: Staff shall approve all ROW permits, parade routes and/or street closures based upon map(s) provided by the event coordinator. City staff shall ensure that all required information is provided prior to issuing a special event permit or forwarding the application to the City Council. If council action is not required, staff may approve the application upon all requirements being met. Organizers may appeal staff decisions to the City Council.

Section 17. COUNCIL ACTION: The City Council shall recommend approval on all OLCC and ODOT permit applications. The City Council shall approve use of city property for special events except for rights-of-way (ROW) and the Community Hall. The council may hear appeals of staff decisions, including changing or waiving permit fees, regarding this ordinance. Under these circumstances the council shall approve the permit application.

Section 18. PERMIT: A copy of the approved special event permit application will serve as the permit.

Section 19. SAVING PROVISION: If any section, sentence, clause, phrase or other part of this ordinance is for any reason held invalid or unconstitutional, such decision shall not affect the validity of the remaining part hereof.

Passed by the Common Council and approved by the Mayor of the City of Garibaldi, this 20th day of November, 2006.



Hon. Everett M. Brown, Mayor

ATTEST:



John O'Leary, City Recorder