



IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

IN AND FOR THE COUNTY OF WASCO

IN THE MATTER OF ADOPTING AN OUTDOOR MASS GATHERING ORDINANCE

**ORDINANCE # 22-003**

NOW ON THIS DAY, the above-entitled matter having come on regularly for consideration, said day being one duly set in term for the transaction of public business and a majority of the Board of Commissioners being present; and WHEREAS, the Wasco County Planning Department has facilitated the application and review process for outdoor mass gatherings based on state law criteria and language in the Land Use and Development Ordinance;

WHEREAS, outdoor mass gatherings are not a land use review, and therefore should not be included in the Land Use and Development Ordinance;

WHEREAS, the proposed outdoor mass ordinance includes state law requirements and best practices from reviewing agencies;

WHEREAS, that on September 7, 2022 at the hour of 9:30 AM the Wasco County Board of Commissioners met to conduct the first of two legally notified public hearings on the above matter. The Board of County Commissioners reviewed recommendations by staff and received testimony from the public. The Board of County Commissioners tentatively approved the amendments; and

WHEREAS, that on September 21, 2022 at the hour of 9:30 AM the Wasco County Board of Commissioners met to conduct the second of two legally notified public hearings on the above matter. The Board of County Commissioners reviewed recommendations by the Wasco County Planning Commission, staff's presentation, and received testimony from the public. The Board of County Commissioners, by a vote of 2 to 0, approved the amendments and conducted the second reading; and

NOW, THEREFORE, IT IS HEREBY ORDERED: That this ordinance shall take effect on December 10, 2022.

DATED this 21st day of September 2022.

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Kristen Campbell, County Counsel

**WASCO COUNTY BOARD OF COMMISSIONERS:**

  
\_\_\_\_\_  
Kathleen B. Schwartz, Commission Chair

**ATTEST:**

  
\_\_\_\_\_  
Kathy Clark, Executive Assistant

  
\_\_\_\_\_  
Steven D. Kramer, Vice-Chair

  
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Scott C. Hege, County Commissioner



## Wasco County Outdoor Mass Gathering Ordinance

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## **Section 1.00 - Definitions**

"Ambulance" means any privately or publicly owned motor vehicle, aircraft or marine craft that is regularly provided or offered to be provided for the emergency transportation of persons suffering from illness, injury, or disability and which is equipped, staffed and licensed in accordance with OAR 333-250-0000 to 333-250-0100 and OAR 333-255-0000 to 333-255- 0093.

"Board" means the Wasco County Board of Commissioners.

"Fire Protection Plan" includes information about specific type(s) of burning that will occur; onsite water source of up to 8,000 gallons; evacuation routes; designated emergency gathering site; training protocols for staff and volunteers; consultation with the Rural Fire Protection District; clear signage for fire lanes, onsite water source, and electrical service shut off locations; and designated smoking areas.

"Organizer" includes any person who holds, stages, or sponsors an outdoor mass gathering and the owner, lessee, or possessor of the real property upon which the outdoor mass gathering is to take place, jointly and severally.

"Oregon physician" means a person licensed by the Oregon State Board of Medical Examiners or any other physician authorized to practice emergency medicine and surgery in Oregon.

"Outdoor mass gathering" means an actual or reasonably anticipated assembly of more than five hundred persons which continues or can reasonably be expected to continue for more than twenty-four consecutive hours but less than one hundred and twenty hours within any three month period and which is held primarily in open spaces, including parks, and not in any permanent structure. Outdoor mass gatherings of more than three thousand persons are also subject to a land use permit review.

"Park" means any area designated by the person establishing, operating, managing, or maintaining the same for picnicking, overnight camping or use of recreational vehicles by the general public or any segment of the public. It includes, but is not limited to, areas open to use free of charge or through payment of a tax or fee by virtue of rental, lease, license, membership, association or common ownership and further includes, but is not limited to, those areas divided into two or more lots, parcels, units or other interests for purposes of such use.

"Permanent structure" includes a stadium, an arena, an auditorium, a coliseum, a fairground, or other similar established places for assemblies.

"Roads" includes all onsite lanes designated and intended for the movement of vehicles.

"Temporary structure" includes tents, trailers, chemical toilet facilities, stages and other structures customarily erected or sited for temporary use.

## **Section 1.10 - Permit required**

- A. No organizer shall hold, conduct, advertise or otherwise promote an outdoor mass gathering or allow an outdoor mass gathering to be held in Wasco County unless a permit to hold such outdoor mass gathering has been issued as provided in this ordinance.
- B. No permit shall be issued unless the event organizer and landowner of the property that is the site of the outdoor mass gathering submits documentation demonstrating that the outdoor mass gathering will comply with all requirements of this chapter along with a signed outdoor mass gathering permit application. Each outdoor mass gathering shall require a separate permit.
- C. A permit issued under this section shall not authorize the organizer to construct any permanent physical alterations to or on the real property where the outdoor mass gathering will be held.
- D. This chapter shall not apply to any regularly organized and supervised school district activity or program that takes place on school property, nor to any activities of a municipal corporation or government agency.
- E. Application packets for outdoor mass gatherings shall be initially submitted to the Wasco County Planning Department.

#### **Section 1.20 - Permit fees**

- A. Permit fee. The permit fee shall be in the amount set annually by order of the board and limited to an amount calculated to reimburse the county for its reasonable, actual, and necessary costs in receiving, processing, and reviewing applications for permits to conduct an outdoor mass gathering.
- B. The permit fee shall be paid by the organizer upon filing the application with the department. The fee is non-refundable.

#### **Section 1.30 - Scope of Review**

- A. Application. The organizer shall file an application with the department not later than one hundred forty days in advance of the anticipated event date. Applications received later than one hundred forty days prior to the anticipated event date shall not be processed. The application shall be signed by the organizer and owner or possessor of the property where the outdoor mass gathering will be held and shall include at least the following information:
  - 1. Name and address of the organizer.
  - 2. Legal description of the location of the outdoor mass gathering.
  - 3. The date or dates of the outdoor mass gathering.

4. Estimated total attendance, including staff, vendors, and other personnel.
5. A description of planned activities.
6. A detailed map showing the type, number and location of all toilets, washing facilities, water supply and distribution system, food preparation sites, emergency medical facilities, roads and solid waste collection locations.
7. The name and contact information for a designated contact person(s) who shall be easily identified and who shall remain at the outdoor mass gathering site at all times during the event.
8. A detailed Traffic Control Plan (TCP) to be approved by Public Works and the Wasco County Sheriff's Office. If the event is located adjacent or close to an Oregon State Highway, the TCP must also be approved by ODOT.
9. A written statement from the fire protection agency having jurisdiction that fire protection complies with state and local laws, ordinances, and regulations, and is satisfactory with respect to anticipated crowds and location of the outdoor mass gathering. No permit shall be granted under this chapter unless the organizer has shown that the appropriate fire protection district officer has approved the type, size, number and location of fire protection devices and equipment available at, in or near any location, including outdoor sites, buildings, tents, stadium or enclosure, wherein or whereupon more than ten persons may be expected to congregate at any time during the course of an outdoor mass gathering for which a permit is required under this chapter. If the site for which the permit is applied for is located outside a fire prevention district, the organizer shall provide written approval from the office of the State Fire Marshal.
10. A written statement from the County Sheriff's Office that arrangements for security and the orderly traffic flow to and from the outdoor mass gathering complies with state and local laws, ordinances, and regulations, and is satisfactory with respect to anticipated crowds and the location of the outdoor mass gathering
11. Documentation of the ability to provide a commercial liability insurance policy in an amount determined by the county that is commensurate with the risk, but not exceeding one million dollars.
12. Documentation that the water supply for the event will comply with the water supply and distribution system requirements of this chapter.
13. Documentation that the site of the event will comply with the drainage requirements of this chapter.
14. Documentation that sewerage facilities will comply with the sewerage requirements of this chapter.
15. Documentation that refuse storage and disposal will comply with the refuse storage and disposal requirements of this chapter.
16. Documentation that camping spaces and camping space locations will comply with the fire protection requirements of this chapter.
17. A medical services plan demonstrating compliance with this chapter.
18. A traffic plan demonstrating that roads and parking areas will comply with the road,

- parking and traffic requirements of this chapter.
19. Documentation that emergency vehicles will have easy access and egress to all areas of the event site.
  20. Such other, additional information as the director may require to ensure compliance with the provisions of this chapter. If such additional information is not supplied within two weeks of the director's request, the application shall be deemed incomplete.
  21. The appropriate permit fee, as set pursuant to the county fee schedule, shall accompany the application.
  22. The department shall have 30 days to determine whether an application is complete. If the application is not complete, the applicant shall be provided a description of the missing information and an opportunity to supply the missing information. The department shall not process an incomplete application. The applicant shall submit the missing information no later than one hundred and twenty days prior to the date the event is proposed to be held. For purposes of this section, an application is complete if the standard has been addressed, regardless of whether the department believes that the information demonstrates compliance. A determination that an application is complete, in no way demonstrates compliance.

#### **Section 1.40- Public hearing and notice**

- A. The board shall conduct a public hearing on a complete application.
- B. The director shall send notice of the public hearing to the following officers at least ten calendar days prior to the hearing: county sheriff, county health officer, and the chief of the fire district in which the outdoor mass gathering is proposed. The notice shall contain the time and place of the public hearing and a general explanation of the application to be considered.
- C. The director shall also publish notice, at least ten calendar days before the hearing, of the time and place of the public hearing on the permit application including a general explanation of the application to be considered. The notice shall be published in a newspaper of general circulation in the county or, if there is none, posted in at least three public places in the county.
- D. The organizer may not submit new evidence at the public hearing except in rebuttal to new material submitted or introduced before or at the hearing, in response to questions by board members, or response to additional conditions proposed by public officials or the board.

#### **Section 1.50 - General approval criteria**

- A. An outdoor mass gathering permit shall be approved upon demonstration by the organizer of compliance with or the ability to comply with the provisions of this chapter, as well as all health and safety rules governing outdoor mass gatherings adopted by the Oregon Department of

Human Services. However, the board, in its sole discretion, may deny an application or impose additional conditions to an application based on a prior history of noncompliance by an applicant with any of the terms of a previous outdoor mass gathering or extended outdoor mass gathering permit issued either pursuant to county ordinance or under state law.

- B. The board may consider and require an applicant to comply with any conditions submitted by public officials including, but not limited to, the county sheriff, the county health officer and the chief of the fire district in which the gathering is to be held.

### **Section 1.60 - Insurance**

- A. If the board determines that the outdoor mass gathering creates a potential for injury to persons or property, the board shall require the organizer to obtain a commercial general liability insurance policy in an amount commensurate with the risk, but not exceeding one million dollars. The insurance shall cover all the organizer's activities, including all volunteers and participants. The policy must also name Wasco County, its commissioners, employees and agents as additional insureds.
- B. The policy shall not terminate or be cancelled prior to completion of the event without the organizer's insurance provider first giving thirty days written notice of intention to terminate or to cancel to the department. Termination of insurance shall immediately and automatically revoke the permit.
- C. Proof of insurance must be submitted to the department not later than thirty days prior to the event. No permit shall be effective or valid until the insurance is approved by the department. All documents are subject to the approval of the department.

### **Section 1.70 - Sanitary facilities**

The board shall review all health and sanitation and related plans and facilities to ensure that minimum standards have been or will be met by the organizer, upon recommendation of the department, and in accordance with the procedures outlined in this chapter.

Approval shall be based upon, but not limited to, the following minimum requirements:

#### **A. Water Supply**

##### **1. Required Amounts:**

- a. A minimum of twelve gallons per person per day shall be available for the anticipated assembly;

b. Notwithstanding subsection (a) of this section, facilities containing an amount of water equal to one day's total water usage shall be provided at the event site, unless a greater or lesser amount is determined by the State Department of Human Services as sufficient or necessary, based on the availability and quantity of the water supply and the required water demands for toilets, food vendors, camping areas and other facilities;

c. An additional amount of water equal to one day's total usage shall be available in reserve at all times at a location approved by the department.

## 2. Bacteriological and Chemical Requirements:

a. Drinking water shall be supplied from a source approved by the State Department of Human Services;

b. The water source shall be tested by the organizer and shall conform to the standards for transient non-community public water systems of OAR 333-061 and OAR 333-039-015. The organizer shall provide the results of that testing and other requested documentation with its application to the department for evaluation prior to approval of the water source;

c. All parts of the water supply system shall be constructed of non-toxic materials. Water system piping and fixtures shall be made of materials approved for use in public water systems and conform to the standards for transient non-community public water systems in OAR Chapter 333 Division 61 and meet the requirements of the State of Oregon Unified Building Code;

d. All water distribution lines and fittings shall be constructed of galvanized wrought iron, galvanized steel, copper, or NSF approved plastic pipe. All plastic pipe and fittings must bear the NSF seal;

e. Pressure tanks and storage tanks including water tanker trucks shall be constructed of non-toxic materials. Tanks which have previously been used to contain toxic substances shall not be used;

f. Garden hoses, flexible lines, pipes, or similar devices shall not be connected to any portion of the water supply system for personal convenience or any other reason;

g. A minimum pressure of twenty pounds per square inch shall be maintained at all times and at all points within the water distribution system;

h. All water distribution lines shall be installed at a minimum depth of twelve inches in the soil and shall be covered;

i. Water supply locations shall be well drained;

j. Hydrants equipped with self-closing faucets shall be provided at a ratio of not less than one for every two hundred and fifty persons or fraction thereof anticipated;

k. Each faucet shall be mounted on a minimum thirty-six-inch riser. The riser is to be securely fastened to a supporting structure equal in strength to a four-inch by four-inch timber which is securely anchored in the ground;



- l. Each faucet and riser shall be accompanied by a seepage pit located directly beneath the faucet which shall have a minimum inside diameter of twelve inches and a minimum depth of three feet and shall be backfilled with clean coarse rock;
- m. If camping and activity areas are separately designated, sixty percent of the total required faucets shall be located within the area designated for camping, and forty percent of the total required faucets shall be located in the area designated for activities;
- n. A minimum of one faucet shall be located not more than twenty-five lineal feet from each food service facility and a minimum of one faucet shall be located not more than twenty-five lineal feet from any emergency medical facility;
- o. Prior to placing the water supply system into use, all portions of the system including storage tanks and distribution system shall be disinfected by adding a chlorine solution of not less than fifty mg/l and retaining the mixture within all portions of the system for at least twenty-four hours. Following disinfection, the system is to be thoroughly flushed of the chlorine solution. Water tanker trucks must be disinfected using these same standards.

## B. Sanitary Waste Facilities

### 1. Number and Location of Toilets;

- a. Seven toilets shall be provided for each eight hundred persons or fraction thereof anticipated;
- b. If camping and planned activity areas are separately designated, sixty percent of the total required toilets shall be located within the designated camping area and forty percent of the total required toilets shall be located in the designated planned activity area;
- c. If camping areas are not designated, location and spacing of toilets shall be in accordance with anticipated crowd clustering or grouping, or spaced uniformly throughout the entire outdoor mass gathering site.

### 2. Chemical Toilets

- a. A contractual agreement, with a company licensed by the State Department of Environmental Quality, shall be filed with the department no later than fifteen days before the outdoor mass gathering. The application shall describe what provisions the organizer has taken for providing chemical toilets and the sanitary maintenance of these toilets, on a continual basis;
- b. Chemical toilets shall be serviced at least daily with respect to sanitation, removal of contents, and recharging of chemical solution;
- c. All chemical toilets, if provided, shall be located so as to be easily and readily serviced by servicing vehicles;
- d. Chemical toilets tanks must be owned and serviced by a sewage disposal service licensed in Oregon and must be labeled with the service company name and current address and telephone number;

e. The contents of chemical toilets shall be removed by a DEQ licensed sewage pumper in accordance with state and local laws, ordinances, and regulations.

3. Water Carried Sewage Disposal Facilities. If water carried subsurface sewage disposal facilities are provided, they shall be governed by and meet the requirements of OAR Chapter 340 Divisions 71 and 73.

4. Liquid Wastes Not Containing Human Excreta

a. Facilities shall be provided for the disposal of all liquid wastes not containing human excreta such as, but not limited to, kitchen or cooking wastewater, grease dishwater, wash water, and bath water;

b. These facilities shall be specifically identified by means of a sign which states "Wastewater Disposal";

c. Portable holding tanks used to collect liquid wastes not containing human excreta must meet the requirements of OAR 340-071-0340 (5) including holding tank covers;

d. Portable holding tanks must be owned and serviced by a sewage disposal service licensed in Oregon and must be labeled with the service company name and current address and telephone number;

e. Such facilities shall be located or spaced so as to uniformly serve the participants of the outdoor mass gathering;

f. One facility shall be provided for each three thousand persons or fraction thereof anticipated;

g. At least one facility shall be located not more than fifty lineal feet from each food service facility;

h. All food particles and other waste material shall be disposed of in approved portable holding tanks and removed from the facilities at least once every twentyfour hours or at more frequent intervals if necessary to prevent insect attraction

5. Hand Washing Facilities

a. In the absence of running water and plumbed hand washing facilities, gravity fed or commercial portable hand washing facilities shall be conveniently located and provided in adequate numbers.

b. All food service sites and portable restroom sites shall be equipped with conveniently located hand-washing stations.

c. Gravity fed or commercial portable hand washing stations shall be equipped with at least five gallons of warm water, soap and sanitary towels;

d. Wastewater from hand washing shall be collected in a wastewater container at least ten percent larger than the hand wash water supply;

e. Wastewater from hand washing shall be disposed of at approved wastewater disposal sites.

## **Section 1.80 - Refuse storage and disposal**

1. All refuse and solid waste shall be stored in fly-tight containers constructed of impervious material;
2. Containers for refuse and solid waste storage shall be provided at a minimum ratio of one thirty gallon container for each sixteen persons or fraction thereof anticipated or one cubic yard of container capacity for each one hundred twenty-five persons or fraction thereof anticipated;
3. All refuse and solid waste shall be removed from storage containers at least once every twenty-four hours and transported and disposed of in a manner, which is authorized and complies with state and local laws, ordinances and regulations.

## **Section 1.90- Food Service Facilities**

A. Food service facilities shall comply with the State Health regulations that pertain to the operation of temporary restaurants

1. Each food vendor shall apply for a temporary restaurant license at least ten days prior to the outdoor mass gathering event;
2. The names of food vendors, their mailing addresses and telephone numbers shall be submitted fifteen days prior to the outdoor mass gathering event;
3. Temporary restaurant applications shall be approved by the North Central Public Health District.

## **Section 2.00 - Security Personnel**

The organizer shall maintain an accurate count of persons attending the outdoor mass gathering and shall provide adequate security arrangements, to be determined by the Wasco County Sheriff's Office, to limit further admissions to the outdoor mass gathering when the anticipated number of persons authorized by the permit have been admitted.

## **Section 2.10 - Fire Protection Standards**

A. No permit shall be granted under this chapter unless the organizer has a fire protection plan approved by the fire protection district for the type, size, number, and location of fire protection devices and equipment available at, in or near any location, including outdoor site, building, tent, stadium, or enclosure, wherein or whereupon more than 10 persons may be expected to congregate at any time during the course of an outdoor mass gathering.

- B. If the site for which the permit is applied for is located outside a fire protection district, the organizer must show approval from the office of the State Fire Marshal, Oregon Department of Forestry, or other fire protection district that would respond in the event of an emergency.
- C. Each camping space shall be a minimum of one thousand square feet or larger, if necessary, to accommodate a parked camping vehicle, tent vehicle or tent, as the case may be, and to maintain at least fifteen feet separation from any other camping vehicle, tent vehicle or tent, building, structure, or property line.
- D. If a camping space has more than one camping unit on the camping space, the proposed layout must be approved in advance by the department.
- E. Camping vehicles and tent vehicles shall maintain a separation of fifteen feet between units.

## **Section 2.20 - Medical Service**

- A. There shall be present at the outdoor mass gathering site for emergency medical services, physicians and nurses in the following ratios:
  - 1. Daylight Hours: At least one Oregon physician plus sufficient other physicians (licensed to practice medicine and surgery in any of the fifty states of the United States) to provide a ratio of one for each ten thousand persons attending or fraction thereof and one nurse for each seven thousand five hundred persons attending or fraction thereof;
  - 2. Nighttime Hours - (one a.m. to seven a.m.): At least one Oregon physician plus sufficient other physicians (licensed to practice medicine and surgery in any of the fifty states of the United States) to provide a ratio of one for each twenty thousand persons attending or fraction thereof and one nurse for each fifteen thousand persons attending or fraction thereof.
- B. All physicians on-site shall be trained in emergency medicine or have emergency medicine experience and be certified in advanced cardiac life support.
- C. Facilities shall be provided in which physicians can provide patient care and treatment:
  - 1. The facility shall be enclosed, protected from the elements, and shall have chairs, examining tables with stirrups, and locked cabinets for equipment and medicine;
  - 2. All necessary medicine and instruments for conducting minor surgery and examinations shall be available;
  - 3. The facilities shall be equipped to handle medical emergencies including but not limited to treating individuals with chest pain, respiratory difficulty, trauma or cardiac arrest and specifically equipped to handle advanced cardiac life support;
  - 4. Lighting within the emergency medical facilities shall be provided and shall be not less than two hundred- foot candles in areas where treatment and minor surgery are conducted.

D. Attending physicians shall keep accurate records of patients and treatment, and shall notify the local health officer of all cases involving a communicable disease.

E. Temporary holding facilities shall be provided for the sick and injured while awaiting transport to a hospital. The facility shall be enclosed, protected from the elements, and shall be furnished with one cot or bed for each one thousand persons anticipated or fraction thereof.

F. Communication, via either telephone or radiotelephone, shall be provided to summon aid or notify the nearest hospital, law enforcement, ambulance provider or fire protection agency, as required.

G. An approved emergency response plan is required that contains phone numbers, directions to location, etc. This plan that must be approved by the county during the application process.

H. Ambulances shall be provided at the outdoor mass gathering for emergency evacuation of sick and injured persons at a ratio of one ambulance for each ten thousand persons anticipated or fraction thereof. The ambulance shall be staffed at the paramedic level and be licensed or approved to provide emergency ambulance service.

### **Section 2.30 - Traffic, roads and parking**

A. The organizer shall provide easily accessible roads of all-weather construction at the outdoor mass gathering site.

1. All areas of the site shall have road access sufficient to provide orderly evacuation and emergency vehicle access and egress, including a minimum of two access routes;
2. All roads shall be maintained in such condition that emergency and other required vehicles can move upon them unencumbered and can carry out their functions at all times;
3. No road or portion of any road constructed shall exceed a maximum grade of twelve percent;
4. All roads shall be constructed to a minimum width of sixteen feet.

B. All roads shall be clearly located on the site map.

C. Roads may be inspected by the department in advance of the event to determine compliance with the requirements of this chapter.

D. The organizer shall provide and designate a suitable area at the outdoor mass gathering for parking of motor vehicles. The total area provided for motor vehicle parking shall be based on the following ratio: three hundred square feet for every four persons anticipated;

1. Each motor vehicle parking space shall have a minimum width of ten feet and a minimum length of twenty feet and shall be clearly marked with lime;
2. The motor vehicle parking spaces shall be arranged to eliminate blockage of parked vehicles and allow all vehicles to access or exit the event site at all times.

## **Section 2.40 - Permit Posting and Inspection**

- A. Any permit issued pursuant to this ordinance shall be kept by the organizer and a copy shall be posted in a conspicuous place upon the premises of the outdoor mass gathering site.
- B. No application shall be approved under this chapter unless the organizer and property owner shall, in writing upon application for such permit, consent to allow law enforcement, public health, fire control, and other appropriate public officers or officials to come upon the premises, for which the permit application has been applied for or approved, for the purpose of inspection and enforcement of the terms and conditions of the permit, this chapter, and any other applicable laws, regulations or ordinances. The inspectors may return as often as needed until the deficiencies or noncompliance is cured. The consent shall include the authority for the sheriff to trespass any and all individuals for a deficiency or noncompliance.
- C. If the deficiency or noncompliance is not cured or cannot be cured, the director shall notify the county sheriff who, after determining that there is an immediate threat to public health or safety, may order the crowd to disperse and leave the outdoor mass gathering site.

## **Section 2.50 - Organizer responsible for compliance and preserving order**

- A. The organizer and property owner of the outdoor mass gathering site shall be jointly and severally responsible for ensuring that the event is operated in compliance with the terms and conditions of the outdoor mass gathering permit, the provisions of this chapter and all local and state laws applicable thereto.
- B. If any outdoor mass gathering in the county is not being operated in accordance with the rules and regulations prescribed in this chapter or as set forth in state and local laws, the permit shall be subject to revocation and the organizer, landowner or other individuals responsible shall be in violation of this chapter and subject to such punishment or penalties as the law and this chapter provide.

## **Section 2.60 – Enforcement**

- A. The organizer shall keep a count of persons and vehicles entering and leaving the outdoor mass gathering. If at any time during an outdoor mass gathering held under a valid permit, the number of persons or vehicles attending the outdoor mass gathering exceeds the number of persons or vehicles estimated in the permit application, the sheriff, or any of his deputies, may require the organizer to limit further admissions until a sufficient number of individuals or vehicles have left the site to bring the actual attendance down to the number estimated by the organizer.
- B. In addition to and not in lieu of the maintenance of other actions to enforce the provisions of this chapter, including state law provisions of ORS Chapter 433, the county through its county counsel may maintain an action in any court of general jurisdiction to prevent, restrain or enjoin any violation of

Section 8.52.020.A. or ORS 433.745. Cases filed under this section or ORS 433.770 shall be given preference on the docket over all other civil cases except those given equal preference by statute.

C. For any outdoor mass gathering held under a valid permit, the county sheriff shall have the authority to order the crowd to disperse and leave the outdoor mass gathering site if the organizer cannot maintain order and compliance with all applicable State or local laws or refuses or is unable for any reason to adhere to the terms and conditions of their permit and the sheriff has determined that there is an immediate threat to public health or safety.

D. If any organizer violates any provisions of this chapter or any permit issued hereunder, the board or its designee may immediately revoke any permit for an outdoor mass gathering and may seek any legal remedy available. The board hereby designates the county administrator or his designee to exercise the board's authority under this section.

E. Violation of any provisions may be subject to fines or other penalties as described by ORS 433.990.

### **Section 2.70 – Restricted Hours of Operation and Noise**

A. When sound amplification is used, no outdoor mass gathering shall be conducted within 1,000 feet of any neighboring residence between the hours of 11:00 pm and 9:00 am unless written consent from neighboring property owners and residents indicates a variance to hours would be acceptable.

B. The use of amplification shall be regulated so that it will not interfere with the normal use of any school, church, residence, or other permanent place of human habitation unless prior written consent is obtained from all affected persons. A sound level in excess of 70 decibels prior to 10:00 pm and in excess of 50 decibels after 10:00 pm shall constitute interference.



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"Oregon physician" means a person licensed by the Oregon State Board of Medical Examiners or any other physician authorized to practice emergency medicine and surgery in Oregon.

"Outdoor mass gathering" means an actual or reasonably anticipated assembly of more than five hundred persons which continues or can reasonably be expected to continue for more than twenty-four consecutive hours but less than one hundred and twenty hours within any three month period and which is held primarily in open spaces, including parks, and not in any permanent structure. Outdoor mass gatherings of more than three thousand persons are also subject to a land use permit review.

"Park" means any area designated by the person establishing, operating, managing, or maintaining the same for picnicking, overnight camping or use of recreational vehicles by the general public or any segment of the public. It includes, but is not limited to, areas open to use free of charge or through payment of a tax or fee by virtue of rental, lease, license, membership, association or common ownership and further includes, but is not limited to, those areas divided into two or more lots, parcels, units or other interests for purposes of such use.

"Permanent structure" includes a stadium, an arena, an auditorium, a coliseum, a fairground, or other similar established places for assemblies.

"Roads" includes all onsite lanes designated and intended for the movement of vehicles.

"Temporary structure" includes tents, trailers, chemical toilet facilities, stages and other structures customarily erected or sited for temporary use.

## **Section 1.10 - Permit required**

- A. No organizer shall hold, conduct, advertise or otherwise promote an outdoor mass gathering or allow an outdoor mass gathering to be held in Wasco County unless a permit to hold such outdoor mass gathering has been issued as provided in this ordinance.
- B. No permit shall be issued unless the event organizer and landowner of the property that is the site of the outdoor mass gathering submits documentation demonstrating that the outdoor mass gathering will comply with all requirements of this chapter along with a signed outdoor mass gathering permit application. Each outdoor mass gathering shall require a separate permit.
- C. A permit issued under this section shall not authorize the organizer to construct any permanent physical alterations to or on the real property where the outdoor mass gathering will be held.
- D. This chapter shall not apply to any regularly organized and supervised school district activity or program that takes place on school property, nor to any activities of a municipal corporation or government agency.
- E. Application packets for outdoor mass gatherings shall be initially submitted to the Wasco County Planning Department.

### **Section 1.20 - Permit fees**

- A. Permit fee. The permit fee shall be in the amount set annually by order of the board and limited to an amount calculated to reimburse the county for its reasonable, actual, and necessary costs in receiving, processing, and reviewing applications for permits to conduct an outdoor mass gathering.
- B. The permit fee shall be paid by the organizer upon filing the application with the department. The fee is non-refundable.

### **Section 1.30 - Scope of Review**

- A. Application. The organizer shall file an application with the department not later than one hundred forty days in advance of the anticipated event date. Applications received later than one hundred forty days prior to the anticipated event date shall not be processed. The application shall be signed by the organizer and owner or possessor of the property where the outdoor mass gathering will be held and shall include at least the following information:
  - 1. Name and address of the organizer.
  - 2. Legal description of the location of the outdoor mass gathering.
  - 3. The date or dates of the outdoor mass gathering.

4. Estimated total attendance, including staff, vendors, and other personnel.
5. A description of planned activities.
6. A detailed map showing the type, number and location of all toilets, washing facilities, water supply and distribution system, food preparation sites, emergency medical facilities, roads and solid waste collection locations.
7. The name and contact information for a designated contact person(s) who shall be easily identified and who shall remain at the outdoor mass gathering site at all times during the event.
8. A detailed Traffic Control Plan (TCP) to be approved by Public Works and the Wasco County Sheriff's Office. If the event is located adjacent or close to an Oregon State Highway, the TCP must also be approved by ODOT.
9. A written statement from the fire protection agency having jurisdiction that fire protection complies with state and local laws, ordinances, and regulations, and is satisfactory with respect to anticipated crowds and location of the outdoor mass gathering. No permit shall be granted under this chapter unless the organizer has shown that the appropriate fire protection district officer has approved the type, size, number and location of fire protection devices and equipment available at, in or near any location, including outdoor sites, buildings, tents, stadium or enclosure, wherein or whereupon more than ten persons may be expected to congregate at any time during the course of an outdoor mass gathering for which a permit is required under this chapter. If the site for which the permit is applied for is located outside a fire prevention district, the organizer shall provide written approval from the office of the State Fire Marshal.
10. A written statement from the County Sheriff's Office that arrangements for security and the orderly traffic flow to and from the outdoor mass gathering complies with state and local laws, ordinances, and regulations, and is satisfactory with respect to anticipated crowds and the location of the outdoor mass gathering
11. Documentation of the ability to provide a commercial liability insurance policy in an amount determined by the county that is commensurate with the risk, but not exceeding one million dollars.
12. Documentation that the water supply for the event will comply with the water supply and distribution system requirements of this chapter.
13. Documentation that the site of the event will comply with the drainage requirements of this chapter.
14. Documentation that sewerage facilities will comply with the sewerage requirements of this chapter.
15. Documentation that refuse storage and disposal will comply with the refuse storage and disposal requirements of this chapter.
16. Documentation that camping spaces and camping space locations will comply with the fire protection requirements of this chapter.
17. A medical services plan demonstrating compliance with this chapter.
18. A traffic plan demonstrating that roads and parking areas will comply with the road,

- parking and traffic requirements of this chapter.
19. Documentation that emergency vehicles will have easy access and egress to all areas of the event site.
  20. Such other, additional information as the director may require to ensure compliance with the provisions of this chapter. If such additional information is not supplied within two weeks of the director's request, the application shall be deemed incomplete.
  21. The appropriate permit fee, as set pursuant to the county fee schedule, shall accompany the application.
  22. The department shall have 30 days to determine whether an application is complete. If the application is not complete, the applicant shall be provided a description of the missing information and an opportunity to supply the missing information. The department shall not process an incomplete application. The applicant shall submit the missing information no later than one hundred and twenty days prior to the date the event is proposed to be held. For purposes of this section, an application is complete if the standard has been addressed, regardless of whether the department believes that the information demonstrates compliance. A determination that an application is complete, in no way demonstrates compliance.

#### **Section 1.40- Public hearing and notice**

- A. The board shall conduct a public hearing on a complete application.
- B. The director shall send notice of the public hearing to the following officers at least ten calendar days prior to the hearing: county sheriff, county health officer, and the chief of the fire district in which the outdoor mass gathering is proposed. The notice shall contain the time and place of the public hearing and a general explanation of the application to be considered.
- C. The director shall also publish notice, at least ten calendar days before the hearing, of the time and place of the public hearing on the permit application including a general explanation of the application to be considered. The notice shall be published in a newspaper of general circulation in the county or, if there is none, posted in at least three public places in the county.
- D. The organizer may not submit new evidence at the public hearing except in rebuttal to new material submitted or introduced before or at the hearing, in response to questions by board members, or response to additional conditions proposed by public officials or the board.

#### **Section 1.50 - General approval criteria**

- A. An outdoor mass gathering permit shall be approved upon demonstration by the organizer of compliance with or the ability to comply with the provisions of this chapter, as well as all health and safety rules governing outdoor mass gatherings adopted by the Oregon Department of

Human Services. However, the board, in its sole discretion, may deny an application or impose additional conditions to an application based on a prior history of noncompliance by an applicant with any of the terms of a previous outdoor mass gathering or extended outdoor mass gathering permit issued either pursuant to county ordinance or under state law.

- B. The board may consider and require an applicant to comply with any conditions submitted by public officials including, but not limited to, the county sheriff, the county health officer and the chief of the fire district in which the gathering is to be held.

### **Section 1.60 - Insurance**

- A. If the board determines that the outdoor mass gathering creates a potential for injury to persons or property, the board shall require the organizer to obtain a commercial general liability insurance policy in an amount commensurate with the risk, but not exceeding one million dollars. The insurance shall cover all the organizer's activities, including all volunteers and participants. The policy must also name Wasco County, its commissioners, employees and agents as additional insureds.
- B. The policy shall not terminate or be cancelled prior to completion of the event without the organizer's insurance provider first giving thirty days written notice of intention to terminate or to cancel to the department. Termination of insurance shall immediately and automatically revoke the permit.
- C. Proof of insurance must be submitted to the department not later than thirty days prior to the event. No permit shall be effective or valid until the insurance is approved by the department. All documents are subject to the approval of the department.

### **Section 1.70 - Sanitary facilities**

The board shall review all health and sanitation and related plans and facilities to ensure that minimum standards have been or will be met by the organizer, upon recommendation of the department, and in accordance with the procedures outlined in this chapter.

Approval shall be based upon, but not limited to, the following minimum requirements:

#### **A. Water Supply**

##### **1. Required Amounts:**

- a. A minimum of twelve gallons per person per day shall be available for the anticipated assembly;

b. Notwithstanding subsection (a) of this section, facilities containing an amount of water equal to one day's total water usage shall be provided at the event site, unless a greater or lesser amount is determined by the State Department of Human Services as sufficient or necessary, based on the availability and quantity of the water supply and the required water demands for toilets, food vendors, camping areas and other facilities;

c. An additional amount of water equal to one day's total usage shall be available in reserve at all times at a location approved by the department.

## 2. Bacteriological and Chemical Requirements:

a. Drinking water shall be supplied from a source approved by the State Department of Human Services;

b. The water source shall be tested by the organizer and shall conform to the standards for transient non-community public water systems of OAR 333-061 and OAR 333-039-015. The organizer shall provide the results of that testing and other requested documentation with its application to the department for evaluation prior to approval of the water source;

c. All parts of the water supply system shall be constructed of non-toxic materials. Water system piping and fixtures shall be made of materials approved for use in public water systems and conform to the standards for transient non-community public water systems in OAR Chapter 333 Division 61 and meet the requirements of the State of Oregon Unified Building Code;

d. All water distribution lines and fittings shall be constructed of galvanized wrought iron, galvanized steel, copper, or NSF approved plastic pipe. All plastic pipe and fittings must bear the NSF seal;

e. Pressure tanks and storage tanks including water tanker trucks shall be constructed of non-toxic materials. Tanks which have previously been used to contain toxic substances shall not be used;

f. Garden hoses, flexible lines, pipes, or similar devices shall not be connected to any portion of the water supply system for personal convenience or any other reason;

g. A minimum pressure of twenty pounds per square inch shall be maintained at all times and at all points within the water distribution system;

h. All water distribution lines shall be installed at a minimum depth of twelve inches in the soil and shall be covered;

i. Water supply locations shall be well drained;

j. Hydrants equipped with self-closing faucets shall be provided at a ratio of not less than one for every two hundred and fifty persons or fraction thereof anticipated;

k. Each faucet shall be mounted on a minimum thirty-six-inch riser. The riser is to be securely fastened to a supporting structure equal in strength to a four-inch by four-inch timber which is securely anchored in the ground;

- l. Each faucet and riser shall be accompanied by a seepage pit located directly beneath the faucet which shall have a minimum inside diameter of twelve inches and a minimum depth of three feet and shall be backfilled with clean coarse rock;
- m. If camping and activity areas are separately designated, sixty percent of the total required faucets shall be located within the area designated for camping, and forty percent of the total required faucets shall be located in the area designated for activities;
- n. A minimum of one faucet shall be located not more than twenty-five lineal feet from each food service facility and a minimum of one faucet shall be located not more than twenty-five lineal feet from any emergency medical facility;
- o. Prior to placing the water supply system into use, all portions of the system including storage tanks and distribution system shall be disinfected by adding a chlorine solution of not less than fifty mg/l and retaining the mixture within all portions of the system for at least twenty-four hours. Following disinfection, the system is to be thoroughly flushed of the chlorine solution. Water tanker trucks must be disinfected using these same standards.

## B. Sanitary Waste Facilities

### 1. Number and Location of Toilets;

- a. Seven toilets shall be provided for each eight hundred persons or fraction thereof anticipated;
- b. If camping and planned activity areas are separately designated, sixty percent of the total required toilets shall be located within the designated camping area and forty percent of the total required toilets shall be located in the designated planned activity area;
- c. If camping areas are not designated, location and spacing of toilets shall be in accordance with anticipated crowd clustering or grouping, or spaced uniformly throughout the entire outdoor mass gathering site.

### 2. Chemical Toilets

- a. A contractual agreement, with a company licensed by the State Department of Environmental Quality, shall be filed with the department no later than fifteen days before the outdoor mass gathering. The application shall describe what provisions the organizer has taken for providing chemical toilets and the sanitary maintenance of these toilets, on a continual basis;
- b. Chemical toilets shall be serviced at least daily with respect to sanitation, removal of contents, and recharging of chemical solution;
- c. All chemical toilets, if provided, shall be located so as to be easily and readily serviced by servicing vehicles;
- d. Chemical toilets tanks must be owned and serviced by a sewage disposal service licensed in Oregon and must be labeled with the service company name and current address and telephone number;

e. The contents of chemical toilets shall be removed by a DEQ licensed sewage pumper in accordance with state and local laws, ordinances, and regulations.

3. Water Carried Sewage Disposal Facilities. If water carried subsurface sewage disposal facilities are provided, they shall be governed by and meet the requirements of OAR Chapter 340 Divisions 71 and 73.

4. Liquid Wastes Not Containing Human Excreta

a. Facilities shall be provided for the disposal of all liquid wastes not containing human excreta such as, but not limited to, kitchen or cooking wastewater, grease dishwater, wash water, and bath water;

b. These facilities shall be specifically identified by means of a sign which states "Wastewater Disposal";

c. Portable holding tanks used to collect liquid wastes not containing human excreta must meet the requirements of OAR 340-071-0340 (5) including holding tank covers;

d. Portable holding tanks must be owned and serviced by a sewage disposal service licensed in Oregon and must be labeled with the service company name and current address and telephone number;

e. Such facilities shall be located or spaced so as to uniformly serve the participants of the outdoor mass gathering;

f. One facility shall be provided for each three thousand persons or fraction thereof anticipated;

g. At least one facility shall be located not more than fifty lineal feet from each food service facility;

h. All food particles and other waste material shall be disposed of in approved portable holding tanks and removed from the facilities at least once every twentyfour hours or at more frequent intervals if necessary to prevent insect attraction

5. Hand Washing Facilities

a. In the absence of running water and plumbed hand washing facilities, gravity fed or commercial portable hand washing facilities shall be conveniently located and provided in adequate numbers.

b. All food service sites and portable restroom sites shall be equipped with conveniently located hand-washing stations.

c. Gravity fed or commercial portable hand washing stations shall be equipped with at least five gallons of warm water, soap and sanitary towels;

d. Wastewater from hand washing shall be collected in a wastewater container at least ten percent larger than the hand wash water supply;

e. Wastewater from hand washing shall be disposed of at approved wastewater disposal sites.



## **Section 1.80 - Refuse storage and disposal**

1. All refuse and solid waste shall be stored in fly-tight containers constructed of impervious material;
2. Containers for refuse and solid waste storage shall be provided at a minimum ratio of one thirty gallon container for each sixteen persons or fraction thereof anticipated or one cubic yard of container capacity for each one hundred twenty-five persons or fraction thereof anticipated;
3. All refuse and solid waste shall be removed from storage containers at least once every twenty-four hours and transported and disposed of in a manner, which is authorized and complies with state and local laws, ordinances and regulations.

## **Section 1.90- Food Service Facilities**

A. Food service facilities shall comply with the State Health regulations that pertain to the operation of temporary restaurants

1. Each food vendor shall apply for a temporary restaurant license at least ten days prior to the outdoor mass gathering event;
2. The names of food vendors, their mailing addresses and telephone numbers shall be submitted fifteen days prior to the outdoor mass gathering event;
3. Temporary restaurant applications shall be approved by the North Central Public Health District.

## **Section 2.00 - Security Personnel**

The organizer shall maintain an accurate count of persons attending the outdoor mass gathering and shall provide adequate security arrangements, to be determined by the Wasco County Sheriff's Office, to limit further admissions to the outdoor mass gathering when the anticipated number of persons authorized by the permit have been admitted.

## **Section 2.10 - Fire Protection Standards**

A. No permit shall be granted under this chapter unless the organizer has a fire protection plan approved by the fire protection district for the type, size, number, and location of fire protection devices and equipment available at, in or near any location, including outdoor site, building, tent, stadium, or enclosure, wherein or whereupon more than 10 persons may be expected to congregate at any time during the course of an outdoor mass gathering.

- B. If the site for which the permit is applied for is located outside a fire protection district, the organizer must show approval from the office of the State Fire Marshal, Oregon Department of Forestry, or other fire protection district that would respond in the event of an emergency.
- C. Each camping space shall be a minimum of one thousand square feet or larger, if necessary, to accommodate a parked camping vehicle, tent vehicle or tent, as the case may be, and to maintain at least fifteen feet separation from any other camping vehicle, tent vehicle or tent, building, structure, or property line.
- D. If a camping space has more than one camping unit on the camping space, the proposed layout must be approved in advance by the department.
- E. Camping vehicles and tent vehicles shall maintain a separation of fifteen feet between units.

## **Section 2.20 - Medical Service**

- A. There shall be present at the outdoor mass gathering site for emergency medical services, physicians and nurses in the following ratios:
  - 1. Daylight Hours: At least one Oregon physician plus sufficient other physicians (licensed to practice medicine and surgery in any of the fifty states of the United States) to provide a ratio of one for each ten thousand persons attending or fraction thereof and one nurse for each seven thousand five hundred persons attending or fraction thereof;
  - 2. Nighttime Hours - (one a.m. to seven a.m.): At least one Oregon physician plus sufficient other physicians (licensed to practice medicine and surgery in any of the fifty states of the United States) to provide a ratio of one for each twenty thousand persons attending or fraction thereof and one nurse for each fifteen thousand persons attending or fraction thereof.
- B. All physicians on-site shall be trained in emergency medicine or have emergency medicine experience and be certified in advanced cardiac life support.
- C. Facilities shall be provided in which physicians can provide patient care and treatment:
  - 1. The facility shall be enclosed, protected from the elements, and shall have chairs, examining tables with stirrups, and locked cabinets for equipment and medicine;
  - 2. All necessary medicine and instruments for conducting minor surgery and examinations shall be available;
  - 3. The facilities shall be equipped to handle medical emergencies including but not limited to treating individuals with chest pain, respiratory difficulty, trauma or cardiac arrest and specifically equipped to handle advanced cardiac life support;
  - 4. Lighting within the emergency medical facilities shall be provided and shall be not less than two hundred- foot candles in areas where treatment and minor surgery are conducted.

D. Attending physicians shall keep accurate records of patients and treatment, and shall notify the local health officer of all cases involving a communicable disease.

E. Temporary holding facilities shall be provided for the sick and injured while awaiting transport to a hospital. The facility shall be enclosed, protected from the elements, and shall be furnished with one cot or bed for each one thousand persons anticipated or fraction thereof.

F. Communication, via either telephone or radiotelephone, shall be provided to summon aid or notify the nearest hospital, law enforcement, ambulance provider or fire protection agency, as required.

G. An approved emergency response plan is required that contains phone numbers, directions to location, etc. This plan that must be approved by the county during the application process.

H. Ambulances shall be provided at the outdoor mass gathering for emergency evacuation of sick and injured persons at a ratio of one ambulance for each ten thousand persons anticipated or fraction thereof. The ambulance shall be staffed at the paramedic level and be licensed or approved to provide emergency ambulance service.

### **Section 2.30 - Traffic, roads and parking**

A. The organizer shall provide easily accessible roads of all-weather construction at the outdoor mass gathering site.

1. All areas of the site shall have road access sufficient to provide orderly evacuation and emergency vehicle access and egress, including a minimum of two access routes;
2. All roads shall be maintained in such condition that emergency and other required vehicles can move upon them unencumbered and can carry out their functions at all times;
3. No road or portion of any road constructed shall exceed a maximum grade of twelve percent;
4. All roads shall be constructed to a minimum width of sixteen feet.

B. All roads shall be clearly located on the site map.

C. Roads may be inspected by the department in advance of the event to determine compliance with the requirements of this chapter.

D. The organizer shall provide and designate a suitable area at the outdoor mass gathering for parking of motor vehicles. The total area provided for motor vehicle parking shall be based on the following ratio: three hundred square feet for every four persons anticipated;

1. Each motor vehicle parking space shall have a minimum width of ten feet and a minimum length of twenty feet and shall be clearly marked with lime;
2. The motor vehicle parking spaces shall be arranged to eliminate blockage of parked vehicles and allow all vehicles to access or exit the event site at all times.

## **Section 2.40 - Permit Posting and Inspection**

- A. Any permit issued pursuant to this ordinance shall be kept by the organizer and a copy shall be posted in a conspicuous place upon the premises of the outdoor mass gathering site.
- B. No application shall be approved under this chapter unless the organizer and property owner shall, in writing upon application for such permit, consent to allow law enforcement, public health, fire control, and other appropriate public officers or officials to come upon the premises, for which the permit application has been applied for or approved, for the purpose of inspection and enforcement of the terms and conditions of the permit, this chapter, and any other applicable laws, regulations or ordinances. The inspectors may return as often as needed until the deficiencies or noncompliance is cured. The consent shall include the authority for the sheriff to trespass any and all individuals for a deficiency or noncompliance.
- C. If the deficiency or noncompliance is not cured or cannot be cured, the director shall notify the county sheriff who, after determining that there is an immediate threat to public health or safety, may order the crowd to disperse and leave the outdoor mass gathering site.

## **Section 2.50 - Organizer responsible for compliance and preserving order**

- A. The organizer and property owner of the outdoor mass gathering site shall be jointly and severally responsible for ensuring that the event is operated in compliance with the terms and conditions of the outdoor mass gathering permit, the provisions of this chapter and all local and state laws applicable thereto.
- B. If any outdoor mass gathering in the county is not being operated in accordance with the rules and regulations prescribed in this chapter or as set forth in state and local laws, the permit shall be subject to revocation and the organizer, landowner or other individuals responsible shall be in violation of this chapter and subject to such punishment or penalties as the law and this chapter provide.

## **Section 2.60 – Enforcement**

- A. The organizer shall keep a count of persons and vehicles entering and leaving the outdoor mass gathering. If at any time during an outdoor mass gathering held under a valid permit, the number of persons or vehicles attending the outdoor mass gathering exceeds the number of persons or vehicles estimated in the permit application, the sheriff, or any of his deputies, may require the organizer to limit further admissions until a sufficient number of individuals or vehicles have left the site to bring the actual attendance down to the number estimated by the organizer.
- B. In addition to and not in lieu of the maintenance of other actions to enforce the provisions of this chapter, including state law provisions of ORS Chapter 433, the county through its county counsel may maintain an action in any court of general jurisdiction to prevent, restrain or enjoin any violation of

Section 8.52.020.A. or ORS 433.745. Cases filed under this section or ORS 433.770 shall be given preference on the docket over all other civil cases except those given equal preference by statute.

C. For any outdoor mass gathering held under a valid permit, the county sheriff shall have the authority to order the crowd to disperse and leave the outdoor mass gathering site if the organizer cannot maintain order and compliance with all applicable State or local laws or refuses or is unable for any reason to adhere to the terms and conditions of their permit and the sheriff has determined that there is an immediate threat to public health or safety.

D. If any organizer violates any provisions of this chapter or any permit issued hereunder, the board or its designee may immediately revoke any permit for an outdoor mass gathering and may seek any legal remedy available. The board hereby designates the county administrator or his designee to exercise the board's authority under this section.

E. Violation of any provisions may be subject to fines or other penalties as described by ORS 433.990.

### **Section 2.70 – Restricted Hours of Operation and Noise**

A. When sound amplification is used, no outdoor mass gathering shall be conducted within 1,000 feet of any neighboring residence between the hours of 11:00 pm and 9:00 am unless written consent from neighboring property owners and residents indicates a variance to hours would be acceptable.

B. The use of amplification shall be regulated so that it will not interfere with the normal use of any school, church, residence, or other permanent place of human habitation unless prior written consent is obtained from all affected persons. A sound level in excess of 70 decibels prior to 10:00 pm and in excess of 50 decibels after 10:00 pm shall constitute interference.