

## ORDINANCE NO. 419

### AN ORDINANCE AMENDING THE CITY OF SISTERS MUNICIPAL CODE SECTION 5.06.010 and 5.06.020 CONCERNING PUBLIC EVENTS

**WHEREAS**, the City of Sisters regulates public events that occur on public property in a manner that encourages the use of public property for private events and maintains the quality of life for residents; and,

**WHEREAS**, the City of Sisters finds that certain revisions and amendments to the City of Sisters public events ordinance are necessary to further promote that balance.

**NOW, THEREFORE, IT IS HEREBY ORDAINED AS FOLLOWS:**

#### SECTION 1:

The City Council adopts the provisions of Sisters Municipal Code section 5.06.010 and 5.06.020 as set forth (words underlined are added and words ~~struck through~~ are deleted).

#### 5.06.010 Definitions.

(1) "Beer garden" means a temporary outdoor facility located on public property or premises open to the public for dispensing alcoholic beverages in accordance with a Special Beer or Wine License issued by the Oregon Liquor Control Commission. The term does not include a temporary Special Dispenser License issued to a Dispenser by the Oregon Liquor Control Commission for use upon the premises of the licensee.

(2) "Health Department" means Deschutes County Sanitarian.

(3) "Large Public Event" means any organized gathering of ~~75~~ 25 or more persons, ~~or more~~ which is held in a City park or on public property to which the general public or private parties are invited, but not including events consistent with the underlying purpose of the property owner.

(4) "OLCC" means Oregon Liquor Control Commission.

(5) "Parade" means a procession of persons using the public right-of-way and requiring closure or blocking of street right-of-way, with the exception of funeral processions.

(6) "Physical Facility" means any physical structure or structures or objects that are designed, built, erected, or provided to accommodate or facilitate the public assembly of citizens including but not limited to the use of tents, stages, booths, electrical sound or video equipment, portable or temporary buildings or other structures, permanent buildings, vehicles, fences,

barriers, ropes, or other structures, etc.

(7) "Police Representative" means and refers to the Deschutes County Sheriff's Department representative for the City of Sisters, or his duly authorized deputies and representatives.

(8) "Public property" means and refers to property owned by or under the control of a public body.

(9) "Small Public Event" means any organized gathering of ~~30 to 74~~ up to 24 persons, which is held in a City park or on public property to which the general public or private parties are invited, but not including events consistent with the underlying purpose of the property owner.

#### 5.06.020 Permit Required.

(1) It shall be unlawful for any person, persons, corporation, or organization to allow, promote, conduct or cause to be advertised, any public event defined in this Ordinance to be conducted in a City park or on public property to which the general public or private parties are invited unless the person, persons, corporation, or organization sponsoring said public event shall first obtain a permit as provided, and shall comply with all regulations provided in this Ordinance.

(2) Written application for each public event permit shall be made to the City Administrator, or authorized representative for the City of Sisters pursuant to the application procedure applicable to the specific event. The permit shall be signed by the person or persons organizing and sponsoring said public event. Each application shall state the proposed location to be utilized for the public event and shall also state that the applicant or applicants will abide by all rules and regulations of this ordinance and other regulations and laws for the protection of the health, morals, peace, and safety of the persons employed therein, the patrons or participants thereof, and the public, and shall make any repairs or cleaning following the event to return the property to its pre-event condition. The City, in its sole discretion, may designate a different location for the event. No permit shall be transferable or assignable. Permit fees for public events shall be paid for, in full, at the time the permit is applied for. The fees shall be set by Resolution by the City Council for the City of Sisters. The City Manager may waive the applicable fee for applicants that are non-profit entities.

(3) Permit applications shall be taken no earlier than January 1 or the year in which the public event is scheduled to occur. In the event a conflict occurs between applications, first consideration will be given to the event which used the City park or public property the immediate preceding year. Prior event applicants shall have until March 1 to re-apply. In the event no application is filed by March 1 by the prior event applicant, the new event applicant shall have priority for that and subsequent years.

PASSED by the City Council of the City of Sisters and APPROVED by the Mayor, this  
13th day of December, 2012.

  
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Lon Kellstrom, Mayor

ATTEST:

  
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Kathy Nelson, City Recorder