

Lane Code

Chapter 3 -- LICENSES AND PERMITS 1

 3.005 – Towing Operations 1

 3.005.005 - General. 1

 3.005.010 - Regulation. 1

 3.100 – Emergency Reporting Equipment Ordinance 1

 3.100.005 - Definitions..... 1

 3.100.010 - Authority..... 2

 3.100.015 - Exclusion. 2

 3.100.050 - Alarm Systems - Cessation of Transmission..... 2

 3.200 – Used Merchandise Dealers 3

 3.200.005 - Definitions..... 3

 3.200.010 - Used Merchandise Business Limitations..... 4

 3.200.015 - Recording Requirements. 4

 3.200.020 - Reporting Requirements..... 5

 3.200.025 - Reporting Fees..... 5

 3.200.030 - Limitations on the Purchase of Regulated Property..... 5

 3.200.035 - Limitations on the Sale of Regulated Property. 6

 3.200.040 - Inspection of Used Merchandise Dealers and Regulated Property..... 6

 3.200.045 - Administrative Rules..... 6

 3.300 - Enforcement 7

 3.300.005 - Enforcement..... 7

 3.300.010 - Violation..... 7

 3.300.015 - Outdoor Assembly License Review Procedures 7

Chapter 3 -- LICENSES AND PERMITS

3.005 – Towing Operations

~~3.005.005300~~ — - General.

Because the Department of Public Safety frequently finds it necessary to either use a commercial towing service or to refer members of the public to such a service, it is in the public interest that use and referrals of towing services be on an equitable basis and that a minimum quality of service be ensured.

(Ordinance 14-73, 12.28.73; 12-79; 11.9.79)

~~3.005.010305~~ — - Regulation.

The Director of the Department of Public Safety, the Sheriff, is authorized to adopt regulations governing the use and referral by his or her Department of commercial towing services.

(Ordinance 14-73, 12.28.73; 12-79; 11.9.79; 1-88, 2.26.88)

3.100 – Emergency Reporting Equipment Ordinance

~~3.100.005400~~ — - Definitions.

For the purpose of this subchapter, the following terms shall mean:

“Alarm Equipment Supplier” means any person, firm or corporation that sells, leases, installs or maintains automatic protection devices.

“Alarm Monitoring Service” means a business that operates an alarm monitoring service whereby trained employees, in attendance at all times, receive messages from automatic protection devices reporting emergencies at stated locations, and who have the duty to relay immediately by live voice any such emergency message, over a direct line, to the communications center of the fire department or police department.

“Automatic Protection Device” means an electronically or mechanically operated instrument that automatically signals or sends by any means (including direct or indirect connection to regular telephone lines) pictures, sound, odor or a prerecorded message, either by voice or other alarm, from a protected premises upon receipt of a stimulus from a sensory detection apparatus. Automatic protection devices shall include any audible alarm or light signaling device attached to the interior or exterior of a protected premises.

“Board” means the Board of County Commissioners of Lane County.

“County” means the unincorporated area of Lane County.

“Direct Line” means a special telephone line, unavailable for use by the public at large, leading directly to the communications center of a fire department or police department from a single, specific location, and designed to be used only to report emergency messages and signals on a person-to-person basis.

“Fire Department” means any governmental unit which has the responsibility of providing fire protection to any area within the County.

“Key” (To a telephone line) means to utilize a telephone line for transmitting a message, either by direct connection or by a mechanism not so connected, that, in order to transmit, utilizes the microphone of a standard telephone.

“Police Department” means any governmental unit which has the responsibility of providing public safety to any area within the County.

“Regular Telephone Line” means a general telephone line leading to the communications center of the fire department or police department, available for use by the public at large and identified by listing in the telephone directory issued by the telephone company serving the County.

“Sensory Detection Apparatus” means a mechanical or electrical device, part of an automatic protection device, which is designed for detection of any physical force or condition inherently characteristic of fire (other than water flow or manual fire alarms) or the unauthorized intrusion into or upon a protected premise.

“Sheriff” means the elected Sheriff of Lane County.

(Ordinance 18-73, 4.5.74)

~~3.100.010405~~ — - Authority.

This subchapter is consistent with ORS Chapter 670 but is adopted under authority of the Lane County Charter for the purpose of establishing procedures, practices and standards within the County for operation of emergency reporting equipment.

(Ordinance 6-74, 5.17.74; 1-88, 2.26.88)

~~3.100.015407~~ — - Exclusion.

Section 3.445 does not apply to regulated public telephone utilities duly authorized to operate in the State of Oregon.

(Ordinance 1-88, 2.26.88)

~~3.100.050445~~ — - Alarm Systems - Cessation of Transmission.

~~(1)~~**A.** An owner, lessor, installer or supplier shall see to it that a notice is posted containing the current name and telephone numbers of the person to be notified to disable an alarm and secure the premises whenever the alarm system is activated. The notice shall be posted near the alarm and shall be legible from the ground level adjacent to the premises where the alarm system is located.

~~(2)~~**B.** Upon request of the County or City, an owner, lessor, installer, supplier or person listed on the posted notice shall respond 60 minutes after being notified for a fire alarm system, or within 30 minutes after being notified for all other alarm systems to the premises where the alarm system is located, and shall disable the alarm and secure the premises.

~~(3)~~**C.** A police officer, deputy sheriff, or fire fighter may disable or cause an alarm system to be disabled if:

(a)1. A responsible party or person listed on the posted notice does not arrive within the above time requirements after being requested to do so by the County or City; or

(b)2. The alarm system has transmitted a signal for more than 10 minutes after the arrival of a police officer, deputy sheriff, or fire fighter and no responsible party or person listed on the posted notice is available to respond.

(Ordinance 18-73, 4.5.74; 6-74, 5.17.74; 1-88, 2.26.88; 10-88, 1.4.89)

3.200 – Used Merchandise Dealers

3.200.005600 — - Definitions.

For the purposes of this subchapter, the following terms shall mean:

“Approved identification: means a currently valid identification issued by a government agency that includes a physical description and photograph of the person and bears the signature of the person.

“Peace Officer” means as defined in ORS 133.005.

“Pawnbroker” means person, partnership, corporation or other business association licensed as a pawnbroker under ORS Chapter 726.

“Pledge” means any article deposited with a pawnbroker in the course of the business of the pawnbroker as defined in this section.

“Precious metal” means gold in eight karat or greater purity, silver, platinum or palladium. Precious metal does not include unrefined metal ore, an electronic product or any part of a mechanical system on a motor vehicle that contains precious metal as a result of the vehicle manufacturing process.

“Purchase” means the buying, exchanging, transferring, collecting, consigning or otherwise acquiring of regulated property from another person not a used merchandise dealer, for resale, exchange, or transfer by the purchaser. This includes the taking possession of regulated property with an expressed or implied agreement or understanding to return regulated property at a subsequent time at a stipulated price or for the payment of a storage or handling fee.

“Regulated Property” means

(a)A. Except for property excluded in subparagraph (b) below, any used or secondhand personal property, including, but not limited to, precious metals and gems; watches, jewelry, and household items containing precious metals or precious gems; audio and video equipment and media; photographic and optical equipment; electrical office equipment; yard and garden tools; power equipment and tools; hand tools; telephones or telephone equipment; musical instruments; and sporting equipment.

(b)B. The term “regulated property” does not include any of the following property: vehicles required to be registered with the state Motor Vehicles Division; boats required to be certified by the state Marine Board; books; collectible trading cards (e.g. baseball trading cards or movie trading cards); glassware; furniture; clothes; refrigerators, stoves, washers, dryers, window air conditioner units, and other similar major household appliances; small kitchen appliances; or property that is purchased for investment purposes, limited to the following:

(i)1. Gold bullion bars or rounds (0.995 fine or better);

(ii)2. Silver bullion bars or rounds (0.995 fine or better);

- ~~(iii)~~3. Palladium and platinum bars or rounds (0.995 fine or better);
- ~~(iv)~~4. All tokens, coins, or money, whether commemorative or an actual medium of exchange, adopted by a domestic or foreign government as part of its currency;
- ~~(v)~~5. Postage stamps, stamp collections and philatelic items; or
- ~~(vi)~~6. Privately manufactured coins.

“Sheriff” means the Sheriff of Lane County, or his or her designee.

“Used merchandise dealer” means

~~(a)~~A. A person who engages in, conducts, manages, or carries on any business that, as part or all of its business:

- ~~(i)~~1. Purchases regulated property; or
- ~~(ii)~~2. Lends money on security of regulated property.

~~(b)~~B. A used merchandise dealer does not include:

- ~~(i)~~1. A person who engages in, conducts, manages, or carries on any business that does not buy regulated property outright, but occasionally accepts in trade regulated property as part or full payment for new articles, where such business is incidental to the primary business of the sale of new articles;
- ~~(ii)~~2. A person who engages in, conducts, manages, or carries on any business that deals exclusively in the purchase and sale of used whole automobiles, books, trading cards or sports memorabilia, clothing, furniture, major household electric or gas appliances, or farm implements and machinery; or
- ~~(iii)~~3. A person who engages in, conducts, manages, or carries on any nonprofit corporation or association that purchases, sells or otherwise exchanges only donated articles.

(Ordinance 14-77, 10.26.77; 12-79, 11.9.79; 7-05, 8.25.06; 13-3, 5.31.13; 14-02, 5.22.14)

~~3.200.010604~~ — - Used Merchandise Business Limitations.

No person with a felony conviction for Burglary, Theft, Manufacture of a Controlled Substance, or Schedule I or II Drug Possession may be permitted to own or operate a used merchandise business.

(Ordinance 13-3, 5.29.13)

~~3.200.015605~~ — - Recording Requirements.

~~(+)~~A. At the time of purchase, a used merchandise dealer shall accurately record:

- ~~(a)~~1. The description of the regulated property purchased;
- ~~(b)~~2. The address, date of birth and current telephone number of the person from whom the regulated property was purchased; and
- ~~(c)~~3. The approved identification of the person from whom the regulated property was purchased.

~~(2)~~**B.** The used merchandise dealer shall record an identifying description and take a discernible, clear photograph of all jewelry, gems and precious metal items. Pawnbrokers accepting a pledge are not required to photograph the pledged item.

~~(3)~~**C.** Used merchandise dealers shall record purchases of regulated property via an automated electronic reporting system approved by the County.

~~(4)~~**D.** All records of purchases shall be kept in an orderly manner on the used merchandise dealer's business premises and open for reasonable inspection by peace officers upon their demand. Each used merchandise dealer shall keep a paper record of each purchase bearing the signature of the customer for a period of one year.

(Ordinance 14-77, Effective 10.26.7; 7-05, 8.25.06; 13-3, 5.31.13)

~~3.200.020610~~ — - Reporting Requirements.

~~(1)~~**A.** Within 12 hours of a purchase, a used merchandise dealer shall input and transmit the recorded information required under LC 3.605 using the automated electronic reporting system approved by the County.

~~(2)~~**B.** Only reports containing complete information shall be deemed to comply with this section.

~~(3)~~**C.** In the event that the automated electronic reporting system becomes inoperable, a used merchandise dealer's computer system becomes inoperable, or other event that makes reporting within the time allowed by LC 3.610(1) impossible, the used merchandise dealer shall immediately report the occurrence of such event to the Sheriff. The Sheriff may suspend the reporting requirements of LC 3.610(1) for a reasonable period until electronic reporting can resume. Once the Sheriff determines that reporting can resume, used merchandise dealers must, within 12 hours, input and transmit the information required LC 3.605 for all purchases made during any period reporting was suspended by the Sheriff using the approved automated electronic reporting system.

(Ordinance 14-77, 10.26.77; 7-05, 8.25.06; 13-3, 5.31.13)

~~3.200.025615~~ — - Reporting Fees.

~~(1)~~**A.** The County shall establish by order the fees for the use of an automated electronic reporting system. Such fees shall reflect the costs associated with providing electronic automated reporting system services to used merchandise dealers.

~~(2)~~**B.** Used merchandise dealers shall be charged the fees on an annual basis. Fees become due 45 days after being billed.

(Ordinance 14-77, 10.26.77; 12-79, 11.9.79; 1-88, 2.26.88; 7-05, 8.25.06; 13-3, 5.31.13)

~~3.200.030620~~ — - Limitations on the Purchase of Regulated Property.

~~(1)~~**A.** A used merchandise dealer shall not:

~~(a)~~**1.** Purchase regulated property with serial numbers, personalized inscriptions or initials, or other identifying marks, which are or have been altered, obliterated, removed, or otherwise rendered illegible;

~~(b)~~**2.** Purchase regulated property from a person under the age of 18 years;

~~(e)~~3. Purchase regulated property from a person who is obviously under the influence of drugs or intoxicating liquor;

~~(e)~~4. Knowingly purchase regulated property from a person who is not the owner of the regulated property or parent or guardian of the owner of the regulated property; or

~~(e)~~5. Remove gemstones from jewelry or alter jewelry at the time of purchase or thereafter, or ask the seller to remove gemstones or alter jewelry at time of purchase.

~~(2)~~B. A used merchandise dealer shall comply with all applicable federal, state, and local laws and regulations.

(Ordinance 14-77, 10.26.77; 12-79, 11.9.79; 7-05, 8.25.06; 13-3, 5.31.13)

~~3.200.035625~~ - Limitations on the Sale of Regulated Property.

~~(1)~~A. Regulated property purchased by any used merchandise dealer shall not be sold for a period of 14 full days after the date the report required in LC 3.610 is received by the County. The used merchandise dealer shall maintain the purchased property in substantially the same form as purchased and shall not commingle the property in a manner that precludes identification during this 14 day holding period. The purchased property shall be located on the business premises during normal business hours during this holding period so that it can be inspected as provided in LC 3.630. The 14-day holding period does not apply to a pledge held by a pawnbroker.

~~(2)~~B. Upon reasonable belief that the purchased property is the subject of theft, the Sheriff may provide written notice to any used merchandise dealer not to dispose of any specifically described property purchased. The used merchandise dealer shall retain the property in substantially the same form as purchased and shall not remove gemstones from, or make other alterations to, pieces of jewelry. Upon receipt of written notice pursuant to this subsection, the used merchandise dealer shall not sell, exchange, dismantle or otherwise dispose of the property for a period of time, as determined and stated in the notice by the Sheriff, not to exceed 180 days from the date of purchase.

(Ordinance 14-77, 10.26.77; 12-79, 11.9.79; 7-05, 8.25.06; 13-3, 5.31.13)

~~3.200.040630~~ - Inspection of Used Merchandise Dealers and Regulated Property.

Upon presentation of official identification, any peace officer may enter onto the business premises of any used merchandise dealer to ensure compliance with the provisions of LC 3.600 through 3.625. The inspection shall be for the limited purpose of inspecting any regulated property purchased by the dealer, held by the dealer pursuant to LC 3.625, or the records incident thereto. Any inspection pursuant to this section shall only be authorized to occur during normal business hours.

(Ordinance 7-05, 8.25.06; 13-3, 5.31.13)

~~3.200.045635~~ - Administrative Rules.

The Sheriff shall have the authority to adopt procedures concerning the administration and enforcement of LC 3.600 through 3.630, including but not limited to the establishment of procedures for the release of property seized from used merchandise dealers by peace officers and the procedures to be followed at any hearings related thereto.

(Ordinance 14-77, 10.26.77; 12-79, 11.9.79; 7-05, 8.25.06; 13-3, 5.31.13)

3.300 - Enforcement

~~3.300.005985~~ - Enforcement.

~~(1)~~**A.** Any peace officer may enforce the provisions of this Chapter.

~~(2)~~**B.** If it appears to the Sheriff that a used merchandise dealer has repeatedly and substantially violated this section or other laws applicable to used merchandise dealers, the Sheriff may initiate judicial proceedings for injunctive relief to prohibit the person from acting as a used merchandise dealer and to prohibit the purchase or sale of regulated property at the location where the violations occurred.

(Ordinance 13-3, 5.29.13)

~~3.300.010990~~ - Violation.

~~(1)~~**A.** Violation of any of the requirements of LC 3.445(1) and (2), constitutes a Class A violation. Continued violations after 10 days from the service of the citation on the alleged violator, and continued violations after an order has been entered by the court for the same violation, constitute a separate Class A violation for each day the violation continues. The Sheriff, or said Sheriff's duly authorized representative, shall have the authority to issue a citation for violations of LC 3.445(1) and (2).

~~(2)~~**B.** Violation of any of the requirements of LC 3.601 through 3.630 above, is punishable as follows:

~~(a)~~**1.** A person who violates this chapter may be punished by a fine of not more than \$500.

~~(b)~~**2.** A person who violates this chapter after having been convicted at three different times for violating this chapter may be punished by a fine of not more than \$1500 for each new violation.

~~(c)~~**3.** A person who violates this chapter after having been convicted at six different times for violating this chapter may be punished by a fine of not more than \$3000 for each new violation.

~~(d)~~**4.** Each violation of this chapter or any of the rules adopted thereunder is a separate offense.

~~(e)~~**5.** For purposes of this chapter, "a violation of this chapter" includes a violation of the rules adopted under that section.

~~(f)~~**6.** For purposes of this section, "person" includes individuals, corporations, partnerships and any form of business association.

~~(3)~~**C.** In addition to the remedies provided in LC 3.990 above, additional proceedings may be instituted, including, but not limited to, injunctive relief to enforce the provisions of this chapter.

(Ordinance 18-73, 4.5.74; 1-77, 4.1.77; 6-77, 7.29.77, 14-77, 10.26.77; 22-77, 12.28.77; 1-88, 2.26.88; 10-88, 1.4.89; 1-00, 4.12.00; 7-05, 8.25.06; 13-3, 5.31.13)

~~3.300.015995~~ - Outdoor Assembly License Review Procedures

~~(1)~~**A.** Purpose.

—The purpose of section 3.995 is to allow outdoor assemblies while protecting the health, safety and welfare of the surrounding community, participants and organizers of the assemblies.

~~(2)~~**B.** Applicability.

—This section applies to all lands within unincorporated Lane County, regardless of land use zone designations. Where a provision or condition imposed by this section conflicts or overlaps with another provision or condition imposed by this section or another applicable section of Lane Code or state or federal law, the more restrictive provision or condition governs.

~~(3)~~**C.** Definitions.

—For the purposes of this section 3.995, certain words and phrases are defined as follows and where appropriate include their plural form:

~~(a)~~ “Adequate” means that the requirement:

~~(i)~~**1.** Will accommodate the number of persons reasonably anticipated to attend the assembly for the duration of the assembly; and

~~(ii)~~**2.** Will meet the standards required for the assembly; and

~~(iii)~~**3.** Will accommodate the location and nature of the assembly.

~~(b)~~ “Applicant” means a person who seeks a license authorizing an assembly.

~~(c)~~ “Assembly” means an actual or reasonably anticipated gathering of 1,000 to 3,000 persons that continues or can reasonably be expected to continue for more than 12 hours but up to 120 hours. The duration begins on the earlier of when the first attendee can or is anticipated to arrive at the assembly and when the last attendee has left the assembly but does not include set up and break down times.

~~(d)~~ “Assembly Site” means a plot of land that may include one or more contiguous or non-contiguous parcels that has been legally secured for the purposes of holding an assembly and is intended to contain all physical aspects of an assembly including but not limited to camping, concession, parking, performance, spectator, staging and storage areas and temporary structures. If buses are to be used to transport persons to the assembly those parking areas from which buses are scheduled to pick up persons for transport to the assembly are also considered part of the assembly site.

~~(e)~~ “County Official” means any employee of Lane County, whether elected, employed, or appointed, conducting official business on behalf of Lane County.

~~(f)~~ “Director” means the Lane County Planning Director.

~~(g)~~ “License” means an official authorization issued to an organizer pursuant to this section that allows the organizer to hold, stage, sponsor, promote, organize, or advertise an assembly. Issuance of a license is not a land use decision as that term is defined in LC14.015.

~~(h)~~ “Organizer” means any person who holds, stages, sponsors, promotes, organizes, or advertises an assembly. Organizer also includes the applicant for a license under this section, the owner, lessee, possessor, or lessor of the real property upon which the assembly is to take place and the agent designated to conduct the assembly.

~~(i)~~ “Owner” means the owner, lessee, or possessor of the real property upon which the assembly is to take place.

Lane Code

- (j) "Person," for purposes other than determining attendance at an assembly, means any individual or group of individuals, corporation, partnership, or organization. For purposes of determining attendance at an assembly, "person" means an individual regardless of age.
- (k) "Public Health Services" means the Lane County Public Health Division employees and representatives thereof.
- (l) "Sheriff" means the Sheriff of Lane County or the Sheriff's designee.
- (m) "Temporary Structure" means tents, trailers, portable chemical toilet facilities, stages, concession booths and other similar structures customarily erected or sited for temporary use and removed after an assembly.
- (n) "Traffic Control Devices (TCD)" means signs, signals, markers, and other devices placed on, over, or adjacent to a roadway used to regulate, warn, or guide public traffic by authority of a public body or official having jurisdiction. Typically TCDs must meet the standard of the Manual of Uniform Traffic Control Devices.
- (o) "Traffic Control Measures (TCM)" means, but is not limited to, TCD, personnel, materials, and equipment used to control public traffic through the assembly site. Flaggers used in implementing TCMs must be certified trained professional flaggers.
- (p) "Traffic Management Plan (TMP)" means a written and drawn plan for providing the safe and efficient movement of public traffic to, from, and through the assembly site by means of traffic control measures and devices.
- (q) "Vehicle" means any device in, upon or by which any person or property is or may be transported or drawn upon a public road such as motor vehicles and bicycles.

~~(4)~~D. License requirements.

- ~~(a)~~1. A license is required to hold, conduct, advertise or otherwise promote any assembly.
- ~~(b)~~2. Each assembly requires a separate license.

~~(5)~~E. Prohibitions.

- ~~(a)~~1. Lane County will not issue a license under this section to allow the construction of any permanent structures or allow for any other permanent physical alterations to or on the real property where the assembly will be held.
- ~~(b)~~2. Structures or parking associated with the assembly are not permitted to be located off-site.
- ~~(c)~~3. Only one assembly per assembly site may be held in any 90 day period and no two assemblies may be held closer than 90 days apart.
- ~~(d)~~4. A license issued under this section does not allow any uses that may be contrary to existing land use regulations, including but not limited to; base or overlay zoning requirements such as riparian, floodplain, greenway and coastal combining zones.

~~(6)~~F. Exemptions.

—This section 3.995 does not apply to:

- ~~(a)~~1. Any normal and customary activity or program that takes place on property lawfully developed with a school, church or other institutional use.

- ~~(b)~~2. Any assembly under the auspices of any local, state or federal agency conducted in response to an emergency or to conduct training to meet such emergencies.
- ~~(c)~~3. Any assembly in a local, county, or regional park authorized by the regulating authority.
- ~~(d)~~4. Any assemblies conducted on federal or state lands that are authorized by the state or federal regulating authority.
- ~~(e)~~5. Any assembly approved through a land use permit process under Lane Code.
- ~~(f)~~6. Any assembly that is allowed as an outright permitted use in the underlying zoning district.
- ~~(7)~~ **G. License fees.**
 - ~~(a)~~1. An Applicant must pay an assembly application processing fee not to exceed \$750.00 per assembly application upon filing the application with the Land Management Division. Payment of this fee does not exempt an applicant from the responsibility to obtain any other permit or pay any other fee that may otherwise be required including, but not limited to, temporary restaurant license fees, Oregon Liquor Control Commission fees or land use permit fees.
 - ~~(b)~~2. An additional deposit fee may be required for assemblies to cover the costs of services by the Sheriff, Fire District, Health Department, Land Management Division and Oregon Department of Forestry in response to potential violations of the license or other violations of the law. If violations do not occur as a result of the event then the deposit will be reimbursed to the applicant.
 - ~~(c)~~3. The Director may reduce or waive application fees if the applicant shows by a preponderance of evidence that they are unable to pay the application fees.
- ~~(8)~~ **H. Application submittal requirements.**
 - ~~(a)~~1. The Applicant must submit following information for all assembly license applications on forms provided by the County:
 - ~~(i)~~a. Name, address, phone numbers and email of the owner and all organizers.
 - ~~(ii)~~b. The name and 24-hour contact information for the designated contact person(s) who has decision making authority and will be present at the assembly site at all times.
 - ~~(iii)~~c. Map and tax lot number and addresses of all the properties proposed for use as part of the assembly, including any property used for parking, staging of equipment and storage.
 - ~~(iv)~~d. Beginning and end dates of the assembly, including set-up and clean-up days.
 - ~~(v)~~e. Hours of operation for the assembly.
 - ~~(vi)~~f. The reasonably anticipated total event count, daily attendance, and peak attendance.
 - ~~(vii)~~g. A general description of planned assembly activities.
 - ~~(viii)~~h. A detailed site plan showing: all camping, concession, parking, performance, spectator, medical, security staging and storage areas; any existing structures or proposed temporary structures; natural areas; driveway access, parking and circulation areas; assembly site boundaries; or other information required by the Director.
 - ~~(ix)~~i. Information necessary to demonstrate compliance with the applicable approval criteria.
 - ~~(x)~~j. A statement certifying if alcohol will be served or allowed onsite and a copy of any authorization issued by the Oregon Liquor Control Commission.

~~(xi)~~**k.** A traffic management plan as required by LC 3.995(12)(a).

~~(xii)~~**l.** A detailed narrative describing how the public health requirements listed LC 3.995(12)(b) will be addressed.

~~(xiii)~~**m.** A statement explaining how compliance with applicable Oregon Liquor Control Commission regulations will be met if alcohol service is proposed.

~~(xiv)~~**n.** A detailed narrative describing how the fire protection measures listed in LC 3.995(12)(d) will be addressed.

~~(xv)~~**o.** A detailed narrative describing how the public safety measures of LC 3.995 (12)(e) will be addressed.

~~(xvi)~~**p.** A statement explaining measures that will be taken to ensure compliance with the County's prohibited noise regulations contained in Lane Code 5.600.

~~(xvii)~~**q.** A statement signed by the organizer and owner providing written consent to allow the Land Management Division, law enforcement, public health, fire control, and other appropriate public officers or officials to come onto the premises during the assembly and also during set up and break down times.

~~(xviii)~~**r.** Other appropriate information that the Land Management Division may require to ensure compliance with this section.

~~(a)~~**2.** The Applicant and Owner must sign the application and submit it with the appropriate fee.

~~(9)~~**I.** Application submittal deadlines.

—~~(a)~~ An application must be submitted no less than sixty days prior to the assembly unless a reduced time period is approved by the Director based on the size and characteristics of the assembly and anticipated time to process the license.

~~(10)~~**J.** Agency referral.

~~(a)~~**1.** Agency Referral Requirements. The Land Management Division will send a referral of an assembly application to the following agencies within 10 days of receipt of an application:

~~(i)~~**a.** Lane County Sheriff.

~~(ii)~~**b.** Lane County Environmental Health Program.

~~(iii)~~**c.** Lane County Code Compliance Program.

~~(iv)~~**d.** State Fire Marshall.

~~(v)~~**e.** Local Fire District.

~~(vi)~~**f.** Lane County Public Works Transportation Planning Program.

~~(vii)~~**g.** Oregon Department of Forestry.

~~(viii)~~**h.** Oregon Liquor Control Commission if alcohol will be served or allowed onsite.

~~(ix)~~**i.** Other affected service districts and agencies that may have jurisdiction over the assembly, including but not limited to the water district, sewer district, and the Oregon Department of Transportation.

~~(b)~~2. All Land Management and Division referrals should contain a site plan and a description of the proposed assembly. The referral to Lane County Public Works Transportation Planning should also include a copy of the traffic management plan.

~~(c)~~3. Agencies receiving referral under LC 3.995(10)(a) have 10 days following the date of postmark or email date stamp of the referral to provide comments on the proposed assembly.

~~(11)~~K. Review and appeal procedures.

~~(a)~~—The Director will review applications for assembly licenses. The Director's decision may be appealed to the Hearings Official by the applicant. An appeal must be filed within seven days of the Director's final decision. An appeal of the Hearings Official's decision may be submitted to the Lane County Circuit Court under ORC Chapter 34.

~~(12)~~L. Approval criteria.

—The applicant must provide evidence that for the duration of any assembly the following agency and departmental standards will be met.

~~(a)~~1. County Transportation Planning.

~~(i)~~a. Applicant shall provide a traffic management plan demonstrating how traffic will be managed and parking will be provided in accordance with the requirements of LC 3.995(12)(a)(i)(aa) – (jj).

~~(1aa)~~ Document anticipated number of vehicles attending assembly;

~~(2bb)~~ Document anticipated peak traffic times;

~~(3ee)~~ Provide adequate access routes to assembly site;

~~(4dd)~~ Provide adequate loading and unloading areas;

~~(5ee)~~ Provide adequate number of entries and exits;

~~(6ff)~~ Provide adequate traffic controls to warn and guide traffic around, past, and within the assembly site, and to minimize impacts on other road users;

~~(7gg)~~ Provide adequate emergency services access routes;

~~(8hh)~~ Provide adequate on-site circulation that safely and conveniently accommodates the movement of vehicles, pedestrians, and, where appropriate, public transportation services, throughout the assembly site and to and from assembly site;

~~(9ii)~~ Provide adequate measures and or notifications to minimize impacts on public transportation services; and

~~(10jj)~~ Provide adequate off-street parking:

~~(iA)~~ Provide parking space for one vehicle for every three persons expected or reasonably expected to attend assembly;

~~(iiB)~~ Provide adequate ingress and egress from parking areas to facilitate the movement of any vehicle at any time to and from the parking area; and

~~(iiiC)~~ If buses are to be used to transport persons to the assembly, demonstrate parking is available at any site from which buses are scheduled to pick up persons for transport to assembly.

~~(b)~~2. County Public Health.

~~(i)~~a. All temporary food vendors are subject to the Oregon Department of Human Services regulations that pertain to the operation of temporary restaurants and must be permitted through Lane County Environmental Health.

~~(ii)~~b. An adequate supply of water meeting state drinking water standards for Chemicals and Bacteria must be available for the actual or reasonably anticipated number of persons present at the assembly site.

~~(iii)~~c. One or more gray water collection tanks of sufficient size must be onsite to accommodate disposal of all gray water generated by food vendors.

~~(iv)~~d. Applicants must provide a narrative describing how LC 3.995(12)(b)(iv)(aa)-(cc) will be met in accordance with the requirements of LC 3.995(12)(b)(iv)(dd), including:

~~(1aa)~~ Provision of adequate facilities to accommodate sewage disposal such as portable chemical toilet facilities or other approved sources.

~~(2bb)~~ Provisions for adequate hand washing stations.

~~(3ee)~~ Provision of adequate refuse storage and disposal facilities

~~(4ed)~~ Based on the actual or reasonably anticipated number of persons present at the assembly site, the standards listed in Table I below must be met:

Table I			
Estimated number of Persons	Number of Required Toilets	Number of Required Trash Receptacles	Number of Required Hand Wash Stations
1,000	10	10	4
Per additional 100 persons in attendance over 1,000	+1	+1	+.25 (i.e: 1 additional station per 400 additional attendees over 1,000)

~~(e)~~3. Oregon Liquor Control Commission (OLCC).

~~(i)~~ Applicant must demonstrate compliance with the OLCC regulations if alcohol service is proposed.

~~(e)~~4. Fire Protection Measures.

~~(i)~~a. Provision of adequate fire protection, emergency vehicle access, firefighting water supply, emergency medical personnel and facilities.

~~(ii)~~b. Provision of adequate wildfire protection, smoking areas, firefighting equipment, and supplies.

~~(e)~~5. Public Safety Measures.

~~(i)~~ Applicant must submit a plan for public safety demonstrating that adequate traffic control and crowd protection policing have been contracted for or otherwise provided by the organizer.

~~(a.a)~~ The plan must provide one traffic control person for each 250 persons expected or reasonably expected to be in attendance at any time during the assembly.

~~(b.b)~~ The plan must provide one crowd control person for each 100 persons, expected or reasonably expected to be in attendance at any time during the assembly.

~~(c.c)~~ The organizer shall submit the legal names, date of birth and necessary background information for all traffic-control and crowd-control personnel to be utilized during the assembly.

~~(d.d)~~ All such personnel must meet the following minimum standards in order to be approved as suitable:

~~(A1)~~ Be at least 21 years of age;

~~(B2)~~ Be in good physical health;

~~(C3)~~ Have training or experience acceptable to the Director to conduct traffic and or crowd-control duties.

~~(f)6.~~ Miscellaneous.

~~(i)a.~~ Lane Code Chapter 5.600 – Prohibited Noise.

~~(ii)b.~~ Any other section of Lane Code as deemed applicable by the Director

~~(13)M.~~ Contact, insurance, set-up and clean up requirements.

~~(a)1.~~ The organizer must keep any license issued pursuant to this section and post a copy in a conspicuous place upon the premises of the assembly site. The posting must also include a description of the assembly, date, duration, on-site twenty-four hour contact information for the organizer with the authority to make decisions, and sheriff, fire control, public health and other appropriate agencies.

~~(b)2.~~ At least one onsite organizer must have twenty-four hour radio frequency access to the Sheriff and all onsite security staff.

~~(c)3.~~ All onsite activities required to prepare the assembly site must occur within 72 hours prior of the advertised time the assembly is scheduled to begin. The Planning Director may, upon a showing of necessity, allow preparation to begin more than 72 hours before the advertised time of the assembly but those activities are limited to set up only and not commercial vending, rehearsals or sound checks.

~~(d)4.~~ The organizer must remove and repair all remaining residue, debris, temporary structures or damage to property resulting from the assembly 72 hours after termination of the assembly. If a request is made prior to the assembly, the Planning Director may, upon a showing of necessity, allow more than 72 hours to remove any temporary structures.

~~(14)N.~~ Inspection requirements. ———All approved assemblies are subject to inspections prior to, during and after the assembly by county officials and other public officials and agencies to ensure the assembly is in and maintains compliance with the requirements of applicable laws. The organizer and owner shall provide written consent allowing law enforcement, public health, fire control, and other appropriate public officers or officials to come onto the premises of the approved assembly.

~~(15)~~0. Enforcement.

- ~~(a)~~1. It is the intention of this section 3.995 to put the burden of preserving order upon the organizer of the assembly. If an assembly is not being operated in accordance with the rules and regulations prescribed in this section, as set forth in state law, and as provided for in the license, the organizers and owners are subject to revocation of the license and other sanctions as the law and this section provides.
- ~~(b)~~2. The organizers shall keep a count of persons and vehicles entering and leaving the assembly. If at any time during an assembly held under a valid license the number of persons or vehicles attending the assembly exceeds the number of persons or vehicles estimated in the license application, the Sheriff, or any of his or her 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.
- ~~(c)~~3. The county may bring an action in any court of general or equitable jurisdiction to prevent, restrain or enjoin any violation of this section 3.995.
- ~~(d)~~4. For any assembly held under a valid license, the Sheriff has the authority to order the crowd to disperse and leave the assembly site if the organizer cannot maintain order and compliance with all applicable state or local laws and the Sheriff determines that there is an immediate threat to public health or safety.
- ~~(e)~~5. The county may file suit to either compel compliance with, or seek compensation for its own actions related to, the clean-up requirements in LC 3.995(13)(d).
- ~~(f)~~6. If any organizer violates any provisions of this section 3.995 or any License issued hereunder, the Board of County Commissioners or Planning Director may immediately revoke any license for an assembly and may seek any legal remedy available.
- ~~(g)~~7. Upon sufficient and reasonable proof of offence the county may impose a fine of up to \$10,000 on each individual organizer pursuant to Lane Manual 5.020(3).

(Ordinance 14-11, 1.2.15)