



Special Event Permit – *for Use of Public Property*

General Information

The use of Public Parks/Property in conjunction with specific events and certain park uses require a special use permit. If your event will include any of the following you will need to apply for and obtain a “Special Use Permit” before reservation of a public park or property can be approved.

- **Food Service** - The preparation, distribution and/or sales of food and beverage items to the general public.
- **Sound Amplification** – The use of any sound amplification device, DJ, band or microphone/speaker, etc.
- **Number of Attendees** – Events with a projected attendance of 75 people or more.
- **Closure of a Public Right-of-way** – Special events that require the closure of a public sidewalk, street or alley.

General Requirements:

Special Use Permits require the naming of an “Events Coordinator”. The Event Coordinator is responsible for obtaining all associated permits, licensing and the enforcement of all rules, requirements and regulations associated with their event, vendors and event attendees.

■ **Site Plan**

You will be required to provide a site plan for your event, the site plan must show all of the following:

- The area and surrounding right-of-ways and adjacent properties marked and labeled
- The locations of all vendors and/or food service marked and labeled
- The location of all sound amplification (Band, DJ, Microphone and/or speakers) marked and labeled
- Location of all trash receptacles marked and labeled
- Location of all pop up tents, canopies or temporary structures marked and labeled
- Location of all tables & chairs for both vendors and event attendees marked and labeled

■ **Food Service and/or Food Vendors**

City business registration requirements are waived for approved special events. The Event Coordinator is responsible for listing all of the participating vendor and keeping a copy of each of the following documents, for each food service, in their possession and available at all times during the event. Dayton Municipal code 3.11.2(a).

- A Class I-IV Mobile Food Unit License from Yamhill County Health & Human Services
- Federal or State issued picture identification
- Current Food Handlers permit

■ **Sound Amplification**

Dayton Municipal Code has certain regulations regarding excessive noise, however exceptions for outdoor community and private events held on public property may be allowed with City Manager Approval.

■ **Recycle & Trash Receptacles**

Trash receptacles shall be provided on site, and must be emptied and maintained. Receptacles shall be provided at a rate of one receptacle for every food vendor. There are a limited number of trash receptacles on public property or within a park, if your vendor number exceeds the number of trash containers already provided you will need to provide additional containers.

■ **Use or Closure of Public Right-of-Ways**

Closure a public right-of-way in conjunction with your event, requires an encroachment permit to be submitted with the Special Use Permit. The closure of a State right-of-way or the closure of a City right-of-way connected to a State right-of-way require an ODOT permit.

Insurance

The City of Dayton does not require an insurance certificate for use of a public park, however you may want to protect yourself and your organization. The www.eventhelper.com can help you with providing insurance for your event. The exception to this rule is the closure of public right-of-ways.

Use of Electricity

Some of the structures and features in our public parks have electricity available upon request.

Process

Once an application is deemed complete, it will be reviewed and the Event Coordinator will be notified of approval or denial. The permittee will be responsible for compliance with all requirements and conditions of approval, furthermore, all event staff, participants and vendors are subject to all applicable city, county, and state codes and regulations.



City of Dayton

PO Box 339 - 416 Ferry Street - Dayton OR 97114

PH (503) 864-2221 - Fax (503) 864-2956

Email: cityofdayton@ci.dayton.or.us - Website: www.ci.dayton.or.us

Special Event Permit

For use of: Courthouse Square Park Andrew Smith Park Legion Field
 Public Right-of-Way

PERMIT #: **SEP**

Date Received:

Event Information

Special Event Name:

What is the type or purpose of your event? (be specific)

Date: _____ Start Time: _____ am pm End Time: _____ am pm

Number of people expected to attend the event: _____ Public Event Private Event

Special Event Coordinator Information

Applicant/Special Event Coordinator Name:

Business/Organization Name:

Mailing Address:

City: _____ State: _____ Zip: _____

Phone Number: _____ Alternate Phone Number: _____

Email Address:

I agree to indemnify and hold harmless the City of Dayton against liabilities, judgement, costs and expenses which may in any way accrue against said City in consequence of granting this permit. Furthermore, I understand that I am responsible for all aspects of my event and I agree to abide by all State, County and Municipal required rules and regulations.

Special Event Coordinator Signature:

Date:

Event Area

Event Location (be specific):

Will any part of your event require use of the Public right-of-way (sidewalk and/or streets) adjacent to the park?

Yes No If yes, explain:

Will your event require the use of electricity? If so, where?

Music - Sound Amplification

Will there be: Recorded Music/D J Live Band Other Sound Amplification Device

Name of Band/DJ/Other: _____ Phone #: _____

Food Service

Will food and/or Drinks be served: Yes No Will there be a charge for the food? Yes No

How many food vendors will be at your event?

Will any of your food vendors serve food from a push cart or food truck? Yes No

* If yes, STOP this is not the correct permit application for your event.

1994 Dayton Municipal Code Dayton, Oregon
CHAPTER 2 – PARK OFFENSES

2.3 **Prohibited Parking.**

2.3.1 **Courthouse Square Park.** No person or entity shall allow a vehicle registered in his or her name to be parked along the west side of 3rd Street, between Main and Ferry Streets; along the north side of Ferry Street, between 3rd and 4th Streets; along the east side of 4th Street, between Main and Ferry Streets; and along the south side of Main Street, between 3rds and 4th Street, for more than two (2) hours. In addition, no person or entity shall allow a vehicle registered in hers or her name to be parked in the two northern most parking spaces along the west side of 3rd Street, between Main and Ferry Streets, for more than half an hour.

2.8 **Noise.**

2.8.1 **Excessive Noise Prohibited.** No person shall cause excessive noise within the City.

2.8.2 **Excessive Noise Defined (Residential & Commercial Zones).** Excessive noise in a Residential or Commercial Zone in violation of this section includes, but is not limited to:

- (a) The keeping of any bird or animal which by causing frequent or long-continued noise shall disturb the comfort and repose of any person in the vicinity.
- (b) The use or operation of any vehicle, engine, horn or other signaling device, mechanical device, sound-amplifying device, sound-producing instrument, or any other type of noise that produces any sound than can be heard more than 150 feet from the source during the hours of 7:00 am and 10:30 pm; or 50 feet from the source from 10:30 pm to 7:00 am.
- (c) The erection, including excavation, demolition, alteration, or repair of a building in residential districts, other than between the hours of 7:00 am and 6:00 pm, except in case of urgent necessity in the interest of the public welfare and safety and then only with a permit granted by the City Manager for a period not to exceed ten (10) days. Such permit may be renewed for periods of five (5) days while such emergency continues to exist. The actual owner of property may do work on property actually occupied by him between the hours of 6:00 pm and 10:30 pm without obtaining a permit as herein required.
- (d) The conducting, operating or maintaining of a commercial garage within 100 feet of a private residence, apartment, rooming house, or hotel in such manner as to cause loud or disturbing noises to be emitted there from between the hours of 10:30 pm and 7:00 am.
- (e) No person shall make, continue, assist in making, or allow:
 - (1) Any unreasonably loud, disturbing, or raucous noise;
 - (2) Any noise that unreasonably annoys, disturbs, injures, or endangers the comfort, repose, health, safety, or peace of reasonable persons of ordinary sensitivity; or
 - (3) Any noise which is so harsh, prolonged, unnatural in time or place as to occasion unreasonable discomfort to any persons, or as to unreasonably interfere with the peace and comfort of neighbors or their guests, or operators or customers in places of business, or as to detrimentally or adversely affect such residences or places of business; or
 - A) The standard for judging loud, disturbing and unnecessary noises shall be that of an average, reasonable person with ordinary sensibilities after taking into consideration: the proximity of the sound to sleeping facilities, whether residential or commercial; the land use, nature, and zoning of the area from which the sound emanates and the area where it is received or perceived; the time of day or night the sound occurs; the duration of the sound; and whether the sound is recurrent, intermittent, or constant.

2.8.3 **Excessive Noise Defined (Industrial Zone).** Excessive noise in an Industrial Zone includes, but is not limited to, sounds discernable outdoors by the human ear more than 150 feet from the source of the sound.

2.8.4 **Excessive Noise Defined (Sound Amplification from a Vehicle).** A person commits the offense of causing unreasonable sound amplification from a vehicle if the person operates, or permits the operation of any sound amplification system which is plainly audible outside of a vehicle from 50 or more feet when the vehicle is on a public highway or on premises open to the public, unless that system is being operated to request assistance or warn of a hazardous situation.

2.8.4.1 **Definition.** As used in Section 2.8.4, “plainly audible” means any sound for which the information content of that sound is unambiguously communicated to the listener including, but not limited to, understandable spoken speech, comprehension of whether a voice is raised or normal or comprehensive musical rhythms or vocal sounds.

2.8.4.2 **Exceptions.** Section 2.8.4 does not apply to:

- a) Emergency vehicles as defined in ORS 801.260;
- b) Vehicles operated by utilities defined under ORS 757.005, 758.505 or 759.005;
- c) Audio alarm systems installed in vehicles; or
- d) Federal communications Commission licensed two-way radio communication systems.

2.8.5 **Exception for Significant Outdoor Community Events.** *(Added ORD 638 – Effective 02/02/17)* The City Manager may approve an exception to this section 2.8 of the Dayton Municipal Code for significant outdoor community events. A significant outdoor community event is any planned gathering occurring on public property that is open to the general public wherein there are 100 or more people present. Examples of significant outdoor community events may include, but are not limited to the following:

- a) Parades
- b) Wedding ceremonies.
- c) Church/ religious services.
- d) Concerts
- e) Festivals/Fairs
- f) Sponsored Races/Walks
- g) Car Shows.

2.8.5.1 **School Events.** School sporting events or other large school sponsored gatherings that happen on a regularly scheduled basis are approved exceptions to this section 2.8 of the Dayton Municipal Code and do not require additional approval by the City.

2.8.6 **Penalty for Violation.** A violation of any provision of Section 2.8 of the Dayton Municipal Code is a Class B violation.

2.8.7 **Remedy.** If, after proper notification of a violation of Section 2.8 of the Code, the nuisance is not abated, the City Manager or designee may proceed to abate the nuisance pursuant to the provisions in Section 5.13, Uniform Nuisance Abatement Procedure, or this Code. In addition to the remedies provided by Section 5.13, the City shall have all remedies available to it by law.

2.10 **Public Parks.**

2.10.1 **Definition.** For the purposes of this subsection, the following terms shall have the following meaning:

- (a) “Public Park” means real property owned or controlled by the City of Dayton for public recreational use, including, but not limited to, Courthouse Square Park (bounded by Third and Fourth Streets, and Ferry and Main Streets), Andrew Smith Park, and Alderman Park.
- (b) “Smoking” means inhaling, exhaling, burning, or carrying any lighted cigar, cigarette, electronic cigarette, pipe, hookah, plant or any other smoking, tobacco, nicotine, or tobacco-like product or substance in any manner or any form.

- (c) “Tobacco Use” means smoking, chewing, vaping, inhaling, or any other means of ingestion or consumption of any tobacco product.
- (d) “Tobacco” means any tobacco product, cigarette, cigar, pipe tobacco, smokeless tobacco, chewing tobacco, electronic cigarettes and any other form of tobacco or nicotine product that may be utilized for smoking, chewing, vaping, inhaling, or any other means of ingestion or consumption.

2.10.2 **General Rules of Use.**

- (a) Disorderly conduct, noisy disturbances or disregard for park rules and regulations shall result in removal from the Public Park by authorized city personnel.
- (b) No peddling, soliciting or commercial activities are permitted within a Public Park without prior approval of the City Council or their designee.
- (c) Possession or use of intoxicating beverages within Public Parks is expressly prohibited.
- (d) Park users shall be liable for damages to park grounds or facilities caused by themselves, their children or their pets.
- (e) Firearms, other than those permitted by ORS 166.210, BB guns, air rifles, knives, other than cooking cutlery and pocket knives in the possession of an adult, slingshots or similar objects capable of inflicting bodily harm shall not be allowed in Public Parks except as otherwise permitted by City Council or their designee.
- (f) Smoking and tobacco use is prohibited on and around all Public Parks. This policy does not prohibit use of FDA-approved nicotine replacement therapy products such as nicotine patches, gum and lozenges which are intended to help quit tobacco use and minimize symptoms of nicotine additions.

2.10.3 **Hours.** Public parks are open for the use of the public from 7:00 am until 10:30 pm. No person shall be within a Public Park between 10:30 pm and 7:00 am, except for historical or educational demonstration purposes as determined in advance by City Council.

2.10.4 **Solid Waste Disposal and Fires.**

- (a) No person shall build any fire, including fires to cook food, in a Public Park, except in permanent barbeque stoves or fireplaces maintained by the City, or in propane gas or electric barbecue stoves within 20 feet of the covered eating pavilion located in the northwest corner of Courthouse Square Park, or for historical or educational demonstration purposes as determined in advance by the City Council or their designee.
- (b) Waste disposal fires or uncontained fires of any kind are expressly prohibited.

2.10.5 **Protected Plantings.** No person shall injure or remove any vegetation from Public Parks. Notwithstanding the provisions of Section 5.6 of this Code, no person may affix any placard, bill, advertisement or poster on trees or other plantings within public parks. No person shall damage, remove or penetrate temporary barriers erected in public parks to protest new growth until it is established.

2.10.6 **Vandalism.** No person shall intentionally damage any plant or fixture in a Public Park.

2.10.7 **Prohibited Conduct in Courthouse Square Park.** It is unlawful to do any of the following in Courthouse Square Park:

- (a) Wading, swimming, bathing, or washing clothing, dishes or utensils in Miller Fountain.

- (b) Intentionally placing, inserting, or tossing foreign materials into the water and pumping equipment, including but not limited to, soap, dyes, live animals/fish, dirt, rocks, etc. in Miller Fountain.
- 2.10.8 **Animals.** No person shall permit any animal, belongs to him or her, to be in a public park unless the person is in constant control of the animal's behavior. Pets or other animals allowed to run at large or to create a nuisance shall be removed and the owner cited.
- 2.10.8.1 **Removal of Feces.** The person in control of an animal in a public park is responsible to remove any feces within five minutes of the time they are dropped by the animal.
- 2.10.8.2 **Horses.** No person shall lead, ride or drive any horse or other animal within any public park except for historical or educational demonstration purposes as determined in advance by the City Council or their designee.
- 2.10.9 **Penalty for Violation.** A violation of any provision of Dayton Municipal Code Section 2.10 is a Class B violation. See Section 2.10.10 for additional measures.
- 2.10.10 **Trespass.** In addition to the other measures provided for violation of this Code, or any of the laws of the State of Oregon, any peace officer, as defined by ORS 133.005(3), as amended, or any City employee may exclude any person who violates any provision of this Code, any City ordinance, or any of the laws of the State of Oregon from any City park for a period of not more than 30 days.
- (a) Written notice shall be given to any person excluded from any City park. Such notice shall specify the dates and places of exclusion. It shall be signed by the issuing party. Warning consequences shall be prominently displayed on the notice.
 - (b) A person receiving such notice may appeal to the City Council to have the written notice rescinded or the period shortened. Notwithstanding any other provision of this Code, the appeal shall be filed within 5 days of receipt of the exclusion notice, unless extended by the City Council for good cause shown.
 - (c) An appeal properly filed under (b) automatically stays the exclusion period until the City Council issues a decision on the appeal.
 - (d) At any time within 30 days, a person receiving such notice may apply in writing to the City Manager for a temporary waiver from the effects of the notice for good reason.

