

City of Hood River

Special Event Permit Process For Street Closures

Pursuant to its authority in HRMC chapter 13.52, the city allows special events to use city streets and, with limitations, to close specific segments of public streets for exclusive use by pedestrians and non-motorized vehicles in connection with a permitted special event. From time to time various organizations and businesses require the closure of city streets for a community event or festival. Such community events benefit the community, but they cause attendant impacts to pedestrian and public safety, traffic circulation, and access to businesses and residents. Through the regulations in this Chapter, the city endeavors to balance its desire to support and promote community events with its desire to avoid or minimize these impacts. In consideration of these and other issues and to protect the public health, safety and welfare, the city requires a Street Closure Permit before any event or festival may occur or close a public street. The Street Closure Permit review process is intended to protect public safety, minimize, balance and mitigate any impacts from a street closure. The Street Closure Permit can be obtained from the City Recorder's Office at City Hall or from the city's website at www.cityofhoodriver.com.

1. **PERMIT ELIGIBILITY**

The Street Closure Permit is intended for the temporary closure of specific city street segments as necessary to accommodate an event sponsored by a community-based organization or business. The applicant for a Street Closure Permit must own, lease or rent property within the proposed closure area, or the applicant must provide a signed letter of co-sponsorship from a person or business that meets these criteria. Events that plan to close a public street segment should not advertise the event before receiving an approved Street Closure Permit from the city.

2. **APPLICATION PROCEDURES**

- a. The City strongly recommends, due to the requirements that must be met for a Street Closure Permit, that the event organizer plan enough time to complete the application requirements, including communicating and coordinating with all affected residents and businesses by the deadline stated in 2.c.
- b. The City Recorder will provide the applicant all necessary forms and checklists. The City Recorder will review with the applicant all important timelines, fees and permit conditions.
- c. An application shall be submitted to the City Recorder at least 30 days prior to the event. The application shall be accompanied by any other forms and information required by the city. The city will not deem the application complete or begin processing the application until all required forms, information and the full appropriate application fee are also submitted. Once all required forms, information and fees are submitted, the city will begin processing the application.
- d. Applications for street closure submitted less than 30 days prior to the event will not be processed or approved, except that under extenuating circumstances the City Manager may consider closing the streets. Failure by the event organizer to timely and properly complete the requirements for a street closure do not constitute extenuating circumstances.
- e. The granting of a street closure permit does not grant the right to serve beer or other alcoholic beverages on public property. To serve alcoholic beverages, the applicant shall obtain all

required permits from the Oregon Liquor Control Commission (OLCC) and provide copies to the city.

- f. Submission of inaccurate, false or fraudulent information regarding any aspect of the permit request, including the petition of properties in the closure area, shall automatically result in permit denial or revocation.

3. CRITERIA CONSIDERED FOR ALL STREET CLOSURES

The city shall consider the following factors, and others as appropriate, prior to approving a proposed street closure (whether lane closures, local streets or ODOT controlled streets).

- Impact of the proposed closure on owners, residents, businesses, tenants and occupants of property fronting on the “closure area,” which is defined as the street segment(s) proposed to be closed.
- Impact of the proposed closure on the accessibility of emergency vehicles into and around the closure area.
- Impact of the proposed closure on traffic circulation and availability of alternate routes for traffic.
- The ability of the event organizer to provide all necessary services, facilities and labor for the event, including set-up and take-down, traffic control, port-a-potties, and clean-up after the event.
- Potential interference with commercial and business activities in the “immediate vicinity” of the closure area, which is defined as the properties within a one block radius of the closure area, but the City Manager may expand the immediate vicinity in which impacts will be evaluated as warranted.
- The community significance of the event and previous history of the event organizer for minimizing impacts, avoiding and addressing impacts, and complying with city rules and permit conditions.
- Other events and activities occurring concurrently that might exacerbate the impacts of a street closure.
- Conditions in the immediate vicinity of the closure area that, when viewed in conjunction with a street closure, might create a hardship or an unnecessary inconvenience to the general public, residents or businesses in the immediate vicinity.
- Verification that the applicant or sponsor owns, leases or rents property on the proposed block to be closed or can obtain and submit a letter of co-sponsorship from an individual who meets those criteria.

4. PERMIT AND APPLICATION FEE

The event organizer and permit applicant shall be responsible for paying the city’s costs associated with processing the permit application and providing city services to the event, including all regular and overtime costs for city employees, clean-up, repair, etc. As part of a complete application, the applicant shall submit a Permit Fee in an amount estimated by the City Manager as sufficient to cover all of the city’s costs associated with the street closure request. This fee shall be deemed a deposit on the actual amount expended by the city to provide services to the event. Any additional city costs will be billed to the applicant, and any surplus deposit will be refunded at the end of the process. The applicant shall be required to sign an irrevocable commitment to pay all of the city’s expenses related to permit review, city services and supervision of the event in excess of the deposit.

5. APPLICATION AND ISSUANCE

Applicants are advised to begin the application process at least 45 days before the event and should obtain an application and associated forms from the City Recorder. The applicant shall file the completed application and associated forms with the City Recorder no less than 30 days prior to the event. The application shall include the following information: date(s) of event; map of street segments to be closed; time of closure; duration of closure; petition of local support; and any support services needed from the city, *i.e.* sweeping, police, electrical service, barricades, etc. The applicant is responsible for full compliance with all federal, state, county, and city laws, ordinances and regulations. The applicant is responsible for paying the City's charges for all services that the City provides.

The application shall be accompanied by a petition designating the proposed areas of the street to be used and the time of the proposed use. A petition must be submitted demonstrating that occupants or owners of at least 75% of the properties fronting on the closure area do not object to the proposed closure. It is understood that some residents or businesses fronting on the closure area or within the immediate vicinity may object to the proposed closure, but 75% non-objection is required to process an application for a street closure permit. All petitions must be completed on city forms, with the signed acknowledgements attached to the application before it will be deemed complete and processed by the city.

The City Manager will consider all comments submitted on the proposal from any potentially affected person or business, shall weigh and evaluate each of the above-stated criteria in addition to other criteria and comments as appropriate, and determine whether granting the permit is in the public interest. The City Manager, in his or her sole discretion, may modify, approve with conditions or deny a Street Closure Permit. The City Manager's decision on a street closure permit may be appealed to the City Council by the applicant or anyone who submitted comments. Any such appeal shall be filed, if at all, with the City Recorder within 5 business days of the City Manager's decision, along with a nonrefundable appeal fee of \$25. If an appeal is filed, the City Manager shall schedule the matter for resolution by the City Council at the Council's next regular meeting. The City Council shall hear argument from the permit applicant and shall decide the matter either by approving, approving with conditions or denying the street closure permit. The City Council's decision shall be final.

6. PLANNING MEETINGS AND INSPECTION OF THE EVENT

For large-scale or long duration events that may have a major impact on the closure area, immediate vicinity or city operations, the applicant may be required to attend a planning meeting prior to the approval of a street closure permit. If the City Manager determines that a planning meeting is warranted, the meeting shall be attended by all city officials with regulatory responsibility for public services or safety.

The Public Works Director or Police Chief may require inspection of the closure area before, during or after the event to insure compliance with all city requirements and permit conditions. If any such inspections are required, the applicant shall be responsible for any city costs associated with these inspections and advance payment may be required.

7. CONDITIONS APPLICABLE TO ALL STREET CLOSURES

The City Manager, or the City Council on appeal, shall attach specific conditions to any approved street closure permit designed to avoid, minimize or mitigate all impacts of the proposed event and street closure. Those conditions shall be stated specifically in the permit and shall be binding on the permit

holder as mandatory requirements. Additionally, all of the following conditions shall apply to all street closure permits, even if not specifically stated in a permit:

- a. Liability Waiver and Insurance: The applicant shall execute an agreement, on a form provided by the city, agreeing to release, hold harmless and defend the City of Hood River, its officials, employees and agents for any harm, claim, loss, personal injury, death or property damage that may arise in connection with any street closure permit. All permittees shall provide proof, and maintain in effect, one or more general liability insurance policies in the amount of \$2,000,000 per event and aggregate and those policies shall name the City of Hood River as an additional insured. If the street closure permit includes permission to sell or serve beer or other alcoholic beverages on public property, the applicant shall obtain a separate Liquor Liability insurance policy with a minimum of \$1,000,000 per occurrence. No street closure permit application will be processed or approved without a signed waiver and proof of insurance.
- b. Clean-up After the Event: The permittee shall clean-up and otherwise remove all trash, litter and other debris resulting from the event, including any debris outside of the closure area left by event customers and participants. The city will inspect an expanded area around the closure area for compliance with this requirement and will invoice the permittee for any additional city clean-up services required to clean-up the area. A basic clean-up deposit will be required of the permit applicant prior to issuance of the permit. Any unexpended portion of the deposit will be refunded.
- c. Fire Lane to be Kept Open at All Times: At the discretion of the Fire Chief or Fire Marshall, A 20-foot free and unobstructed fire lane, extending from the curb and continuing for the entire length of the closure area, must remain open at all times, even if tables, booths, bleachers, stages, tents, etc. are placed in the street.
- d. Additional Notification: In addition to the requirement to have a petition signed for support of the closure, the permittee is responsible for notifying (as a reminder) all residents, property owners, managers, or lessees in the closure area of the date and time of the closure. This notification may be accomplished by distributing flyers, door hangers or by email. Notification shall be completed at least 10 working days prior to the event. The City Manager is responsible for notifying and soliciting comments on a proposed Street Closure Permit from affected city and county agencies.
- e. Traffic Control: The permittee is responsible for traffic control and properly placing barricades in the roadway. Standard, orange and white, safety barricades are required and must be sufficient to completely close the street. A minimum of two barricades per traffic lane are required, evenly spaced so that vehicles are not able to detour around the closed street segment. Saw horses, ropes, flags and similar fixtures are NOT PERMITTED as barricades. It is strongly encouraged that the permittee designate a specific person to be responsible for maintaining the proper position of the barricades at all times during the event. For additional safety, it is also recommended that the event be held no less than 50 feet inside the barricaded area. Standard barricades may be rented from private companies; however, if the permittee may rent barricades from the city at a reasonable cost. If the permittee contracts with the city to perform this service, the cost of that service shall be paid in advance. Barricades are available for pick up from Public Works Monday through Friday, 7:00 a.m. to 3:00 p.m., and all barricades shall be returned to the city within 72 hours after the conclusion of the event, and the permittee is responsible for paying replacement cost of all lost or damaged city equipment and materials.
- f. Alcohol: Approval of a street closure permit does not grant the right to the applicant to serve beer or other alcoholic beverages on public property or in the city right-of-way. The applicant is

responsible for obtaining all permits and approval from governmental agencies with regulatory authority over alcohol sales before the event occurs.

- g.** Damage to Public Property: The permittee shall not fasten, drill or bore into the public street, sidewalk or curb to mount or erect tent poles, booth supports, stages or any other equipment, appurtenances or fixtures.
- h.** Applicant Responsibility for all City Services: City Staff will determine if any city services are required such as police coverage, fire, emergency medical, ambulance, sanitation (dumpsters, port-a-potties) or other services or equipment. Several conditions and requirements are inherent in the permit process, and the event organizer is responsible for providing or otherwise making arrangements for all services, facilities and equipment needed for the event. If any services or safety provisions required as conditions of the permit are not in place, provided or otherwise met by noon five working days prior to the event, the application for the street closure will be revoked, and the Police Department will be notified that the event has been cancelled. The applicant is responsible for paying the city's charges for all services, facilities or equipment that the city provides.
- i.** Use of a Permitted Closure Area: The applicant for a street closure permit must own, lease or rent property within the proposed closure area or must provide a signed letter of co-sponsorship from someone who meets those criteria. The permittee is responsible for restricting the use of the closed public street to the specific closure area permitted, to the specific purpose for which the closure is approved, and shall ensure full compliance with all applicable laws, regulations and permit conditions.
- j.** Permittee Responsibility: The permittee agrees that the granting of the permit in no way relieves the permittee's responsibility to obey all City, State and Federal laws and regulations that may apply to the event.