

IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

FOR THE COUNTY OF YAMHILL

SITTING FOR THE TRANSACTION OF COUNTY BUSINESS

In the Matter of an Application for an Outdoor Mass)
Gathering Permit by the Newberg Boat Club in joint)
Sponsorship with the Columbia Outboard Racing)
Association ("Applicant"); Approving a Special Permit)
for use of Rogers Landing Park for the 2017 Memorial)
Weekend Boat Races; Authorizing Exclusive Use of) BOARD ORDER 17- 87
Rogers Landing Park by the Applicant from 5:00 p.m.)
Thursday, May 25 through 11:59 p.m. Sunday, May 28;)
Authorizing Access to Rogers Landing Park on May 20)
and May 21 for Pre-Race Clean-up Work Party.)

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY, OREGON ("the Board") sat for the transaction of county business in formal session in Room 32 of the Courthouse, on March 16, 2017, Commissioners Stan Primozech and Mary Starrett being present, and Commissioner Richard L. "Rick" Olson being excused.

A Yamhill County Ordinance 580 and ORS 433.735 to 433.770 allow the Board to issue a permit for an "outdoor mass gathering" under circumstances described in the ordinance and the statutes. The ordinance and the statutes require a public hearing to be held prior to approval of an application for a permit.

B. The Newberg Boat Club, P.O. Box 212, Newberg, Oregon 97132/18775 SW Vista Street, Aloha, Oregon 97006 in joint sponsorship with the Columbia Outboard Racing Association ("Applicant") has applied for a permit to host an event known as the Memorial Weekend Boat Races on May 27 and 28, 2017. Based on past attendance, more than 1,000 persons are reasonably expected to attend the event. Applicant seeks permission to use the county's Rogers Landing Park for the event. A copy of the application together with a letter of explanation is attached and incorporated into this Board Order as Exhibit "A."

C. A noticed public hearing on the application was held on March 9, 2017, at the Yamhill County Courthouse. At the conclusion of the public hearing, the Board approved the application with written findings to be adopted by the Board on March 16, 2017. This Board Order constitutes the findings and final written order of the Board in this matter.

D. The Board adopted the Yamhill County Parks Ordinance, Ordinance 619, on March 5, 1998. However, the Parks Ordinance specified that any rules adopted under the predecessor ordinance, No. 196, would remain in effect unless inconsistent with Ordinance 619. Among valid rules still in effect are rules adopted in Board Order 79-171. Section 16(a) of Board Order 79-171 allows the Board to issue special permits for special events in county parks.

E. The Memorial Weekend Boat Races have been conducted by the Newberg Boat Club for many years without significant problems. The event has been beneficial to the citizens of Yamhill County by promoting recreational opportunities and generating tourism income. The Newberg Boat Club has also provided a benefit to the county park system by performing extensive park clean up at Rogers Landing Park before and after the Memorial Day Boat Races. The Applicant will again provide cleanup services this year the week prior to the event. For those reasons, the Board authorized a waiver of all but \$250.00 of the mass gathering permit application fee.

F. The Board now finds that the application should be allowed as permitted by this Board Order. NOW, THEREFORE,

IT IS HEREBY ORDERED BY THE BOARD that the Newberg Boat Club, P.O. Box 212, Newberg, Oregon 97132 / 18775 SW Vista Street, Aloha, Oregon 97006 in joint sponsorship with the Columbia Outboard Racing Association ("Applicant") is granted an outdoor mass gathering permit to conduct an event known as the Memorial Weekend Boat Races on May 27 and 28, 2017. The Applicant is also granted the exclusive right to use Rogers Landing Park, including the exclusive right to provide concession services, to conduct the event. This outdoor mass gathering permit and special park use permit are subject to the following conditions:

1. TIMES FOR USE OF PARK. The Applicant is allowed access to Rogers Landing Park on May 20 and 21, 2017 for a pre-race park cleanup work party. The Applicant is allowed access to Rogers Landing Park on Thursday, May 25, 2017, to begin moving in equipment, and at dawn on Friday, May 26 for set-up purposes. The Applicant is allowed to close to general traffic the access road into Rogers Landing Park from 5:00 p.m. Friday, May 26, 2017, until 11:59 p.m. Sunday, May 28, 2017. Members of the Applicant may remain in Rogers Landing Park overnight on the nights of Thursday, May 25, Friday, May 26, Saturday, May 27, and Sunday, May 28, 2017 for purposes of event set-up and clean-up. The Applicant is allowed access to Rogers Landing Park on Monday, May 29, 2017 for tear-down and clean-up purposes.

2. NOTICE TO PUBLIC. The Applicant is responsible for the following notice to the public of their exclusive use of Rogers Landing Park. All costs of notice will be borne by the Applicant.

a. SIGNAGE. Not later than May 5, 2017 the Applicant shall post legible signs, in good repair, at least 24" by 24", displayed prominently that provide public notice of the exclusive use of Rogers Landing Park allowed by this Board Order. The signs must be posted at least at the following locations: The current boat launch area at Rogers Landing Park; the upper entrance to Rogers Landing Park; the intersection of State Highway 219 and Wynooski Road; the intersection of College Street and Westbound State Highway 99W in Newberg; the intersection of River Street and Eastbound State Hwy 99W in Newberg.

b. NOTICES. Not earlier than May 5, 2017 or later than May 10, 2017, the Applicant shall publish notice of the closure of Rogers Landing Park allowed by this Board Order. Notice shall be published in the Newberg Graphic.

3. **ADMISSION AND PARKING FEES PROHIBITED.** The Applicant shall not be allowed to charge admission to the boat races or to charge for parking on Yamhill County property or in the public right-of-way. However, off-site parking on private property is not regulated by this Board Order.

4. **TRAFFIC CONTROL AND PARKING.** The Applicant must obtain approval from the Yamhill County Sheriff for a plan to manage traffic access and egress from Mineral Springs to the event, as well as parking and traffic control at the event site. Once the plan is approved, the Applicant will comply with the approved plan during the event.

5. **SHUTTLE VEHICLE REQUIRED.** The Applicant shall provide, at no cost, a shuttle vehicle for elderly and disabled persons between the parking area and the race site.

6. **PATROL BOAT.** In the event funds are available, and subject to the approval of the Yamhill County Sheriff, the sheriff may provide a sheriff's patrol boat at no charge to the Applicant.

7. **SECURITY.** The Applicant is responsible for providing on-site security. All expenses for on-site security services shall be borne by the Applicant.

8. **TEMPORARY RESTROOM FACILITIES.** The Applicant is responsible for furnishing all temporary restroom facilities required for this event as determined necessary by the Yamhill County Parks Division Manager.

9. **TEMPORARY FENCING.** The Applicant may construct a temporary safety fence between West Rock's concrete pump house at the east end of the parking lot, following the riverbank to the west end of the parking lot.

10. **BROCHURE.** If a brochure is produced by the Applicant to promote or provide information on the 2017 Memorial Weekend Boat Races, the brochure shall include information submitted by the Yamhill County Parks Division Manager about Yamhill County Parks. If inclusion of the information results in additional costs to the Applicant, Yamhill County will pay the costs of the inclusion so long as the Yamhill County Parks Division Manager grants prior approval to the payment.

11. **CONCESSIONS.** The Applicant may deny access to outside concessions and solicitors at Rogers Landing Park on May 27 and May 28, 2017.

12. **LIABILITY INSURANCE.**

a. **INSURANCE REQUIRED; AMOUNT; COUNTY AS NAMED INSURED.** The Applicant shall obtain comprehensive general liability insurance in an amount not less than \$1,000,000 for each day of the 2017 Memorial Weekend Races. The insurance policy shall provide coverage against liability for death, injury or disability of any person or for damage to

property arising from or related to event. Yamhill County shall be named as an additional insured under the policy.

b. **PROOF OF INSURANCE.** Evidence of insurance meeting this paragraph shall be submitted to Yamhill County Counsel (see below) not less than one week before each event. Yamhill County Counsel is authorized to determine whether the proof of insurance meets the requirements of this paragraph.

13. **WAIVER OF PARK RESERVATION FEE.** The daily park reservation fee for Rogers Landing Park is waived for the Applicant for use of Rogers Landing Park allowed by this Board Order.

14. **COMPLIANCE WITH LAWS.** The Applicant shall comply with any federal, state or local laws, rules, codes or regulations.

15. **FINAL APPROVAL OF PERMIT.** The event may not proceed until final approval for the permit is issued in written form by Yamhill County Counsel. Yamhill County Counsel will issue final approval after receipt of the following materials:

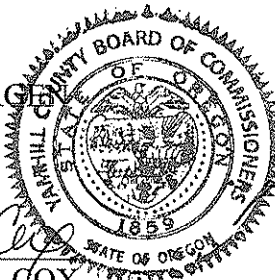
- a. **TRAFFIC CONTROL PLAN APPROVAL** from the Yamhill County Sheriff as provided in numbered paragraph 4.
- b. **PROOF OF INSURANCE** as provided in numbered paragraph 12.

DONE at McMinnville, Oregon on March 16, 2017.

ATTEST

YAMHILL COUNTY BOARD OF COMMISSIONERS

BRIAN VAN BERGHE
County Clerk



By: Crystal Cox
Deputy CRYSTAL COX

Stan Primozich
Chair STAN PRIMOZICH

Mary Starrett
Vice Chair MARY STARRETT

FORM APPROVED BY:

Unavailable for signature

Christian Boenisch
CHRISTIAN BOENISCH
Yamhill County Counsel

Richard L. Olson
Commissioner RICHARD L. "RICK" OLSON

Accepted by Yamhill County
Board of Commissioners on
3-16-17 by Board Order
17-87