



ORDINANCE NUMBER 2022-04

AN ORDINANCE OF THE CITY OF MOLALLA, OREGON AMENDING MOLALLA MUNICIPAL CODE, CHAPTER 5.20 SHOW LICENSES TO BECOME CHAPTER 5.20 SPECIAL EVENT LICENSES AND AMENDING THE LANGUAGE

WHEREAS, City Council and staff have reviewed MMC Chapter 5.20 at length and discovered the last update was approved in 1979; and

WHEREAS, staff would like to amend Chapter 5.20 to align with the current practices of this year and those following; and

WHEREAS, having discovered necessary amendments to the following section to Chapter 5.20.

Now, Therefore, the City of Molalla Resolves the amendments to Molalla Municipal Code Chapter 5.20 as follows:

Section 1. Molalla Municipal Code Chapter 5.20 Show Licenses shall be referred to as Chapter 5.20 Special Event Licenses upon passage of this ordinance.

Section 2. 5.20.010 Application—Required—Contents. Examples of special events include, but are not limited to; a carnival, fair or festival, concert, rodeo, sporting event, parade, protest and/or other shows desiring to locate within the City. Organizers of public performance or operation shall make written application for a license to the City Recorder if any of the following apply: gatherings/events that involve large groups of people impacting the right-of-way or City Park; advertised to the public; cause impact to City streets or a State Highway (including curb or parking lane), sidewalks, and or public rights of way; or cause impact to a Public Parking Lot.

Applications must be received at least 45 days prior to the intended date of the first public performance or operation. Events that draw a group of over 1,000 shall be submitted 60-90 days in advance. Such application shall contain, in addition to the proposed time and location of the performance, attraction or operation, such information as the City Administration shall reasonably require in order to be assured that the issuance of the requested license will in no respect endanger the public health, peace and safety of the City.

Section 3. 5.20.030 Application—Cash deposit or bond required. The application for the license shall be accompanied by a cash deposit or bond sufficient to indemnify the City for any

increased cost in City services caused by the performance or operation of the applicant within the City, in order to prevent the public health, peace and safety of the City from being endangered. The amount of such deposit or bond shall be fixed by the City Manager or designee. Upon completion of the event, the City Manager shall determine what the actual increased cost of City services were and deduct such amount to the general fund of the City. The license applicant shall agree to pay any excess costs of such services beyond the amount fixed by the deposit or bond and shall be entitled to the return of any amount deposited in excess of the actual increased cost.

Section 4. 5.20.040 License—Issuance—Appeal of rejection. If City Administration endorses approval of the application for the license required by this chapter, based on the criteria indicated in Section 5.20.010, and the evidence of adequate insurance coverage required by Section 5.20.020 is satisfactory, and the deposit or bond required in Section 5.20.030 is satisfactory, the Recorder shall issue the license as requested upon payment of the fee set forth in Section 5.20.050. In the event the application is rejected, the applicant may appeal in writing to the City Manager.

Section 5. 5.20.050 License—Fee. The license fee for events described in Section 5.20.010 shall be determined by the City's fee schedule, set by Resolution. Events that require additional staff such as Peace Officers or Public Works employees may be required to pay an additional fee to the City. The fee is set by Resolution and enforced by the City Manager.

Section 6. 5.20.060 Exemptions. The provisions of this chapter shall not be taken to apply to motion picture shows at permanently established motion picture theaters or activities sponsored by the local public school district that are held on District owned property within the city limits.

Section 7. 5.20.070 Following Temporary Uses Standards. Applicant shall adhere to portions of Molalla Municipal Code Chapter 17-2.3.150, Temporary Uses, A. Seasonal and Special Events guidelines.

- A. Seasonal and Special Events. The City shall approve, approve with conditions, or deny an application for a Seasonal or Special Event, based on the following criteria:
- 1) Applicant meets all criteria as listed in the Special Event Permit.
 - 2) The use occurs for not longer than 45 consecutive days and 45 days between occurrences.
 - 3) The applicant, if different than the property owner, has proof of the owner's permission to place the use on the property.
 - 4) There is sufficient parking to accommodate the temporary use and other uses existing on the site, pursuant to the Chapter 17-3.5 Parking and Loading.
 - 5) The use does not create adverse off-site impacts including vehicle traffic, noise, odors, vibrations, glare, or lights that affect an adjoining use in a manner in which other uses allowed outright in the district do not affect the adjoining use.
 - 6) The use is adequately served by sewer or septic system and water, as applicable.
 - 7) The applicant shall be responsible for maintaining all required licenses and permits.

Section 8. Effective Date. The effective date of this Ordinance will take place immediately after adoption. **-OR-** This Ordinance will take effect thirty (30) days from the date of adoption.

Read the first time on December 14, 2022, and moved to a second reading by _____ vote of the City Council.

Read the second time and adopted by the City Council on _____.

Signed by the Mayor on _____.

Scott Keyser, Mayor

ATTEST:

Christie Teets, City Recorder

DRAFT