

METRO PARKS, NATURAL AREAS AND CEMETERIES: SPECIAL USE GUIDE

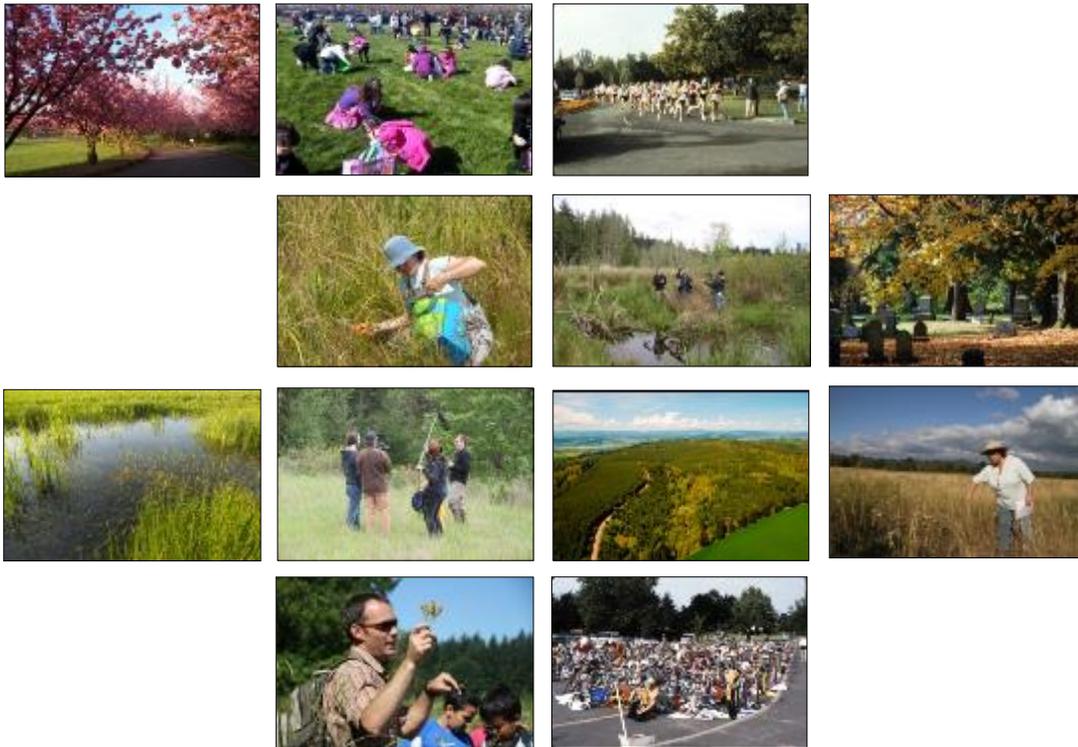


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PURPOSE AND INTRODUCTION

This document sets forth Metro's parks, natural areas and cemeteries administrative policies and permit requirements for special uses and special events at these Metro facilities.

Metro has a regional role in providing affordable, accessible, reliable and innovative services at its parks, natural areas and cemeteries that best protect these community assets while serving the residents of the Portland metropolitan region.

REQUIREMENTS FOR A SPECIAL USE PERMIT

Special Use Permits are required for certain regulated and non-traditional uses to ensure public health and safety, to prevent conflicts with other scheduled activities and to protect natural resources, properties and facilities owned or managed by Metro.

Special uses are any activity, gathering or use of Metro parks, natural areas and cemeteries that are required to have authorization by Metro Code regulations, which can be found at www.oregonmetro.gov/metrocode. Special Use Permits give permission, without conveying an interest in land, to occupy and use Metro managed properties or facilities for specified purposes, and are revocable and non-transferable.

Metro sponsored or managed activities, projects and events may not be required to secure Special Use Permits.

CULTURAL RESOURCE USE PERMIT

Metro manages public lands that are part of lands ceded from regional tribes and recognizes the unique relationship tribal people in the region have to this land. In collaboration with Portland's Native American community, Metro has developed a culturally appropriate process for Native Americans to access land for cultural events, culturally significant plant material harvesting, or utilizing a Metro park or natural area for ceremony space. This process is different from Metro's other special use permits in a few significant ways, but the most significant is that if a member of the Native American community is unable to fill out, scan, and email this form, they can call Metro's intertribal cultural resource specialist directly for assistance.

There is a separate application for cultural resource use. Visit the intertribal cultural resource webpage to apply for a [Cultural Resource Use Permit](#).

Please see the [Cultural Resource Use Permit Policy](#), an addendum to this Special Use Permit guide, for guidelines associated with this permit.

CONDITIONS REQUIRING SPECIAL USE PERMIT

Metro reserves the right to require any group using a Metro park, natural area or cemetery to apply for a Special Use Permit. However, the following activities or conditions require the issuance of a Special Use Permit:

- Any organized activity or gathering involving 26 or more people.
- Education groups of 16 or more people.
- Documentary or student videography or photography (commercial productions or groups of more than 10 require a Location Agreement in lieu of a Special Use Permit; please contact Metro directly to inquire at 503-665-4995).

- Use of alcohol, amplified sound, animals, equipment or other elements posing safety risk or public nuisance.
- Concession services of goods, food or beverages.
- Activities that include biological research, scientific collection and harvesting of biological materials.
- Access to, and use of, Metro natural areas that are not open for public use.

TYPES OF SPECIAL USE PERMITS

Special Use Permits are issued under a *single event* or *series* designation. Single event permits can be granted for up to six months. Series permits can be granted for up to twelve months.

Single event permits are defined as one of the following:

- A single activity held on one or consecutive days in one location. Location means at a Metro park, natural area or cemetery.
- A single activity occurring over consecutive weeks in one location.
- A single activity held on the same day in more than one location.
- A series of activities, promoted as one event, held in one location.

Series permits are defined as one of the following:

- A single activity that occurs in one location on a periodic basis over multiple weeks or months.
- A single activity that occurs in multiple locations over consecutive weeks.
- A series of related activities that occur in one location on a periodic basis over multiple weeks or months.

APPLYING FOR THE PERMIT

To apply for a Special Use Permit, an application must be submitted to Metro. A *non-refundable* application fee must be received before Metro will process the application. See *Fees and Charges*, page 3 and see *Usage Fee Exemptions, Waivers and Reductions*, page 7.

Applications and payment instructions can be found online at www.oregonmetro.gov/specialuse.

Applications should be submitted to Metro by email at specialusepermits@oregonmetro.gov or by fax at 503-797-1849. For questions or inquiries contact 503-665-4995.

Application will not be processed without payment of the application fee.

WHEN TO APPLY

An application for a Special Use Permit shall be made at least 30 days prior to a planned activity or event. Applications received fewer than 30 days prior to a planned activity or event will be subject to higher fees.

Applications received less than 10 business days from the activity or event date will be denied. Exceptions may apply. If an exception is allowed, additional fees will be charged.

PERMIT APPROVAL

Metro will review the Special Use Permit application within 10 business days of receipt of the application and application fee. A Metro Director or designee may approve, approve with conditions, or deny the permit request.

Approval Considerations

Approval or denial of a Special Use Permit will be based on one or more of the following considerations:

- The ability of the applicant to manage the proposed use consistent with Metro Code, state or local laws or ordinances.
- The ability of the applicant to provide for the protection of Metro parks, natural areas and cemeteries.
- The extent to which a regulated use is consistent with the highest and best use of Metro parks, natural areas and cemeteries.
- The extent to which the use is compatible with authorized and customary uses of Metro parks, natural areas and cemeteries.
- The ability of the applicant to finance the proposed use or meet insurance, licensing, bonding or deposit requirements.
- The applicant's experience in the past with similar activities.
- The applicant's ability to meet application requirements or timelines.
- The proposed use conflicts with other Metro activities such as an herbicide treatment, tour and/or event.
- The proposed use may affect Metro's efforts to improve or maintain water quality, wildlife habitat, native vegetation and/or access to nature.
- The proposed use is for biological harvesting which may affect the health of plant populations.
- The proposed use conflicts with or will directly impact a burial service in one of Metro's cemeteries.

Appeals

Application fees cannot be appealed and must be paid prior to making an appeal. All other restrictions, conditions and fees, or the denial of a permit, may be appealed to the Director or designee. Appeals must be in writing and state the name of the applicant, a description of the proposed event and event name, if applicable, the site to be used, the date of the requested usage and the nature of the appeal.

FEES AND CHARGES

There are specific fees and charges which make up the total cost of a Special Use Permit. All Special Use Permits require payment of an *application fee*. A *usage fee* and *additional fees* may apply depending upon the nature and scale of an activity or use. Some activities, events or groups are exempt from paying usage fees. See *Usage Fee Exemptions, Waivers and Reductions*, page 7.

Application Fees

Application fees are required and must be paid when submitting a Special Use Permit application.

Application fees are not refundable and are as follows:

- \$40 per standard application
- \$75 per application if a site plan is required. See *Site Plans, Monitoring and Utilities*, page 10.

Usage Fees

Usage fees are required for Special Use Permits and are dependent upon the type of event, the number of people attending, whether there are entrance fees to the Metro site and if the user charges the attendees a fee. The standard usage fee schedule is outlined in the table on page 4.

Usage fees must be paid in full within 10 business days after permit approval or not less than 10 business days prior to activity or move in date, *whichever is earlier*.

Metro reserves the right to cancel the permit if usage fees are not paid 10 business days prior to the event or move in date. If Metro cancels the permit for non-payment, Permittee will be assessed a cancellation charge. See *Cancellation and Fees*, page 4.

Metro Parks, Natural Areas and Cemeteries Special Use Fee Schedule

GENERAL EVENTS	26-100 people	101-250 people	251-500 people	501-1000 people	Each add'l 500 people
At facility with gate fee	\$125	\$200	\$300	\$425	\$150
At facility without gate fee	\$250	\$400	\$600	\$850	n/a

EDUCATIONAL ACTIVITIES <i>(no SUP required for 15 or less people)</i>	16-30 people	31-50 people	51-75 people	75 + people
Non fee based group	No fee	No fee	No fee	\$50
Fee based group	\$40	\$60	\$80	\$100

FILMING* <i>(10 or less people)</i>	Up to 6 hours	6+ hours/daily rate
	\$40 per hour	\$350
<i>*Filming with more than 10 people requires a Location Agreement; please contact Metro directly to inquire.</i>		

PHOTOGRAPHY	Up to 4 hours	Daily
	\$75	\$150

PLANT MATERIALS HARVESTING OR BIOLOGICAL COLLECTION	See plant materials collection policy, attached as an addendum.

Cancellation and Fees

Permittee has the right to cancel the Special Use Permit once the permit is issued. A cancellation fee may apply.

Cancellation fees, if deemed appropriate, will be assessed as follows:

- 90% Refund of paid fees - Events canceled more than a month in advance before event date (does not include non-refundable application fee).
- 25% Refund of paid fees - Events canceled less than a month before event date (does not include non-refundable application fee).
- No refunds will be issued for cancellations on the day of the event.

Metro has the authority to cancel or revoke a Special Use Permit and charge cancellation fees due to the Permittee's failure to comply with the Special Use Permit policies and procedures, payment schedule or terms of the permit and/or upon the finding of violation of any rule, ordinance, statute or any special use or reservation permit provision.

Metro reserves the right to cancel the event for circumstances beyond its control, such as natural disasters, infrastructure failures, etc. In such cases, no cancellation fee will be charged to Permittee. Metro will not be held liable for any financial or other damages caused by its cancellation of the event.

Additional Fees

Additional fees may be assessed as part of the cost of a Special Use Permit. Additional fees relate to the impact of the regulated activity or use of Metro parks, natural areas and cemeteries. Additional fees include key deposits, vehicle access, park shelter fees, alcohol permits, event monitoring staff, site restoration and other charges as applicable. Payments of additional fees are made at the same time as the usage fee, unless otherwise indicated.

As part of the Special Use Permit, the Permittee may be required to reserve a picnic area or a “first come first served” area at Blue Lake Regional Park, Oxbow Regional Park and Howell Territorial Park.

The Permittee may include reservable picnic areas and “first come first served” areas as a component of the Special Use Permit. The Permittee must pay the applicable reservation fee for the areas at the same time as the usage fee, unless otherwise indicated.

Metro may require the Permittee to pay for reservable and “first come first served” areas to protect the parks from becoming overcrowded during the peak season of May through October, or for other appropriate reasons.

If Metro requires the Permittee to pay for these areas, the number of areas to be reserved will be at the discretion of Metro. Considerations for how many reservable areas are to be secured will be:

- the nature of the activity
- the time of year, especially during peak seasons
- the expected attendance during the Special Use Permit period
- other relevant factors, such as safety of the casual park user

The amount of the reservation fee will be determined based on the current reservation fees listed on the Metro website at <http://oregonmetro.gov/picnic>.

Key Deposits

A key deposit will be required for Permittees who have been authorized to access a secured area under the terms of their Special Use Permit. The deposit must be received prior to Permittee being issued a key.

- Key deposits are \$100 per key. Key deposits are paid to the designated Metro representative where the key is obtained.
- Keys may be obtained up to 48 hours in advance of activity or move-in date from the Metro Regional Center or respective Metro offices during regular business hours.
- Key deposits will be fully refunded if keys are returned within 48 hours of the permit ending date. If the key is not received within the 48 hour timeframe, the key deposit will be retained by Metro, unless emergency arrangements have been made with the designated Metro Representative where the key was obtained.

Vehicle Fees and Access

Vehicles used as part of the permit must pay the daily vehicle admission fee at parks where vehicle fees are charged. No vehicle fees will be assessed at Metro parks, natural areas or cemeteries where admission fees are not charged.

All vehicles must park in designated areas. Vehicles parked in other than designated parking areas must be approved and be actively used in loading/unloading and/or be an active part of the event and shown on the site plan.

Alcohol Permit Fees

Alcohol Permits may be issued as a component of a Special Use Permit as defined in *Conditions Requiring Permit* on page 1 and by following the conditions set forth in Metro Code 10.01.200. Permittees must apply for the use of alcohol at their activity or event. The Alcohol Permit fee is \$225.00 and must be paid at the same time as the usage fee. This fee is in addition to any other fees. The Permittee must comply with all OLCC requirements as a condition of the Alcohol Permit.

Event Monitoring Fees

An event monitoring fee will be assessed for each employee that Metro requires to be on site to monitor and/or assist in the Permittee’s activities. The monitoring fee will be an hourly fee equal to 1.5 times the employee’s hourly rate, regular or overtime, whichever is applicable. Overtime is calculated at a rate of 1.5 times the regular hourly rate when the employee works more than 8 hours in a single day or exceeds 40 hours in a work week.

For sites not staffed on a daily basis, such as Metro cemeteries, Howell Territorial Park, Graham Oaks, etc., staff travel time to and from the site will be charged as part of the monitoring fee.

Metro will determine the monitoring fee and the Permittee shall remit with the usage fee. Any additional fees incurred will be deducted from the security deposit. See *Security Deposits*, page 6.

Catering/Amusement Permit Fees

Permittees, who desire concessions for their event, operating under a Special Use Permit, shall be required to obtain a Catering/Amusement Permit from Metro and pay the applicable permit fees. See *Concessions*, page 8. The Catering/Amusement Permit fee is based upon the number of participants:

Number of participants	0-125	126-250	251 and up
Permit fee	\$75	\$125	\$200

Other Fees and Charges

Additional fees and charges established in the Metro Code will be charged when applicable.

Security Deposits

Metro may require a security deposit as a condition of the Special Use Permit. A security deposit provides Metro assurance that all costs and repairs for damages caused as a result of the permitted activity will be paid by the Permittee. The necessity for and the amount of a security deposit shall be determined by the appropriate Metro Director or designee.

Conditions under which Metro will require security deposits are:

- When the activity presents a risk of damage to Metro property.
- When the activity or use appears likely to cause unusual cleanup or restoration expenses.

If Metro incurs any expense as a result of non-compliance with the conditions of the permit or other damages caused by Permittee, Metro will charge the expense incurred against the deposit. If damages or expenses exceed the deposit amount, Metro will bill Permittee for the difference.

Security deposits must be received at the time all usage fees are paid. Security deposits may be made by credit card, cashier’s check or money order. No cash, business or personal checks will be accepted for security deposits.

USAGE FEE EXEMPTIONS, WAIVERS AND REDUCTIONS

The following permits are eligible for up to 100% reduction of usage fees:

- News Production, Cable Access and Public Service Announcements.
- Documentary/Advertising/Marketing for the promotion of Metro, the Portland metro region or Oregon.
- Student Film for class projects or non-commercial student productions.

Certain groups or users are exempt from paying Special Use Permit usage fees. These groups may be required to secure a Special Use Permit depending on the activity as outlined in *Conditions Requiring Permit*, page 1. The following individuals or groups may be exempt from paying usage fees:

- Schools and other non fee based groups using Metro parks, natural areas and cemeteries for educational field trips within the specified group size limit. See table on page 4. If your group exceeds the specified group size limit, usage fees apply.
- Individuals, service groups or organizations whose activities will directly benefit Metro.
- Groups whose activity or use fall under the conditions of a Special Use Permit but have already paid for a reservable picnic or group camp area.
- Individuals or groups conducting biological research or scientific collection activities (not including harvesting of biological materials for personal or commercial use).
- Agencies or organizations providing a public safety benefit and/or conducting a training exercise that benefits the public (i.e. military, law enforcement).

All groups or individuals exempt from usage fees must still pay other fees where applicable. These may include, but are not limited to, picnic reservation fees, park vehicle fees and camping fees.

Criteria for Waivers and Reductions

Metro may reduce or waive Special Use Permit usage fees or additional fees based on the following criteria:

- Metro determines the activity to be an overriding public service, the activity is free and it will not have concessions or sales of any type.
- The activity is co-sponsored by Metro and a percentage of event proceeds go to Metro.
- The activity is produced by an outside group as a benefit for Metro's parks, natural areas or cemeteries with all or a portion of profits donated to Metro.
- Metro determines its interests will be best served by offering a reduction in the usage and/or additional fees.
- The individual or group meets the financial hardship criteria as established in the Metro Code 10.02.

Requests for fee reductions or waivers shall be submitted in writing to the Director or designee at the time the application is filed, or not less than 30 days prior to the activity date, whichever is greater. Organizations requesting fee waivers shall submit their request on the organization's official letterhead.

The following information must be included in the letter of request:

1. Name of the group or individual.
2. Park, natural area or cemetery to be used.
3. Description, date and time of the activity.
4. Expected attendance and number of vehicles.
5. Explanation of why the group should receive a fee waiver or reduction.

CULTURAL RESOURCE USE

Ceded Lands to Oregon Tribes

Metro manages public lands that have a unique relationship to the Native American community. The public sites that Metro manages are part of lands ceded from regional tribes, and we strive to coordinate with the Native American community to facilitate culturally appropriate access to the parks and natural areas that Metro manages on behalf of the public. This may include cultural events, culturally significant plant material harvesting or utilizing a Metro park or natural area for ceremony space.

Cultural Resource Permit

If the type of use fits the above criteria, the Permittee will apply using the Cultural Resource Permit application instead of the Special Use Permit application, which can be found at www.oregonmetro.gov/intertribal-cultural-resources.

Because this type of use is educational the fee is waived for a Cultural Resource Permit. The Permittee will work directly with Metro's intertribal cultural resource specialist who will review the Special Use Permit application within 10 business days of receipt of the application. A Metro Director or designee may approve, approve with conditions, or deny the permit request depending on site specific restoration priorities. To learn more about resource protection, see page 16.

You may apply for a Cultural Resource Permit for single event use or series use. See page 1-2 for information on single event permit and series permit criteria.

Cultural Resource Plant Material Harvesting

If applying to harvest cultural resource plant materials, the Permittee does not need to fill out the plant material collection form associated with the standard Special Use Permit. Instead, the intertribal cultural resource specialist will conduct a preliminary site visit with the Permittee at the location which they are applying to harvest from.

CONCESSIONS

Regulated Concessions

Concessions are regulated by Metro Code. Concessions are defined as any goods or services that are offered to the public for sale or fee for consumption, entertainment or recreation purposes on Metro parks, natural areas and cemeteries.

Generally, concessions (i.e. food, beverages, amusement, etc.) are allowed only under a Catering/Amusement Permit with Metro.

Third Party Concessions

In cases when the Permittee has hired concession vendors to provide a service for an activity then the concessionaire must operate under the terms and conditions of the Special Use Permit issued to the Permittee.

INSURANCE, TERMS OF COVERAGE, INDEMNIFICATION

Requirements

Certain activities and uses authorized by Special Use Permit are required to have commercial general liability (hereafter liability) insurance coverage extending over the term of the permit. Metro reserves the right, on a case-by-case basis, to assess the potential liability and risk and determine whether

liability insurance coverage will be required for any use or activity that is authorized under a Special Use Permit.

The following activities and uses require liability insurance:

- Any organized activity or gathering involving 51 or more people.
- Events, festivals and organized sports activities.
- Use of equipment, animals or other devices posing a public safety or property damage risk.
- Concession or other business services.
- Serving or sale of alcohol as outlined in Metro Code 10.01.
- Other uses or activities that Metro determines represent significant or probable public safety or property damage risk.

Exemptions

Some regulated uses or activities are exempt from liability insurance coverage. In Metro's opinion, these uses or activities must have a level of risk similar to normal or traditional park uses or which have minimal risk potential for personal safety or property damage.

Permittees whose activities or use are exempt from liability insurance are still responsible for the liability and risk presented by the regulated use or activity.

Specific uses and activities that are exempt from liability insurance coverage are:

- Organized activities or gatherings of less than 250 people that do not include any uses or activities requiring insurance coverage as defined in this section
- Educational activities
- Site restoration and monitoring
- Biological research and scientific collection

Terms of Coverage

The liability insurance must be evidenced by a certificate or policy of insurance. The certificate or policy of insurance must be presented to Metro prior to the activity or event date.

Organizations that are self insured must provide a certification of insurance to Metro stating the organization's self insured status and its insurance limit terms. Commercial general liability insurance must meet the following requirements:

- Coverage for all the Permittee's activities, including volunteers, arising out of the use or activity. The Commercial General Liability coverage includes bodily injury, property damage and personal injury with automatic coverage for premises, operations and product liability.
- Coverage shall be a minimum of \$1,000,000 for each occurrence. If coverage is written with an annual aggregate limit, the aggregate limit shall not be less than \$1,000,000.
- The certificate or policy will name Metro as an additional insured. Permit holder will provide Metro thirty (30) days advance notice of any material change or cancellation. The following wording is required:
 - Metro and its council, members, officers, agents and employees shall be named as an additional insured.
- Policy effective dates cover Special Use Permit dates.
- All insurance changes and requirements are the responsibility of permit holder and are to be initiated by permit holder's insurance agent.

Indemnification

The Permittee must agree to defend, indemnify and hold harmless Metro and their elected or appointed officials, employees and or agents from and against any and all claims for liability, property damage,

personal injury or death, and any cost or expense which are related in any way to the activities authorized by or conducted pursuant to the permit including but not limited to the acts of employees, agencies and invitees of the Permittee entering the site with the express or implied permission of the Permittee.

The Permittee must agree to protect the site or structure against any damage, agreeing to repair, restore and/or replace at own cost to complete satisfaction of Metro. If this is not done within the number of days specified in the permit, Metro is authorized to complete the restoration work and deduct the costs from the security deposit or bond or charge back restoration costs to Permittee.

The Permittee agrees to comply with Title 10 of the Metro Code, and the Special Use Permit policies, procedures and conditions.

ALCOHOL

Alcohol use at Metro parks, natural areas and cemeteries is regulated by Metro Code 10.01.200. An alcohol permit must be secured for alcohol use or sales associated with regulated activity or use. Alcohol use is limited to beer and wine only. Alcohol may be allowed in restricted areas of parks, natural areas and cemeteries when associated with a Special Use Permit.

Any vendor selling alcohol must be duly licensed by the OLCC and will be required to provide insurance coverage as outlined in the previous section, *Insurance, Terms of Coverage, Indemnification*. Permission to serve alcohol is subject to all OLCC rules, regulations and requirements.

Fees for Alcohol Permits issued as part of a Special Use Permit are found in *Alcohol Permit Fees*, page 6.

USE OF METRO NAME

Permitted activities that will be promoted via advertising or other means shall include the name 'Metro' after the park or facility name when the location of the activity is being described (example: *Graham Oaks Nature Park, Metro*).

ADDITIONAL LAWS, ORDINANCES AND PERMITS

All regulated activities are required to comply with applicable state and local building, electrical, noise, sanitation, health, fire and mass gathering codes, rules and ordinances. Any additional permits required by other agencies are the responsibility of the Permittee and shall be obtained prior to the beginning of the activity.

SITE PLANS, MONITORING AND UTILITIES

Site Plans

Certain activities granted by Special Use Permit may require site plans. A site plan must be submitted no less than 30 days before the activity or event date.

Site plans are necessary for any of the following conditions:

- Events or activities where restoration, plant materials collection, or site alterations are to be made or could potentially occur.
- Spectator, competitive or contestant events or activities.
- Events or activities where entry or admission fees will be charged.
- Events or activities where concessions, fencing, canopies or other props or appurtenances are to be used.

- Activities or events which pose potential safety hazards to participants, the public or park resources or property.
- Any other activity or event the Director or designee deems necessary to protect Metro's and/or the public's interest.

At minimum, a site plan must contain the following:

- A map of the site showing key features of the activity or event including but not limited to, access points, walkways, fire escape routes, fences, main activity area, vehicle parking, locations of tents and booths, equipment, registration area, concessions, restrooms and security.
- An activity or event agenda, which includes timeframes for set-up and take-down, a list of and timeframes for the primary activities, and any other relevant components where movement of equipment, goods or people will occur.

An on-site meeting with a Metro representative may be required prior to the event or activity for permits requiring site plans as outlined above. More than one on-site meeting may be required. The on-site meeting shall review permit terms and conditions, event activities, proposed set-up and break-down of the event, and any other issues deemed relevant.

Site monitoring

Any activity which has the potential of site damage or alteration may have a mandatory walk through prior to and after the event by a designated Metro official. The walk through will determine the condition of the site prior to the event and immediately following the event to note post event conditions. If there is any damage which has not been repaired or alterations which have not been returned to original condition, these shall be noted and discussed with the Permittee to determine the action to be taken.

Metro may require an on-site monitor during the permitted activity period. Metro will designate a staff representative to be the on-site monitor. The Metro representative shall have decision authority within the parameters of the terms and conditions of the permit.

The permit holder is responsible to pay for monitor costs. Monitor costs are explained in *Event Monitoring Fees*, page 6.

Utility Services

Electricity

Some established regional parks have limited electrical access. Electrical access is primarily only available at group shelters and picnic areas. Permittees should be advised about the availability of electrical service. Permittees with large electrical demands and/or events that require electricity away from existing outlets must provide their own generators and cables.

Natural area properties and cemeteries do not have electricity. Power needs must be provided by the Permittee.

Water

In some of Metro's developed parks, water is available at various locations, which may include sinks at reservable picnic shelters. Natural area properties, cemeteries and some developed parks do not have potable water. Water must be provided by the Permittee, and auxiliary water devices must be pre-approved by Metro.

Restrooms

A limited number of restroom facilities are available for events. Where projected attendance exceeds the capacity of existing restroom facilities, Permittee shall provide additional portable toilets at their own expense. The acceptable ratio of portable toilets to people is 1:100.

The Permittee is responsible for all cleaning, pumping and maintenance of sanitary conditions of portable restrooms throughout the event or activity.

Portable restrooms shall be delivered and picked up the same day as the event, unless other arrangements have been made prior to the event. Any damage to the portable facility is the responsibility of the Permittee and any damage to the site resulting from the installation, removal or storage of the unit on site is also the responsibility of the Permittee.

Garbage

At all Metro facilities, the Permittee is responsible for keeping their area free of litter and garbage and for the proper disposal of garbage from their activity or event. Disposal means placing garbage in appropriate trash receptacles and emptying receptacles when full.

At developed parks and facilities, Metro will provide garbage removal service at no additional cost for events or activities having less than 250 people. When events or activities exceed 250 people, the Permittee must provide supplemental trash and recycling receptacles at their own expense.

Metro natural area properties and cemeteries have no waste receptacles or services. The Permittee will be required to legally dispose and remove off-site all garbage and recycling generated by the event.

SITE ACCESS

Public Access

- General public access to and within Metro's developed parks and facilities must be maintained during events and activities unless otherwise provided for in the Special Use Permit.
- Service and emergency evacuation roads shall be open and unobstructed at all times.
- Park roads must remain unobstructed unless restricted access is specifically designated as part of the permit.
- Metro's natural area properties may not have developed public access. On these lands, the interim access plans will define appropriate public use.

Fencing

- Fencing for events and activities must be provided by the Permittee.
- Fencing may not block access or use of areas which have been reserved for use by other groups.
- If the Permittee requests placement of fencing which may block use or access to reservable areas, the Permittee may be required to pay the reservation fee for this privilege.
- All fences used should be self supporting. If stakes are necessary, stake locations must be indicated in the site plan and approved by the Metro representative and local fire marshal.
- Fencing may be erected up to 48 hours prior to opening of the event, and must be removed within 24 hours of the closing of the event.
- Permittees may be charged for fencing installed before or left beyond the conditions of the permit.

Vehicles and Parking

- Vehicles are allowed to travel only on designated roads within the park, natural area and cemetery boundaries. Service roads may be used on a temporary basis as a condition of the permit and must not obstruct or prevent staff from performing their normal work functions.
- Vehicles may not park in unauthorized areas or obstruct roadways or vehicular traffic unless provided for in the Special Use Permit. Unauthorized parking or obstruction may result in the vehicle being towed at owner's expense.
- If the activity or event necessitates travel across a turfed area not designated for vehicle traffic, permission must be obtained as a condition of the permit.
- Vehicles will obey posted speed limits. In areas where no speed limits are posted, vehicle speed will not exceed 20 MPH.
- The Permittee may be required to pay for and provide parking services for events or activities where the volume of vehicles is expected to exceed the capacity of park personnel to manage.
- Citations may be issued for any vehicle use or parking infraction.

Gates, Locks and Keys

Entry into select parks and facilities with locking entrance gates will be controlled by Metro employees. Event or activity set-up and take-down and event operation at these locations must occur during park operating hours. If the Permittee requires access outside of park operating hours, a Metro employee will be made available to open and close the gate. In such cases, the Permittee will be billed for employee costs, including travel time, at 1.5 times the Metro employee's overtime rate.

Most of Metro's natural areas and cemeteries and some developed parks are unstaffed. If the Permittee requires access to these sites, Metro will determine whether staff will provide access or whether the Permittee will receive a key for access. Metro will base its decision on site location, sensitivity of the resource, and other issues deemed relevant. Considerations will also be based on whether access occurs outside of normal business hours, the location of the site being accessed, the amount of time required by Metro staff, and other relevant factors. Additional staff fees shall apply.

Set-up and Take-down

Set-up and take-down coordination and labor is the responsibility of the Permittee. Adequate time must be included in the permit for set-up and take-down before and after the event. Metro reserves the right to order the removal of equipment that is set up prior to the agreed-upon set-up and after the agreed-upon take-down date. In lieu of equipment removal, Metro may impose additional fees. Each additional day beyond the agreed upon start and ending dates will be charged the appropriate additional daily fees.

Security and Safety

The Permittee is responsible for providing and paying for adequate security for the event. The level of security necessary for the assurance of public safety will be determined by Metro. Security requirements will be included in the permit provisions. Security issues and concerns will be discussed with the Metro representative during a pre-event meeting. Metro may require the Permittee to arrange and pay for on-site first aid response depending on the nature of the event or activity, location, and expected number of participants.

ADA Compliance

The Permittee must comply with all ADA (Americans with Disability Act) guidelines regarding public events and activities granted by a Special Use Permit.

FILMING AND PHOTOGRAPHY

Special considerations and requirements relative to filming (film and video) and still photography use on Metro parks, natural areas and cemeteries are described in this section. The Permittee must comply with the general guidelines, policies and other requirements set forth in this guide.

Film and photography requiring a Special Use Permit

Filming and photography at Metro parks, natural areas, and cemeteries require a Special Use Permit when any of the following conditions apply:

- Film or video is intended for use as a feature film or movie, documentary or television commercial.
- The film or photos will be offered for sale.
- The film or photos feature a commercial product or service.
- The film or photos will be used to promote a cause or are political in nature.
- The filming and photography activities that may disrupt or adversely affect Metro visitors and/or staff activities.
- The production lasts for more than a half day including time to scope the site.

Film and photography requiring a Location Agreement

Filming and photography in Metro parks, natural areas and cemeteries with more than 10 people on site require a Location Agreement; please contact Metro directly to inquire at 503-665-4995.

Use of Metro's brand

The portrayal or employment of Metro personnel and use of the Metro uniforms, facilities, or any other depiction must be approved by Metro.

Acknowledgement

Metro and the filming location shall be acknowledged in screen credits.

Film and photography Fees

Usage fees for filming and photography are outlined in the table on page 4. If filming or photography runs over the time approved in the permit or agreement, Metro will charge for the additional use. The fee will be the rate most applicable as defined in the usage fee schedule. Metro will bill the Permittee for the overage fee under separate invoice.

Site Scoping

The production company or other designated representative may contact Metro prior to submitting an application for a *brief discussion* about the type of location desired and the activity or effect to be captured on film. Metro may suggest areas which it believes will fit with the production company's goals. If the proposed activities are incompatible with Metro's management plan or other policies, then Metro will suggest another location.

No preliminary, on-site, scoping or other meetings will be held without receipt of the application and payment of the application fee.

Site Considerations

A site plan may be required for filming and photography. The site plan must list the number of people that will be involved on location, a schedule of times, dates and location of operations, list all equipment, chemical and other hazardous materials that will be on location, animals to be used, and other special requests. A script or story board and a written description of the film project must also be included with the site plan.

Film Monitors

The Permittee may be required to have a Metro representative to act as a monitor during filming. The monitor will act as the authorized representative in approving or disapproving proposals which occur during filming and will also have the authority to suspend activities for noncompliance.

If Metro provides an event monitor, Metro will charge the Permittee a monitor fee as part of the Special Use Permit or Location Agreement. This fee will be based on an estimate of staff time and other expenses during the production. If staff time or expenses exceed estimated costs, the Permittee will be billed for the remainder after the production is complete. The monitor fee is detailed in *Event Monitoring Fees*, page 6.

Fire and Special Effects

The use of special effects, explosions, pyrotechnic devices or other fire-related activities must be approved by Metro prior to filming. Metro reserves the right to deny or change the use of any fire or special effects to protect public safety and/or parks, natural areas, cemeteries and facilities and property or for such other reasons deemed applicable.

A fire plan may be required as part of the Special Use Permit or Location Agreement and the Permittee must comply with the fire plan provisions during all phases of filming. During periods of high fire danger, additional fire monitors may be required, or fire related activities may be prohibited. The Permittee may be required to provide, at their expense, fire monitors, fire equipment, water trucks, and other fire safety equipment as designated.

Metro Resolution No. 11-4262A prohibits the use of all tobacco products and smoking devices at all Metro facilities.

Animals

Except for "Service Animals" as defined by ORS 346.610, pets, exotic and domestic animals are prohibited in Metro's parks, natural areas and cemeteries. These animals may be allowed on Metro parks, natural areas and cemeteries as part of the filming or photography event with approval in the Special Use Permit or Location Agreement.

The Permittee will comply with all federal, state and local regulations related to wild and exotic animal treatment, care and handling. The Permittee will treat all animals under its management in a humane and respectful manner.

Animals must be kept safely contained at all times while not being filmed. The Permittee will provide trained handlers at all times with animals approved under the Special Use Permit or Location Agreement.

Filming in Cemeteries

Because Metro's historic cemeteries still provide burial services to the community, it is the expectation that care and consideration for the respect of the deceased and their families be taken seriously at all times when filming in Metro's cemeteries. Please read and understand the following requirements if you wish to film in one of Metro's cemeteries:

- Burials in Metro's cemeteries take precedence over the special use. Activities in these agreements must work around the burial service. Metro will work with the production company to keep them informed of any Metro cemetery customer in need of a burial service at the time of the film production.
- The Permittee may not open or dig in the cemetery ground.

- To prevent conflicts with grieving families the Permittee is required to modify, mask and/or omit the names on headstones of the deceased for deaths within the past 50 years.
- The Permittee must take care and precaution when filming in and around upright monuments that exceed 4 feet in height.

Film Schedules

In developed parks, filming may be restricted on weekends during peak season (May through October), between 5:00 p.m. Fridays until 6:00 a.m. Mondays, or when other large events have been permitted. Filming may also be restricted during hours when parks are closed, which is generally at legal sunset. Filming may also not be allowed on legal holidays.

If night filming is allowed, the Permittee must abide by and obtain permits for all local noise and light ordinances for activities at night. If filming occurs near Oxbow Park's campground between 10:00 p.m. and 6:00 a.m., the Permittee shall take care in not disturbing campers with noise, lights or any other filming related activity. Metro staff is required to be on site for all night time filming activities. Additional staff fees shall apply.

Metro will determine, at its discretion, whether breaks in the filming schedule are necessary for the benefit of wildlife.

RESOURCE PROTECTION

Management Objectives

Metro manages its parks, natural areas and cemeteries under the principle of *"highest and best use."*

The highest and best use of Metro parks, natural areas and cemeteries are defined as *"balancing protection of natural resources, wildlife and botanical diversity with providing opportunities for natural-resource based recreation."*

A regulated use which may adversely impact the highest and best use of Metro parks, natural areas and cemeteries will be taken into account when determining whether a permit will be granted or denied.

Resource Protection Regulations

Metro parks, natural areas and cemeteries are protected under Metro Code Title 10. The Permittee will comply with all Title 10 rules and regulations and Special Use Permit conditions to protect park, natural area and cemetery resources.