

# FAIR COMPLEX PROVISIONS & POLICIES

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## I. GENERAL PROVISIONS

### 10.100 Definitions

Washington County has established policies to address the use of the Fair Complex during all times except the annual County Fair. (NOTE: The Fair Board sets its own policies for the annual County Fair.)

The following definitions apply to all Fair Complex Policies:

- A. **Board:** The Washington County Board of Commissioners.
- B. **CAO:** Washington County Administrative Office liaison assigned to the Fair Complex.
- C. **County Fair:** The annual Washington County Fair (including 4-H Horse Fair) inclusive of time to set for public use and reasonable time for set-up and tear-down.
- D. **Employee/Staff:** An employee of Washington County who is assigned to the Fair Complex.
- E. **Facilities:** Those portions of the Fair Complex property that are available for rent (rentable space).
- F. **Fair Complex:** All property including all buildings owned, leased, used or controlled by Washington County located at 873 NE 34<sup>th</sup> Ave, Hillsboro Oregon. Fair Complex can also mean the Washington County department that manages the Fair Complex property.
- G. **Fair Complex Manager:** The person designated by Washington County to manage the Fair Complex.
- H. **Maintenance Plan:** An annual plan that defines the maintenance needs and priorities of the Fair Complex property.
- I. **Permit:** A permit issued by the Fair Complex Manager, or designee, that is required for RV parking or protesting, advertising, canvassing, soliciting or signature gathering activities.
- J. **Prohibited Use:** Any use of the Fair Complex that is not approved by the Fair Complex Manager or designee or as otherwise allowed by these policies.
- K. **Use Agreement:** An agreement between a User and Washington County to use the Fair Complex facilities.
- L. **User:** Any person, non-profit, business, corporation or other entity that rents, occupies or otherwise uses the Fair Complex at any time other than during the annual Washington County Fair. User does not include individuals attending an event put on by a User pursuant to a Fair Complex Facility Use Agreement. All Users shall enter into a Fair Complex Facility Use Agreement or a Permit.

### **10.110 Non-availability of facilities for the annual County Fair**

During the month of July, the facilities are not available for use to Users other than the Washington County Fair Board for the annual Washington County Fair.

## **II. FACILITY POLICIES**

### **20.100 Maintenance Plan**

This policy is to define an official Maintenance Plan for the Fair Complex that provides a policy directive regarding the allocation of scarce resources to further the public safety and welfare, provides the priorities for maintenance, and guides budgeting decisions for the Fair Complex.

- A. At least annually, Fair Complex Manager will develop and submit to CAO the Fair Complex Maintenance Plan.
- B. CAO will review the plan and approve or deny the plan.
- C. If the plan is denied, CAO will provide reasons for denial and staff will resubmit the plan for reconsideration within a reasonable period of time.

### **20.110 Access to Facilities**

This policy is to govern the conditions of use and access to Fair Complex facilities both during and after normal business hours in order to maintain the integrity and security of the facilities, to protect the users and public who are using the facilities and to protect the employees who work within the facilities. Washington County considers the security of the facilities, the users and public using those facilities, and security of its employees, to be a priority and implements these measures to protect critical infrastructure.

- A. During time periods when no activities or events are scheduled at the Fair Complex, all gates and access points within the facility will be locked. Those wishing to gain access to the facility are required to check with the Administrative Office during regular business hours. All individuals at the Fair Complex without permission to enter the Facilities shall be considered trespassers.
- B. Individuals are not allowed to access areas of the Facility not directly related to scheduled activities or events underway.
- C. Staff has the authority to refuse entry or eject individual(s) from the Fair Complex in order to maintain the integrity and security of the facilities, to protect the user and public who are using the Facilities, and/or to protect Employees who work within the Facilities.

- D. At all times, commercial and private sales are prohibited in parking lots and other areas outside the fenced portions of the Fair Complex unless a Fair Complex Use Agreement is in place.
- E. Staff shall contact law enforcement if an individual or individuals enter the Fair Complex without permission and/or refuse to leave the Fair Complex upon being ejected by staff.
- F. At certain times Staff may opt to restrict access to certain areas based upon the needs of the Fair Complex and Users.

## **20.120 Acceptance of Donations – Materials and Skilled Services**

This policy is to define the parameters under which the Fair Complex can accept donation of materials or skilled services in support of the Fair Complex facility.

- A. Community members sometimes wish to donate to the Fair Complex. This most often takes three forms:
  - a. Donation of materials and supplies (e.g., gravel, lumber);
  - b. Donation of professional or skilled services (e.g., maintaining a fountain or painting a building); or
  - c. A combination of donated materials and professional/skilled services (e.g., installing a new roof or building a greenhouse).
- B. Criteria and procedures will ensure the donations are needed by the Fair Complex, can be supported by the Fair Complex after the donation is complete, are conducted safely while in process, and are completed to the standards and specifications of the County. Acceptance of a donation will be based on the following criteria:
  - a. Is it a priority need of the Fair Complex as defined by the Maintenance Plan;
  - b. Does the Fair Complex have the ability to maintain it (this is both a logistical and a resource question);
  - c. Will it meet all requirements of Washington County, City of Hillsboro, and other applicable jurisdictions (e.g., Clean Water Services); and
  - d. Other criteria as defined by the Fairgrounds Advisory Committee and/or the CAO.
- C. Donation of volunteer time for projects that do not require a specialized skillset (e.g., raking leaves, weeding) are not covered by this policy and may be assessed/approved by the Fair Complex Manager.
- D. The procedure for donations shall be based on the following criteria:
  - a. Donor completes a donation acceptance form and submits it to the Fair Complex Manager. Information must be specific enough to determine whether the criteria for acceptance (above) are met. If information is insufficient, the Fair Complex Manager will return the form to the donor with a request for additional information. Donor may use a letter in place of the form as long as similar and sufficient information is included.
  - b. Fair Complex Manager reviews donation against criteria listed above, makes a determination, and forwards for concurrence by the CAO.

- c. If the final determination is to refuse the donation, the Fair Complex Manager notifies the donor with thanks and a thorough explanation for the reason that the donation is being refused. If the donor wishes to dispute the determination, s/he may submit a request for re-consideration to the CAO.
- d. If the final determination is to accept the donation:
  - i. For materials or supplies, the Fair Complex Manager makes arrangements with the donor for receipt of the goods.
  - ii. For professional services or a combination of materials and services, the Fairgrounds Manager must bring the donor under a zero-cost County contract that includes insurance requirements. The contract must go through the usual review and oversight that all County contracts receive in order to ensure that County specification and standards are met.
  - iii. The provision of any material or labor component by the County required to complete a donation shall be done in compliance with the Washington County Purchasing Rules and Procedures.

### **20.130 Use of Electronic Sign**

This policy is to define the use of the electronic sign located at the Fair Complex on the corner of Cornell Road and 34<sup>th</sup> Avenue.

- A. Exclusive use of the Electronic Sign is reserved for staff to publicize the events and activities held at the Fair Complex under a User Agreement and for the Annual Washington County Fair.
- B. An exception may be granted by the CAO to communicate with the public in an emergency and must be specific to internal County department emergencies and under the following conditions:
  - a. Messages will be added into the rotation of existing messages.
  - b. Programming of the electronic sign is only available during Fair Complex regular office hours.
  - c. Messages may be text only. Text space is limited by text size and number of characters.
  - d. Messages may take no longer than three screen rotations to complete.
  - e. Messages must comply with the City of Hillsboro sign code.

### **20.140 Emergency Use**

- A. Fair Complex facilities may be used in case of a public emergency by only Washington County Departments and Divisions unless a Use Agreement is in place for emergency planning purposes.

## 20.150 Non-Paid Use of Facilities

Use income from the Fair Complex Facility and equipment is a primary source of revenue for the Fair Complex. Periodically, the Fair Complex receives requests to waive use fees for use of the Facility and equipment. This policy establishes the process, criteria and conditions by which requests for non-paid use will be processed and the portion of the Facility and equipment accessed and used.

Organizations granted non-paid usage of Fair Complex Facility is limited to non-profit organizations whose activities directly support the mission and goals of the Fair Complex. Requests for non-paid use of Fair Complex Facility will be reviewed and approved/denied by the Fair Complex Manager in concurrence with the CAO. Approval may be for a recurring or one-time event. A list of approved organizations will be maintained by the Fair Complex Manager.

Non-paid usage of Fair Complex Facility may be granted under the following conditions:

- A. Non-paid use is limited to the use of the portion of the Facility and/or equipment as designated by the Fair Complex Manager. Equipment must be used on-site and for the approved purpose. Fair Complex may charge for incidental costs including but not limited to: garbage removal, janitorial services and supplies, additional or excess utilities usage, staff time to set-up, tear-down or load-out event, and staff overtime to cover extended event hours. Only actual costs will be charged and invoiced. If the organization does not pay the invoice within thirty days of issuance, the Fair Complex Manager may remove the organization from the list of approved organizations until such time outstanding invoices are paid in full.
- B. The use of Fair Complex Facilities is not permitted until a Fair Complex Use Agreement is signed, in advance, by the authorized representatives of both parties. Insurance requirements must be met as part of the Use Agreement.
- C. Approved organizations shall not use Fair Complex Facility for the purpose of raising funds unless said funds directly support activities associated with the mission and goals of the Fair Complex and are pre-approved by the Fair Complex Manager.
- D. Approval for non-paid usage shall be based upon availability of Facility.
- E. The Fair Complex Manager reserves the right to assign non-paid usage to a different room or portion of the Facility, or reschedule to an alternate date or time if a paying User requests the use of the assigned portion of the Facility. Unless the event is a regularly scheduled and occurring meeting, such changes by the Fair Complex Manager shall not occur within 30 days of the organization's scheduled event. If withdrawal is for a regularly scheduled and occurring meeting, the Fair Complex Manager will provide as much notice as possible, and will attempt to provide alternative portion of the Facility, dates and times for the non-paid usage.
- F. Organizations duly authorized to use the Fair Complex Facility and/or equipment shall return the Facility and/or equipment in the same or better

- condition than received from the Fair Complex. Should the Fair Complex Manager determine that its property and/or equipment were not returned in the same or better condition, the Fair Complex Staff may make necessary repairs or replace the equipment at the organization's expense and the organization will be invoiced. If the organization does not pay the invoice within thirty days of issuance, the Fair Complex Manager may remove the organization from the list of approved organizations until such time outstanding invoices are paid in full.
- G. Approved organizations may not sublet their usage.
  - H. Following each non-paid event, the organization shall file a report with the Fair Complex Manager noting the total number of individuals attending the non-paid event and the total funds raised, if any.
  - I. The Fair Complex Manager may limit the number of non-paid events approved for each organization.
  - J. Staff shall periodically report non-paid usage to the County Administrative Office (CAO). Such report shall include the fair market value of the portion of the Fair Complex Facility and/or equipment used. The CAO may request further information on non-paid usage from the Fair Complex Manager.

## **20.160 Advertising, Canvassing, Soliciting, Protesting**

This policy is to govern and define the conditions for advertising, canvassing, soliciting, protesting and dissemination of materials at the Fair Complex for the benefit of the Users of the Fair Complex and the public.

- A. Collection of donations, advertising products, selling of goods or services, or solicitation of funds is strictly prohibited. Placing pamphlets, leaflets, or other material in or on any vehicles in the parking lots is prohibited.
- B. Protected First Amendment protesting activity, solicitation of signatures for initiative petitions, and advertising, canvassing, soliciting, and dissemination of written materials are allowed at the Fair Complex by Permit only and must be conducted in accordance with the following conditions:
  - a. Fill out an application for Permit and submit it along with a copy of each item to be distributed, petition to be signed, or any other materials to be used to the Fair Complex, 873 34<sup>th</sup> Avenue, Hillsboro, Oregon, 97124, at least 24 hours prior to such activity. Application and issuing of permits occur during normal business hours.
  - b. The Fair Complex Manager may control such activities with respect to time, place and manner of the activity.
  - c. Loudspeakers, bullhorns and other sound devices are prohibited.
  - d. Activity causing a crowd to gather is prohibited.
  - e. Placing pamphlets, leaflets, or other material in or on any vehicles in the parking lots is prohibited.
  - f. Active obstruction of any person against their will is prohibited.

- g. Abusive language and actual or threatened physical harm is prohibited.
- h. Any violation of these conditions shall be subject to removal and trespass from the Fair Complex.
- C. All non-First Amendment protected activities are subject to a Fair Complex Use Agreement, insurance requirements, and User fees.
- D. Non-permitted users are subject to removal and trespass from the Fair Complex Facility.

## **20.170 Weapons and Outside Alcohol**

- A. During events and activities at the Fair Complex, no person is allowed to possess a loaded firearm(s) at the Fair Complex unless the person:
  - a. is a law enforcement officer performing his/her official duties; or
  - b. has a concealed weapon license, can verify the license, and handles the firearm in conformance with concealed weapon license requirements.
- B. Firearms or other weapons may be sold or raffled off at the Fair Complex at gun shows and auctions so long it is part of an Event and specifically described in the Use Agreement.
- C. During events and activities at the Fair Complex, no person shall be allowed to bring any outside (non-contracted/permitted) alcohol into the Fair Complex.
- D. Except as otherwise provided above, guests found in possession of the above-mentioned weapons or outside alcohol will be asked to remove the item from the Fair Complex or dispose of it. Security shall not confiscate any items, nor is security to store or check the above described weapons.
- E. Pursuant to ORS 166.370, it is prohibited for any person to intentionally possess a loaded or unloaded firearm or any other instrument used as a dangerous weapon (as defined in ORS 161.015) in any of the Fair Complex buildings at all times, year round unless the person is:
  - a. a law enforcement officer acting within the scope of employment;
  - b. a person summoned by law enforcement and engaged in assisting the officer;
  - c. a member of the military when engaged in the performance of duty;
  - d. possessing a firearm and is licensed to carry a concealed firearm; or
  - e. authorized by the Fair Complex Manager to possess a firearm or dangerous weapon in the building.
- F. Violation of this policy shall result in denial of entry into the Fair Complex or ejection from the Fair Complex. Security shall contact law enforcement if the individual or individuals refuse to leave the Fair Complex.



## **20.180 RV Park**

This policy is to define use of the Fair Complex's 14 RV spaces located adjacent to the Main Parking lot off Cornell Rd and 34<sup>th</sup> Avenue.

- A. Spaces are available by Permit only.
- B. During the annual County Fair, all RV spaces are to be used for the sole discretion of the Fair Board.
- C. During non-County Fair time:
  - a. First priority for the RV spaces is reserved for Users with a Use Agreement and those associated with the User's event or activity. Reservations will be taken in this instance and payment must be made at the time of reservations
  - b. Any User with a Use Agreement has an option to reserve, for Users exclusive use, all 14 spaces for the event. This must be done in advance as part of the Use Agreement, paid for in advance, and the occupants of the RV space shall be issued a Permit upon arrival.
  - c. For the general public not associated with a User or User event or activity, the spaces are available on a first come, first served basis.
- D. Fair Complex Staff will issue window permits on arrival.
- E. Vehicles and trailers that are not properly parked are subject to removal by towing.
- F. Fair Complex has the right to refuse reservations or limit access as deemed necessary.
- G. Failure to pay for a permit or overstaying a permit is trespassing and will result in Staff contacting law enforcement.