

METROPOLITAN EXPOSITION-RECREATION COMMISSION

RESOLUTION NO. 94-53

Amending Resolution 113 to include an attachment diagram indicating areas which prohibit "unscheduled activities" at the Portland Metropolitan Exposition Center.

The Metropolitan Exposition-Recreation Commission finds:


1. That Resolution 113 is in the best interest of MERC;
2. That the Portland Metropolitan Exposition Center is a MERC facility in accordance with the Intergovernmental Agreement between Multnomah County and Metro;

BE IT THEREFORE RESOLVED that the Commission amend Resolution 113 to include an attachment diagram indicating areas which prohibit "unscheduled activities" at the Portland Metropolitan Exposition Center.

Passed by the Commission on September 14, 1994.

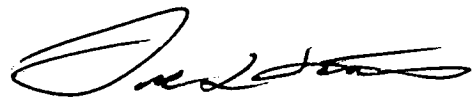
APPROVED AS TO FORM:
Daniel B. Cooper
General Counsel


Chair


By: Mark B. Williams
Senior Assistant Counsel

9/14/94
Date

9/14/94
Date


Secretary/Treasurer

9/14/94
Date

MERC STAFF REPORT

Agenda Item/Issue: Recommendation to include an attachment diagram of the Portland Metropolitan Exposition Center to Resolution 113.

Resolution No.: 94-53

Date: September 14, 1994

Presented by: Chris Bailey

Background: Executed February 13, 1991, the Commission passed Resolution 113 which, in part, "...provides for the safety, welfare, convenience, and enjoyment of patrons of Metropolitan Exposition-Recreation Commission Facilities by regulating and controlling activities on Commission premises."; a copy of which is attached for your review. In addition to the policy statement, the resolution included diagrams of MERC facilities indicating specific areas where "unscheduled activities" were prohibited.

Because the resolution was not facility specific, inclusion of the Portland Metropolitan Exposition Center (Expo) as a MERC facility is not necessary. However, inclusion of an Expo diagram indicating like areas which prohibit "unscheduled activities" is a required amendment to fully comply, monitor and enforce the determination of Resolution 113.

Fiscal Impact: None.

Recommendation: Staff recommends that MERC approve Resolution 94-53 amending Resolution 113 to include an attachment diagram of the Portland Metropolitan Exposition Center.

expo

PORTLAND METROPOLITAN EXPOSITION CENTER
METRO RECREATION COMMISSION

August 30, 1994

RECEIVED
AUG 30 1994

To: Pat LaCrosse

Fm: Chris Bailey

TIME: 5:35 P.M.
METROPOLITAN EXPOSITION
RECREATION COMMISSION

Re: Amending MERC Resolution No. 113, Unscheduled Activities

Ken Glass, producer of the Rose City Gun Collector's Gun Show held at the Expo Center, recently inquired whether or not individuals, petitioners in this case, could be prohibited from approaching event attendees who are about to enter the building. Mr. Glass further commented that while he had no quarrel with the purpose of the petition, he was disturbed that his attendees were being approached, annoyed and otherwise distracted from their primary intent; attending and enjoying the Gun Show.

In reviewing this request and associated constitutional rights with Mark Williams, Mark asked that I initially determine if Multnomah County or the Expo itself had established any corresponding policy or practice. In doing so, I was informed that neither Multnomah County legal counsel nor the Expo staff had knowledge of any related policy or practice. Based upon this information, Mark suggested that I draft a policy which would provide reasonable accomodation to both event attendees and those exercising their rights, for review and subsequent implementation.

Unfortunately, conflicting schedules and other priorities prevented Mark and I from completing this task prior to his vacation.

Bearing in mind that the next Gun Show is scheduled September 9-11, I enlisted the support of Dan Cooper who, following a site survey on August 19, suggested that updating an existing resolution (attached MERC Resolution No. 113) with an Expo diagram of "prohibited" areas, would address the issue. I pointed out to Dan, however, that the Gun Show will have occurred prior to the September Commission meeting.

Under these circumstances, Dan suggested that while a directive from the MERC General Manager to include the Expo in the existing resolution was sufficient and acceptable, he also recognized that when "policies" appear to "limit" perceived "rights" of the general public, the higher the policy making authority (Commission), the greater the probability the policy will remain defensible and intact.

Toward this immediate end, I have attached a draft directive which provides for including the Expo and corresponding diagram as an amendment to the resolution.

Relative to amending the resolution via the Commission, Dan suggested, with concurrence by Mark on August 29, that it is far more advisable to effect a comprehensive review (rather than expediting an amendment for the September 14 Commission meeting) to include other Director/Managers and the review/application of a similar policy in use at the Metro Zoo. Additionally, however, Mark noted that the current resolution has not been challenged and that there may be value in leaving well enough alone.

cc: Jeff Blosser



METROPOLITAN EXPOSITION-RECREATION COMMISSION

August 29, 1994

To: Chris Bailey, Expo Center Manager
From: *Pat* Pat LaCrosse, General Manager, MERC
Subject: MERC Resolution No. 113, Regulation of
Unscheduled Activity

MERC Resolution No. 113, attached for your review, provides for the "...safety, welfare, convenience, and enjoyment of patrons of Metropolitan Exposition-Recreation Commission Facilities by regulating and controlling activities on Commission premises."

In accordance with the Intergovernmental Agreement between Multnomah County and Metro, the Portland Metropolitan Exposition Center is managed and operated as a MERC facility and as such, is subject to the referenced resolution.

Similar to other MERC facilities which provided site specific drawings indicating areas that prohibit unscheduled activities, attached you will find a drawing of the Portland Metropolitan Exposition Center which indicate like areas.

You are directed, therefore, to immediately comply, monitor and enforce to the extent reasonable, the determination of MERC Resolution No. 113.

RECEIVED FEB 15 1991

METROPOLITAN EXPOSITION-RECREATION COMMISSION

RESOLUTION NO. 113

BE IT RESOLVED,


1. That the Metropolitan Exposition-Recreation Commission adopts the Regulations of Unscheduled Activity at Commission Facilities policy statement attached hereto as Exhibit "A."

2. All previous actions of the City of Portland Exposition-Recreation Commission and Metropolitan Exposition-Recreation Commission adopting previous policy statements providing for regulation of unscheduled activity at any Metro ERC facility inconsistent with the regulations adopted pursuant to this Resolution are hereby rescinded.

3. Pursuant to Metro Code Section 6.01.080, this Resolution shall be in force and effect ten (10) days after its adoption and filing with the Clerk of the Council.

Passed by the Commission on February 13, 1991.


Chair


Secretary/Treasurer

APPROVED AS TO FORM:


Metro General Counsel

EXHIBIT "A"

SUBJECT: Regulation of Unscheduled Activities at Metropolitan Exposition-Recreation Commission Facilities.

I. Purpose:

To establish policy that provides for the safety, welfare, convenience, and enjoyment of patrons of Metropolitan Exposition-Recreation Commission Facilities by regulating and controlling activities on Commission premises.

II. Policy:

- A. In order to ensure the safety, welfare, comfort, convenience, and enjoyment of persons using Commission Facilities, the Commission establishes the following regulations pertaining to activity on its premises.
- B. Any person who violates any of the following regulations will be required to leave Commission premises immediately upon request of Commission staff subject to guidelines approved by the General Manager. Persons who violate these guidelines shall be subject to being excluded from Commission Facilities for a period of up to one (1) year. Persons not leaving the premises when requested to do so will be subject to arrest on charges of Criminal Trespass.

III. Definitions:

- A. "Distribution" means handing out, giving away, selling, disseminating, or otherwise making available token

IV. Regulations:

A. General Regulation of Activity, Prohibitions:

1. No person shall engage in any activity on any portion of the premises of the Commission's Facilities which shall impede or interfere with the safe ingress to or egress from those portions of the Commission's Facilities which are then in use for scheduled activities, or which shall create a risk of injury to any person or damage to property.
2. All persons on Commission premises shall abide by all applicable federal and state laws, administrative rules and orders, city and county codes and ordinances, and all rules and regulations of the Commission.
3. In the event of an emergency, all persons shall comply with any instruction of Commission staff and leave the premises immediately when instructed to do so.
4. No person shall enter the Facility building or structure, or any area to which entry is prohibited by the Commission staff, for any purpose not related to scheduled activities. This includes, but is not limited to, sleeping on the premises, and improper use of the restrooms for bathing, shaving, and washing hair.

10. Engaging in disorderly conduct, harassment, abusive language, or any activity likely to disturb, disrupt, or interfere with performances and other activities conducted at Commission Facilities is prohibited.
11. No person shall post, stick, or place upon, or within any motor vehicle on Commission premises any card, notice, handbill, leaflet, pamphlet, or similar matter without the consent of the owner or operator.
12. Failure to comply to these regulations will result in violator being directed to leave the premises, and the violator will be subject to arrest for Criminal Trespass for failure to do so.

B. Solicitating and Distributing:

1. No solicitor or distributor shall be allowed entry into any area of the Commission's Facilities for which an admission or entry fee is charged for the event then being conducted, unless the solicitor or distributor has paid the established admission or entry fee, and has obtained written approval from the event promoter and Facility manager to solicit or distribute inside the event.
2. No solicitor or distributor shall state or indicate in any manner that the Commission

written approval of the Commission's General Manager to do so.

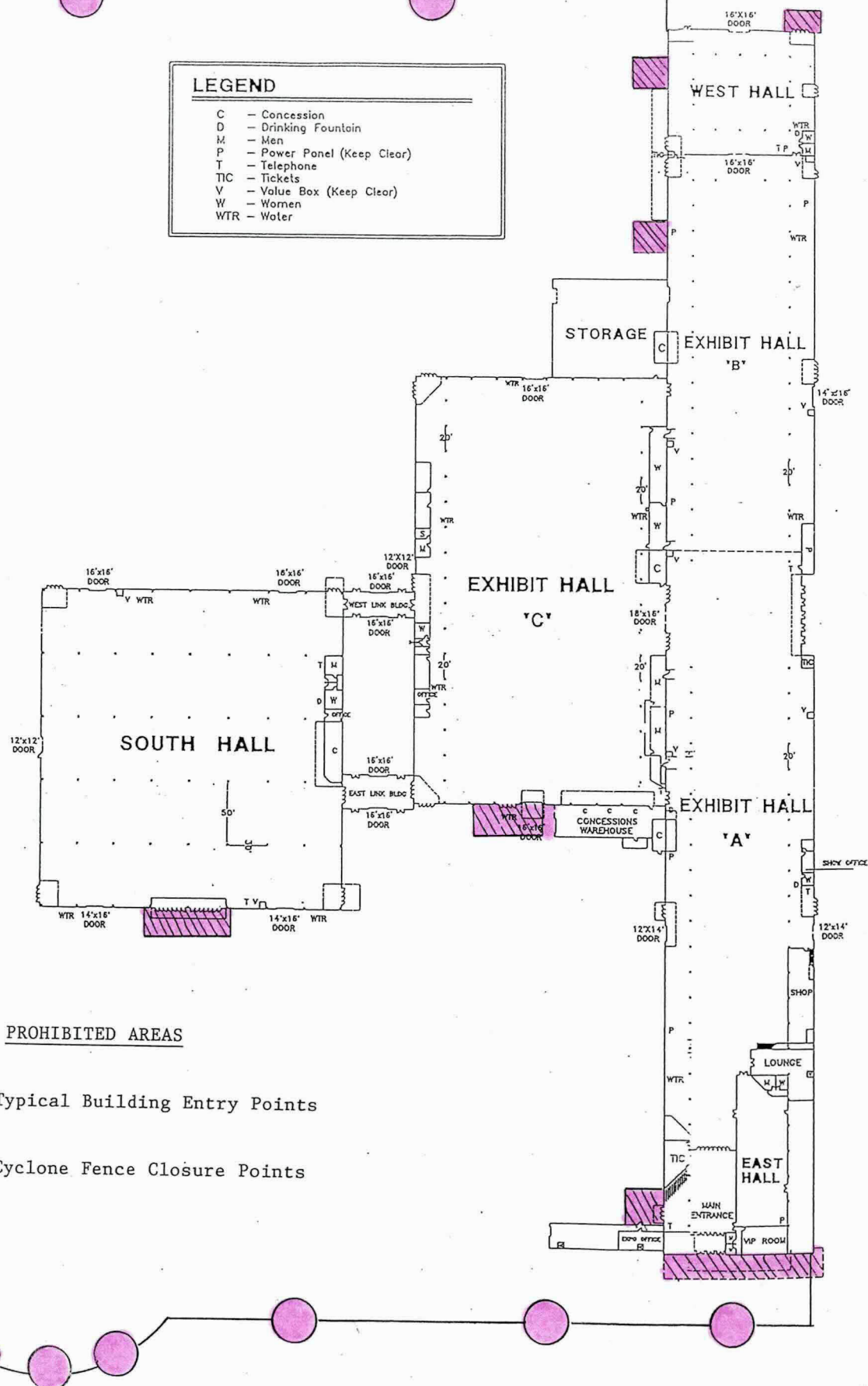
2. The Commission has exclusive food and beverage ^Rcontacts with certain catering/concessionaire companies. No food or beverage of any kind is permitted within Facilities unless provided by the contract concessionaire or without first obtaining the written approval of the Commission's General Manager to do so. However, food items may be brought into the Civic Stadium ^{by PATRONS} from outside sources.
3. Smoking is prohibited within all Commission Facilities except in specified areas designated for that purpose and at the specified times established by the General Manager. Eating and drinking may be prohibited in specified areas of Commission Facilities as determined by the General Manager.

DBC/gl
1036



Portland Exposition Center

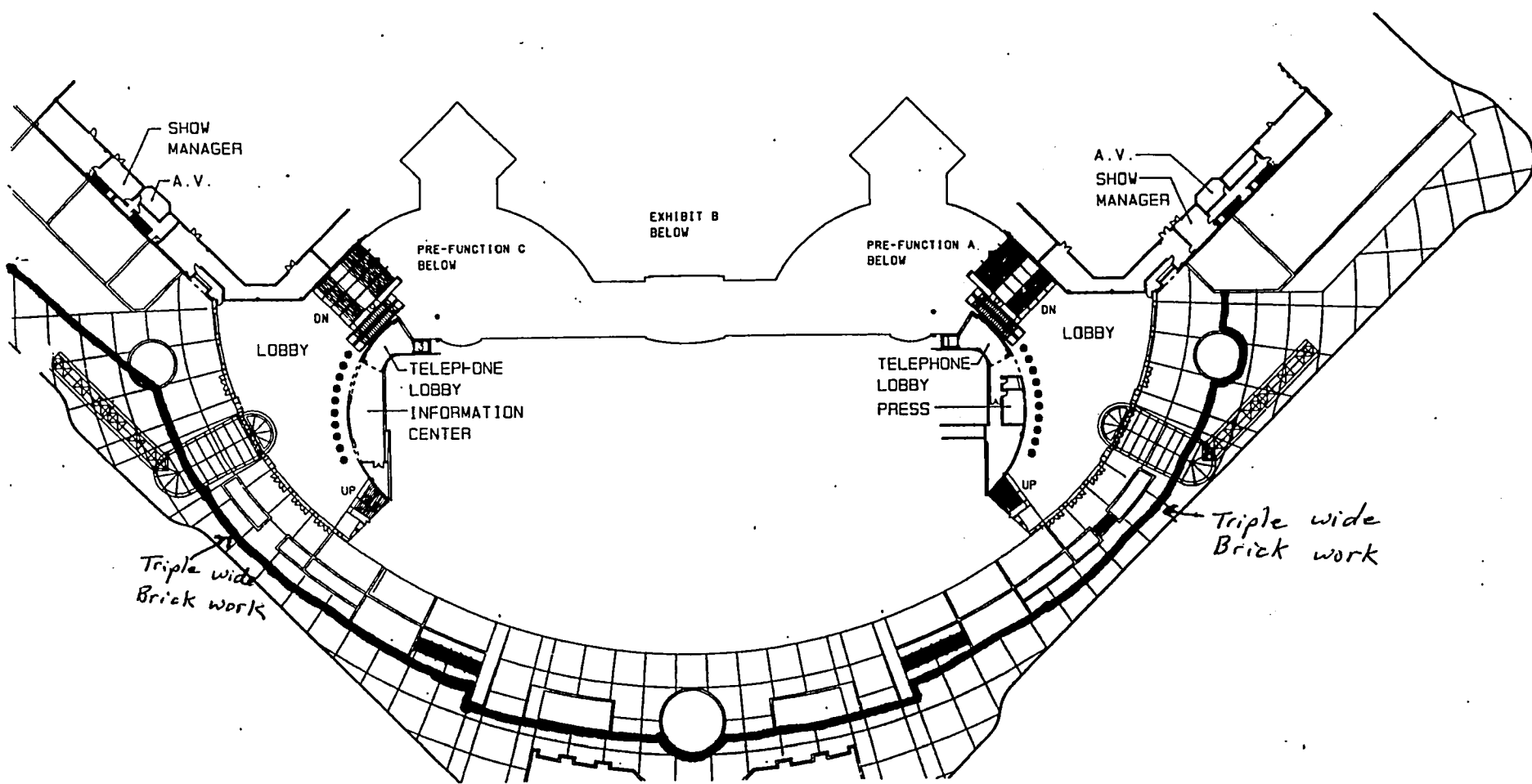
LEGEND

- C - Concession
- D - Drinking Fountain
- M - Men
- P - Power Panel (Keep Clear)
- T - Telephone
- TIC - Tickets
- V - Value Box (Keep Clear)
- W - Women
- WTR - Water

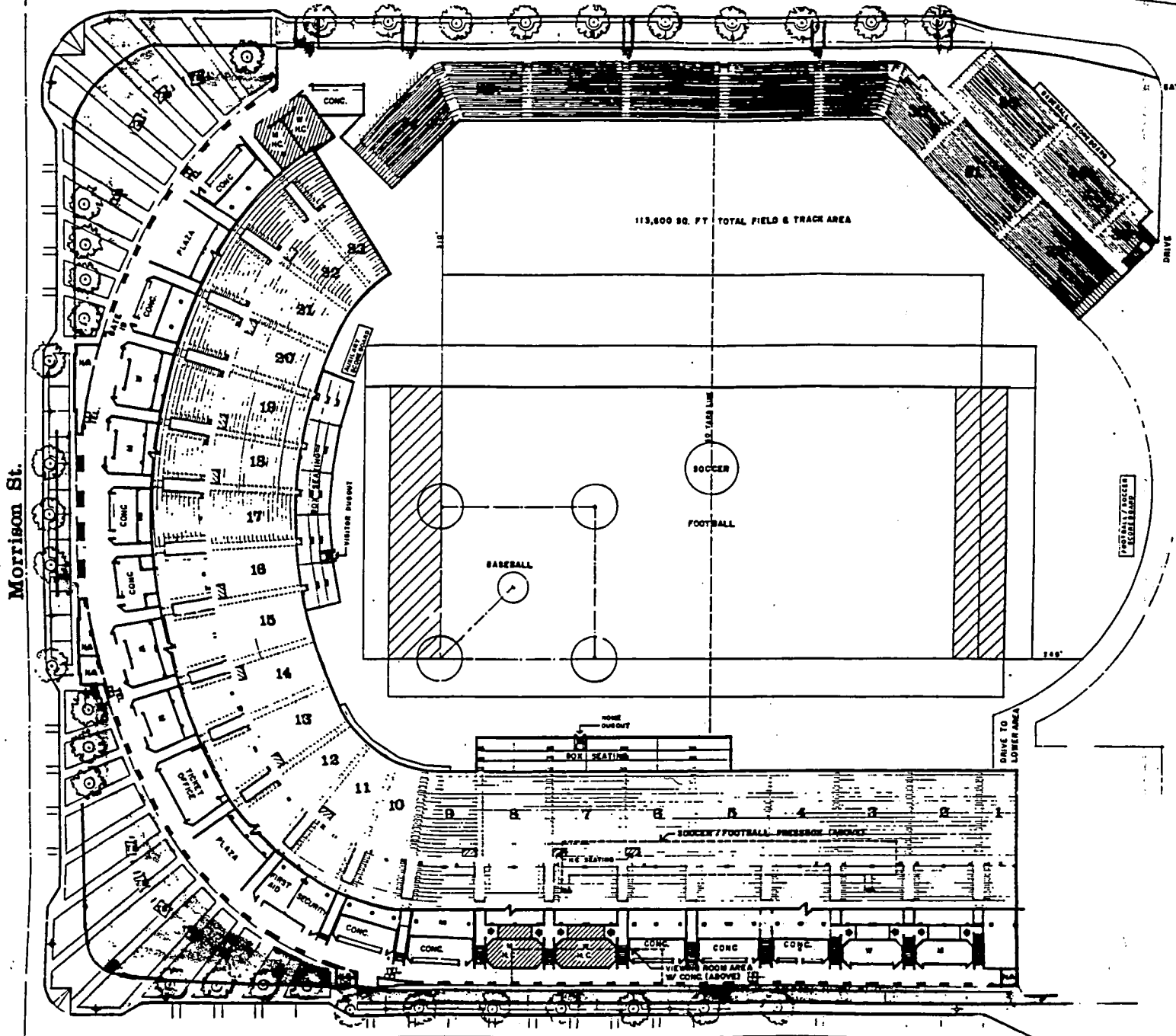


PROHIBITED AREAS

-  --Typical Building Entry Points
-  --Cyclone Fence Closure Points

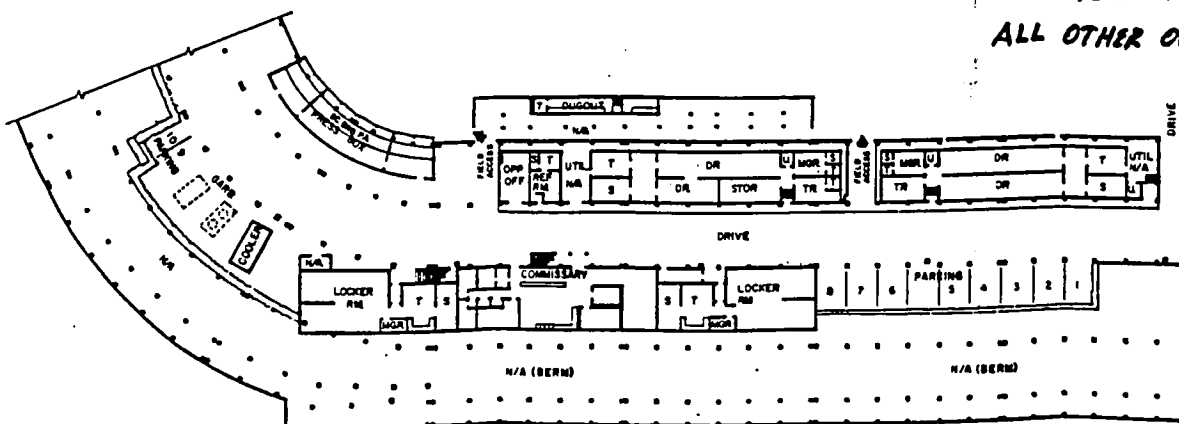


18th Ave.



20th Ave.
Stadium Concourse & Playing Field Plan

RED = PROHIBITED AREA
YELLOW = PERMISSABLE AREA
ALL OTHER OUTSIDE AREAS ACCEPTABLE



Stadium Lower Level Plan

Seating Capacity

Downtown Portland, Oregon