

METROPOLITAN EXPOSITION-RECREATION COMMISSION

Resolution No. 95-53

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activity at any Metro ERC facility inconsistent with the regulations adopted pursuant to this Resolution are hereby rescinded.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 December 13, 1995.


Chairman


Secretary/Treasurer

APPROVED AS TO FORM:
Daniel B. Cooper, General Counsel

By: 
Mark B. Williams
Senior Assistant Counsel

EXHIBIT "A"

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

I. Purpose

To establish policies that provide 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 may be required to leave Commission premises immediately upon request of Commission staff. Persons not leaving the premises when requested to do so will be subject to arrest on charges of Criminal Trespass.

C. In addition to the provisions of paragraph II(B), any police officer, Metro ERC security officer, facility director, general manager, or his/her designate, or any individual providing security services under contract with Metro ERC may exclude from Commission Facilities for a period of not more than one (1) year, any person who violates any provision of the following regulations, or any of the laws or ordinances of the City of Portland, Multnomah County, Metro, or the State of Oregon.

1. Written notice shall be given to any person excluded from Commission Facilities. The notice shall specify the violation of Metro ERC regulations, or laws or ordinances which is the basis for the exclusion and shall specify the dates covered by the exclusion. The notice shall be signed by the issuing party. Warning of the consequences for failure to comply with the exclusion shall be prominently displayed on the notice.
2. A person receiving an exclusion notice may appeal by filing a written appeal with MERC's Special Services Coordinator. The appeal must be received within seven (7) days of the date of the exclusion notice in order to be considered. The Special Services Coordinator shall issue a written decision on the appeal within 30 days of the date that the appeal

is received. If the person receiving the exclusion notice is unsatisfied with the Special Services Coordinator's decision, he/she may file a written request for a hearing before MERC. The hearing request must be received by MERC within seven (7) days of the date of the exclusion notice in order to be considered. MERC may, at its discretion, hold the hearing itself or designate a hearings officer to conduct the hearing, and make a recommended decision to MERC.

3. At any time within the period of exclusion, a person receiving an exclusion notice may apply in writing to the general manager for a temporary waiver from the exclusion. The general manager may grant a temporary waiver of an exclusion upon a showing of good cause for said waiver.

III. Definitions

A. "Distribution" means handing out, giving away, selling, disseminating, or otherwise making available token tickets, products, buttons, leaflets, pamphlets, coupons, newspapers, flyers, written or printed material, communications, samples, items, or objects of any nature.

B. "Scheduled activity" as used in this policy statement refers to activities arranged by and through Commission Facilities staff for the purpose of providing events or activities for which the facility was intended to be utilized. Those activities include, but are not restricted to:

1. A ticketed or free public performance, event, or meeting.
2. Sale of event tickets at the box office.
3. Use of the restaurant, where applicable.
4. Participation in guided tour.
5. Limited viewing of the art and architecture in the main lobby areas of the Oregon Convention Center.
6. Utilization of chairs, settees, and sofas in the lobbies by event patrons, tenants, and employees.
7. Attendance as a guest of a private function.

C. "Solicitation" means giving or making, either verbally or otherwise, a request for money, credit, property, financial assistance, or other thing of value whether for charitable purposes or otherwise, and whether or not for profit.

IV. Regulations

A. General Regulation of Activity, Prohibitions

1. No person shall engage in any activity on any portion of the premises of Commission Facilities which shall impede or interfere with the safe ingress to or egress from those portions of the Commission 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.
5. No person shall enter or remain within a facility building or structure without being fully clothed including shoes and shirt.
6. No person shall set up on Commission premises any solid object such as, but not limited to, a table or chair, or restrict passage with bicycles, skateboards, carts, large backpacks, or anything that creates obstacles, takes up seating, or creates a risk of injury to any person or damage to property.
7. No person shall under any circumstances obstruct, restrict, or hinder any tenant, patron, or other person on or attempting to enter or leave the Commission premises.
8. No person shall utilize any form of entertainment or electronic device to promote any activity on the Commission premises without prior

facility approval. Neither shall any electronic device be utilized in such a manner that it disrupts or hinders business or events in progress.

9. Bringing or consuming alcoholic beverages on Commission premises is prohibited, unless that beverage is purchased from an authorized caterer/concessionaire and consumed in the areas designated for this purpose.
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 Commission 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 supports or is in any way involved in his/her particular activity.
3. In order to protect public safety, and allow ingress and egress to the building, solicitation or distribution is prohibited in those areas designated near the main entrances of each Commission Facility, as depicted in the attached diagrams.

C. Ticket/Event Admission Sales

1. The resale of admission tickets to events being held at Commission Facilities is prohibited on Commission premises:
2. The sale of admission tickets to events, whether charitable or otherwise, not being held at Commission Facilities is not permitted on Commission premises without the written authorization of the Commission/general manager. When approval is granted it shall be conditioned upon compliance with these regulations and any conditions established by the Commission.

D. Sales/Concessions

1. The sale of novelties and other items is governed by Section Eleven of the Commission's Rules and Regulations. No person, firm, or corporation shall sell or offer for sale any item on Commission premises without first obtaining the written approval of the Commission's general manager to do so.
2. The Commission has exclusive food and beverage contracts 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 but not beverages may be brought into the Civic Stadium by patrons.
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.

r-0\1249