

METROPOLITAN EXPOSITION RECREATION COMMISSION

Resolution No. 20-06

For the purpose of approving the the Metropolitan Exposition Recreation Commission (MERC) Updated
Unscheduled Activities Policy.

WHEREAS, the Metropolitan Exposition Recreation Commission (MERC) approves Unscheduled
Activities Policy updates, and;

WHEREAS, renovations completed in 2019 at the Oregon Convention Center necessitate an update to
the diagrams noting free speech areas, and;

WHEREAS, additional edits further clarify restricting facility access by the public to ensure safety during
potential reopening activities during the the 2020 COVID-19 pandemic, and;

WHEREAS, additional edits allow Executive Directors to provide exemptions for performers or dancers
who may need to move through a facility without shoes during the course of their work at a facility, and;

BE IT THEREFORE RESOLVED, that the Metropolitan Exposition Recreation Commission:

1. Approves the the Metropolitan Exposition Recreation Commission (MERC) Updated
Unscheduled Activities Policy.

Passed by the Commission on August 5, 2020.

Approved as to form:


Carrie MacLaren, Metro Attorney

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Chair

By: 
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 Nathan A. S. Sykes, Deputy Metro Attorney

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 Secretary/Treasurer

MERC Staff Report

Agenda Item/Issue: For the purpose of approving the the Metropolitan Exposition Recreation Commission (MERC) Updated Unscheduled Activities Policy.

Resolution No.: 20-06

Presented By: Craig Stroud

Date:

August 5, 2020

Background and Analysis:

The renovations completed in 2019 at the Oregon Convention Center necessitate an update to the diagrams noting free speech areas. Additional policy edits have been made to further clarify restricting facility access by the public to ensure safety during potential reopening activities during the 2020 COVID-19 pandemic. One edit was made to allow Executive Directors to provide exemptions for performers or dancers who may need to move through a facility without shoes during the course of their work at a facility.

Edits have been provided and reviewed by MERC Administration, venue Executive Directors, and Office of the Metro Attorney.

Fiscal Impact:

None

Attachments to Resolution and/or Staff Report:

Attachment A shows the proposed red-line edits to the Unscheduled Activities Policy as well as updated diagrams for all MERC venues.

Recommendation: Staff recommends that the Metropolitan Exposition-Recreation Commission adopt Resolution 20-06, the Metropolitan Exposition Recreation Commission (MERC) Updated Unscheduled Activities Policy.

REGULATION OF UNSCHEDULED ACTIVITIES AT METROPOLITAN EXPOSITION-RECREATION COMMISSION FACILITIES

I. Purpose

To establish regulations 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. Enforcement

A. 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.

B. In addition to the provisions of the preceding paragraph, any police officer, MERC security agent, facility director, general manager, or his/her designate, or any individual providing security services under contract with MERC 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 Commission 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 a notice may appeal by filing a written appeal with the Executive Director of the facility where the violation occurred. The appeal must be received within seven (7) days of the date of notice in order to be considered. The Executive Director shall issue a written decision on the appeal within 30 days of the date that the appeal is received. If the person receiving the notice is unsatisfied with the Executive Director'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 Executive Director's decision 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 of Visitor Venues 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. “Commission” means the Metropolitan Exposition-Recreation Commission (“MERC”).
- B. “Commission Facilities” means the Oregon Convention Center (“OCC”), Portland’s 5 Centers for the Arts (“P5”), and the Portland Metropolitan Exposition Center (“Expo Center”).
- C. “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.
- D. “Executive Director” means a MERC employee who is designated as a representative by the General Manager of Visitor Venues to manage a Commission facility.
- E. “License Agreement” means a written and fully executed agreement between the Commission and a person or business licensing the use of Commission Facilities.
- F. “MERC” means the Metropolitan Exposition-Recreation Commission.
- G. “Scheduled activity” means 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. An event, performance, exhibition or meeting that is open to the public and may or may not require an admission fee for entry.
 - 2. A convention, trade show or meeting that is not open to the general public and may or may not require a registration process for entry.
 - 3. Attendance as a guest of a private function.
 - 4. Sale of event tickets at the box office.
 - 5. Use of the restaurant, where applicable.
 - 6. Participation in a guided tour.
 - 7. Limited viewing of the art and architecture in the main lobby areas of the Oregon Convention Center and the P5 Antoinette Hatfield Hall.
 - 8. Utilization of chairs, settees, and sofas in the lobbies by event patrons, tenants, and employees.
- H. “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

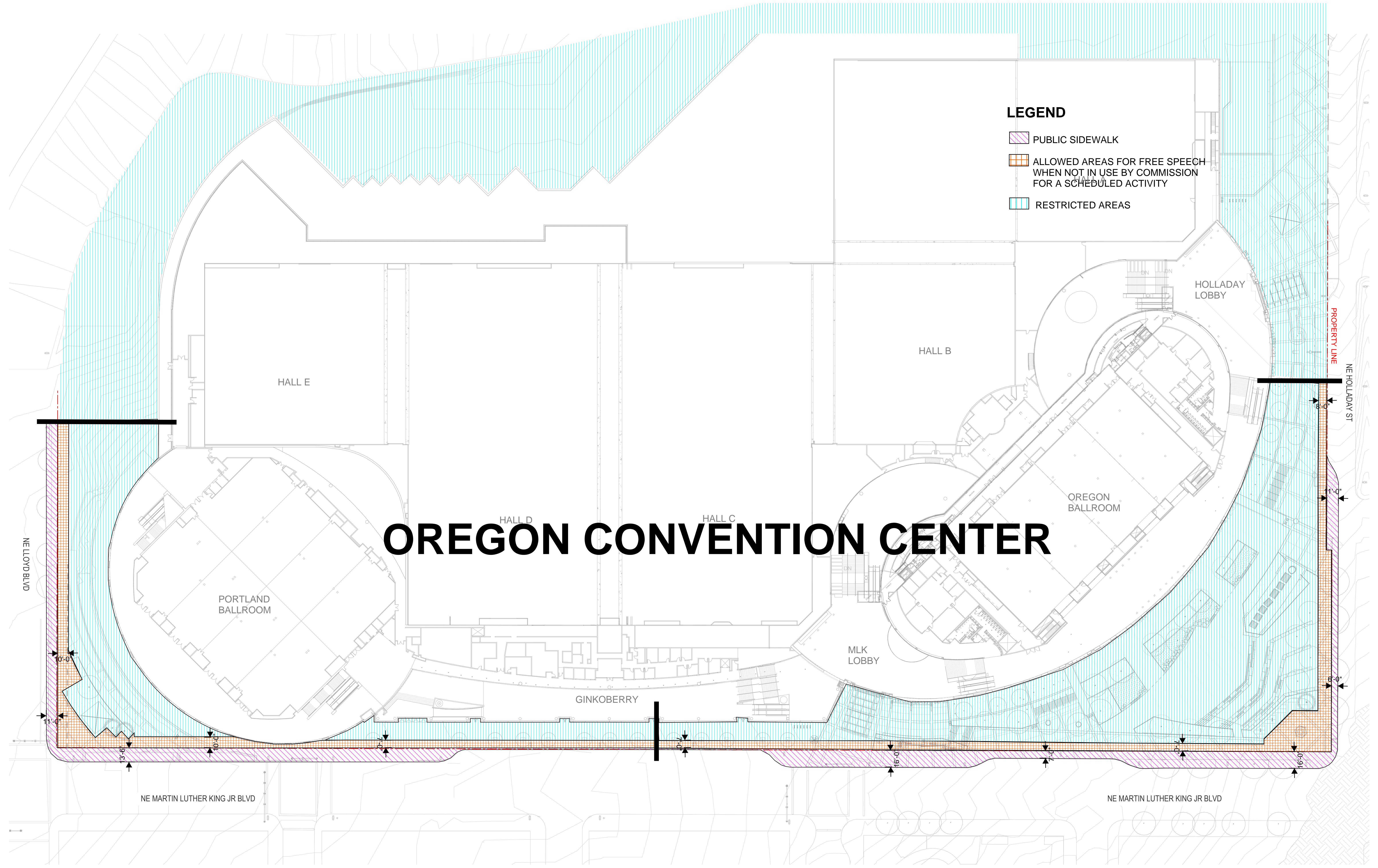
Failure to comply with the following regulations will result in violator being directed to leave the premises, and the violator will be subject to arrest for Criminal Trespass for failure to do so.

- A. 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.
- B. 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.
- C. In the event of any emergency, all persons shall comply with any instruction of Commission staff and leave the premises immediately when instructed to do so.
- D. 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 by for members of the public not authorized for entry into the Commission Facilities and/ or for bathing, shaving, and washing hair.
- E. No person shall enter or remain within a facility building or structure without being fully clothed including shoes and shirt. The Executive Director for a facility may exempt performers or dancers from this regulation.
- F. 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.
- G. No person shall under any circumstances obstruct, restrict, or hinder any tenant, patron, or other person attempting to enter or leave the Commission premises.
- H. 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.
- I. 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.

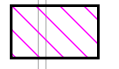


- J. No person shall post, stick, or place upon, or within any motor vehicle on Commission premises any card, notice, handbill, leaflet, pamphlet, or similar matter without the consent of the owner or operator.
- K. No person shall be allowed entry into any area of Commission Facilities for which conditions of entry have been established by the licensee for the event then being conducted, unless the person has satisfied the conditions of entry.
- L. No speaker or distributor shall falsely state or misleadingly indicate in any manner that the Commission supports or is in any way involved in his/her particular activity.
- M. The resale of admission tickets to events being held at Commission Facilities is prohibited on Commission premises.
- N. 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 Executive Director. When approval is granted it shall be conditioned upon compliance with these regulations and any conditions established by the Commission.
- O. The sale of novelties and other items is governed by the Commission's Facility License Agreement and/or applicable Facility 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 Executive Director to do so.
- P. Bringing or consuming alcoholic beverages on Commission premises is prohibited, unless that beverage is purchased from an authorized/concessionaire and consumed in the areas designated for this purpose.
- Q. The Commission has exclusive food and beverage contracts with certain catering/concessionaire companies. No food or beverage of any kind is permitted within Commission Facilities unless provided by the contract concessionaire or without first obtaining the written approval of the Commission's Executive Director to do so.
- R. Smoking is prohibited within all Commission Facilities except in specified areas designated for that purpose and at the specified times established by the Executive Director. Eating and drinking may be prohibited in specified areas of Commission Facilities as determined by the Executive Director.
- S. Events at Commission Facilities are subject to written license agreements with event licensees. At all licensed events, solicitors and distributors must have

written approval from the event licensee and Executive Director to solicit or distribute inside the event.

- T. In order to protect public safety, and allow ingress and egress to the building, any activity which may impede the free flow of traffic is prohibited in those areas of the Commission Facility premises, as depicted in the attached diagrams.

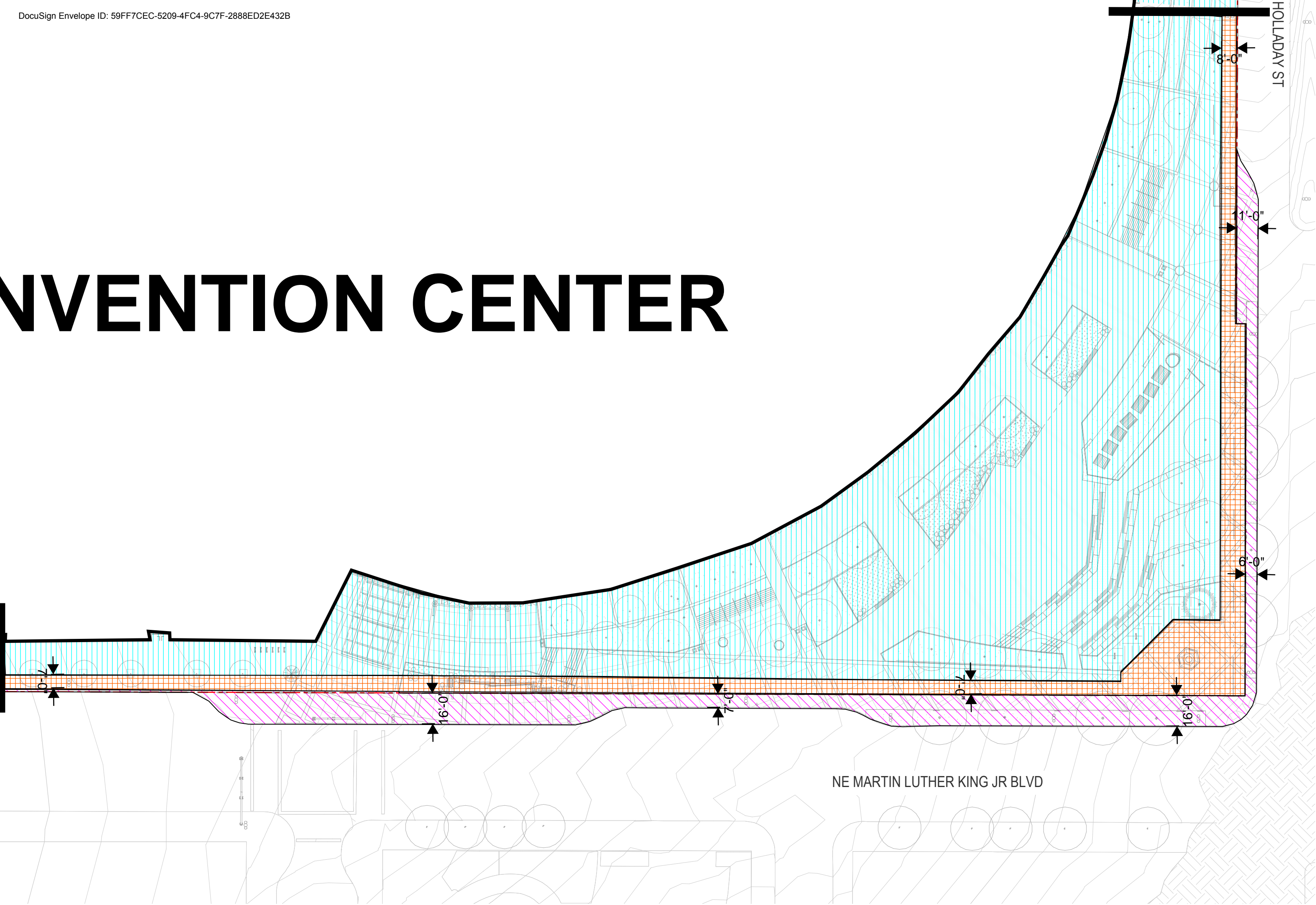


LEGEND

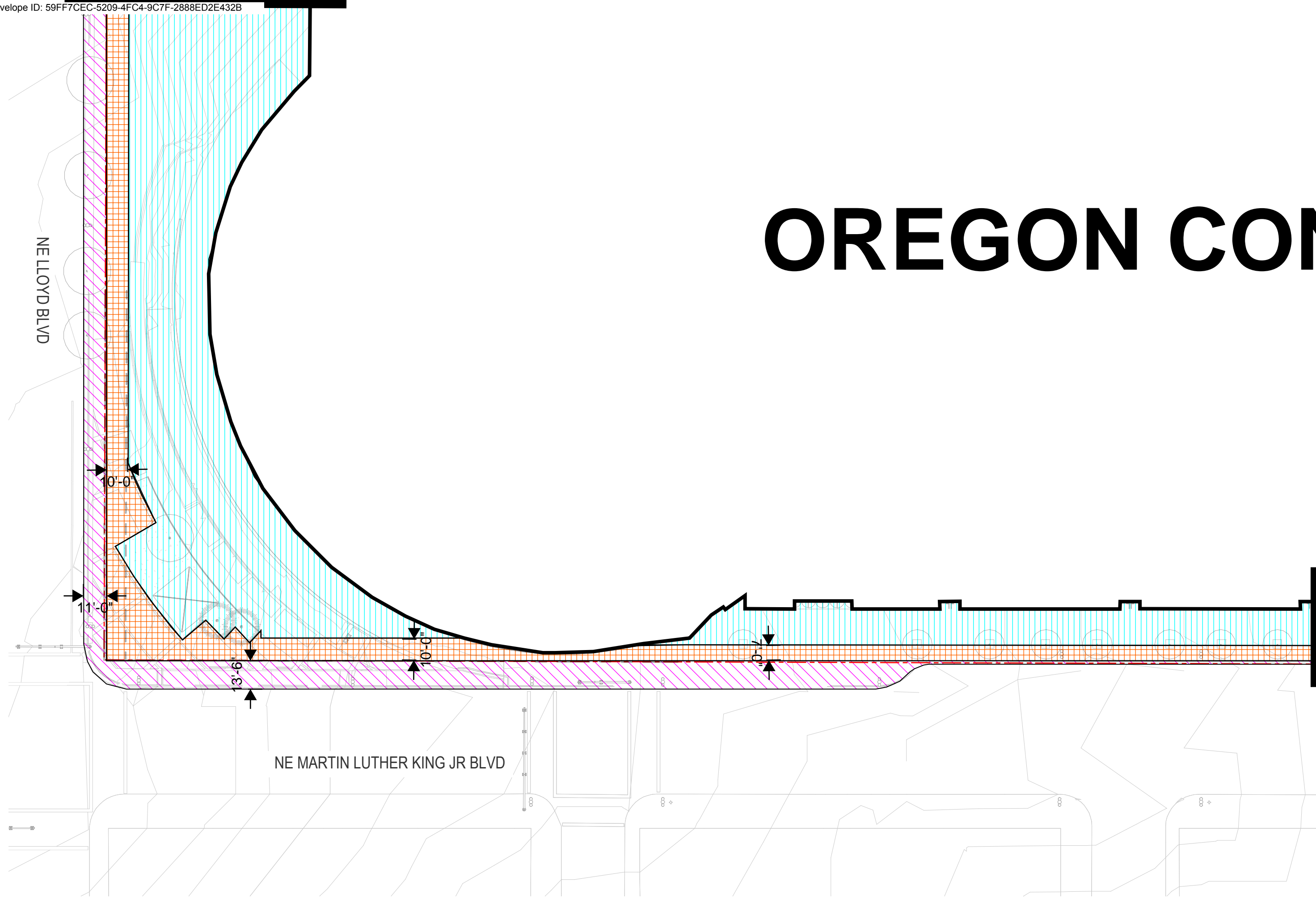
-  PUBLIC SIDEWALK
-  ALLOWED AREAS FOR FREE SPEECH WHEN NOT IN USE BY COMMISSION FOR A SCHEDULED ACTIVITY
-  RESTRICTED AREAS

OREGON CONVENTION CENTER

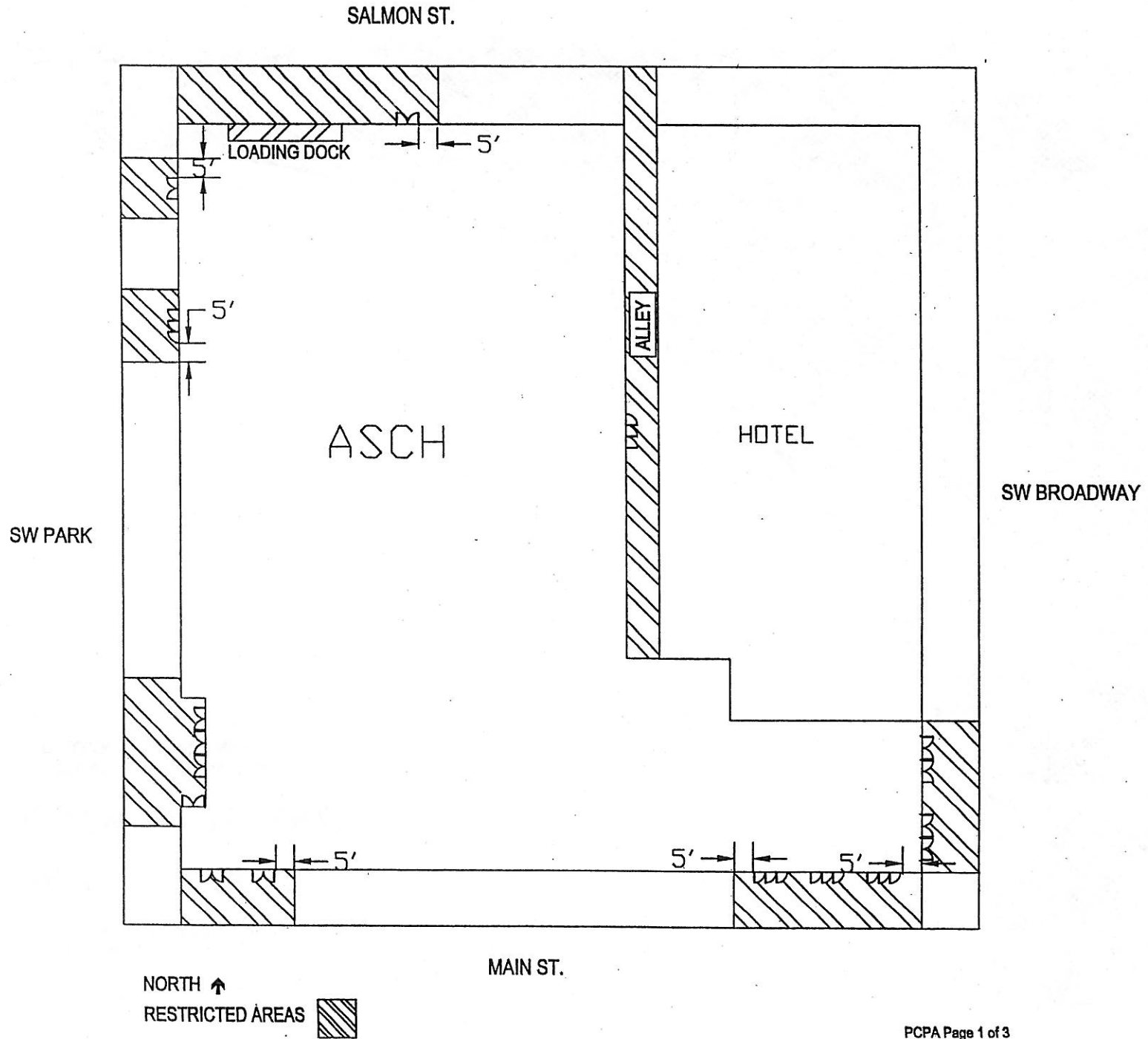
CONVENTION CENTER



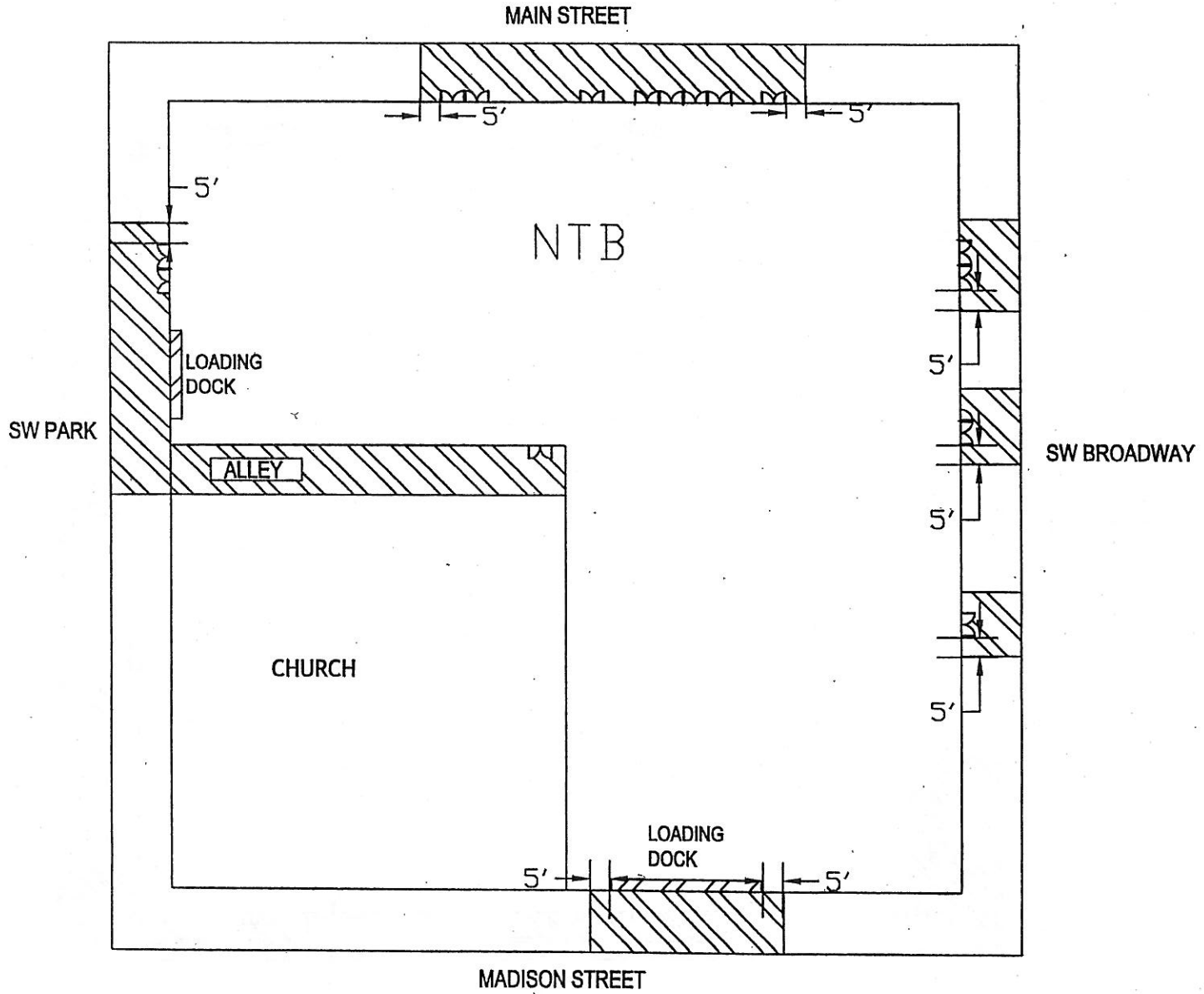
OREGON CON



ARLENE SCHNITZER CONCERT HALL

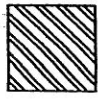


PERFORMING ARTS CENTER NEW THEATRE BUILDING

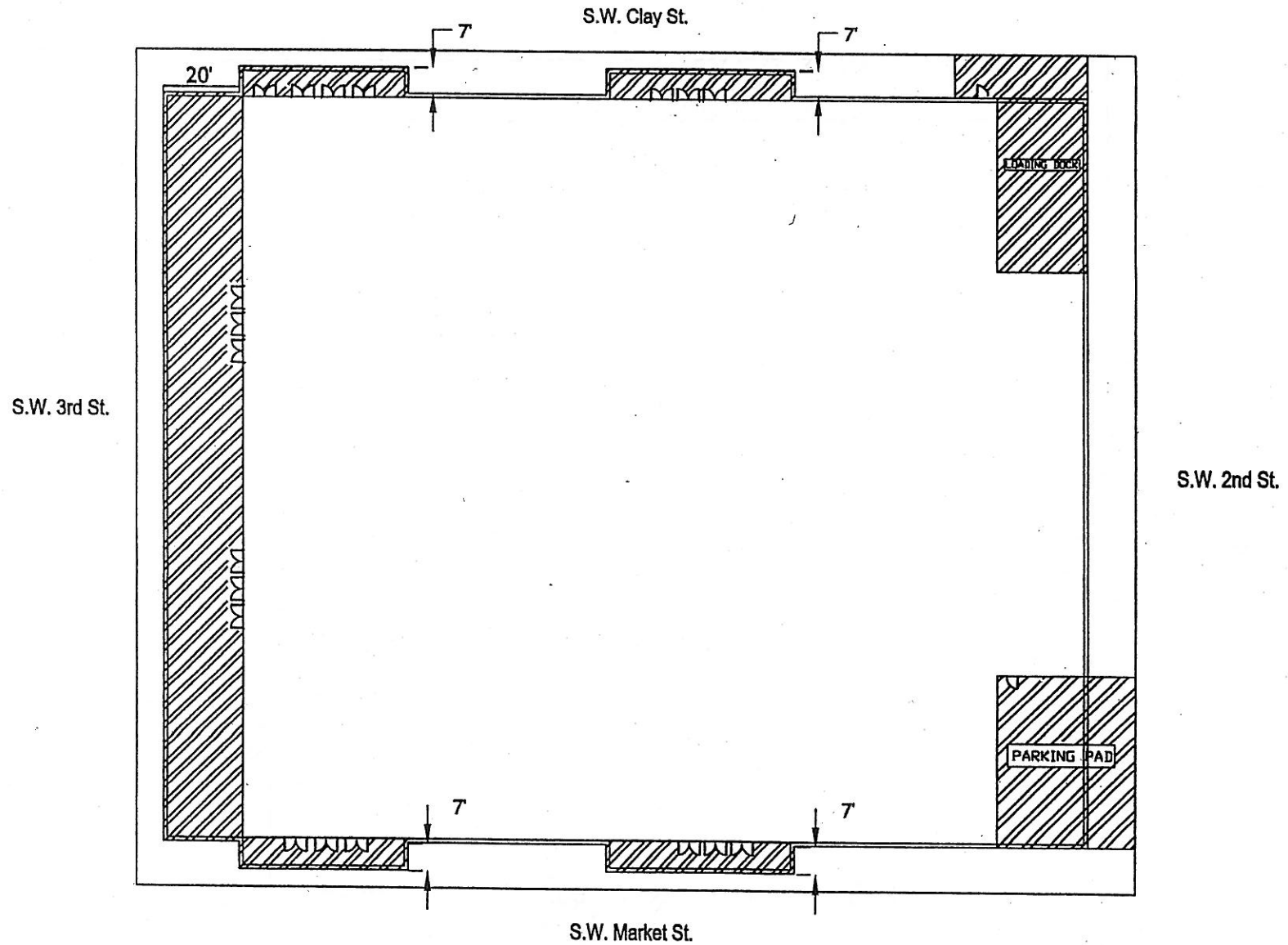


NORTH ↑

RESTRICTED AREAS



Keller Auditorium

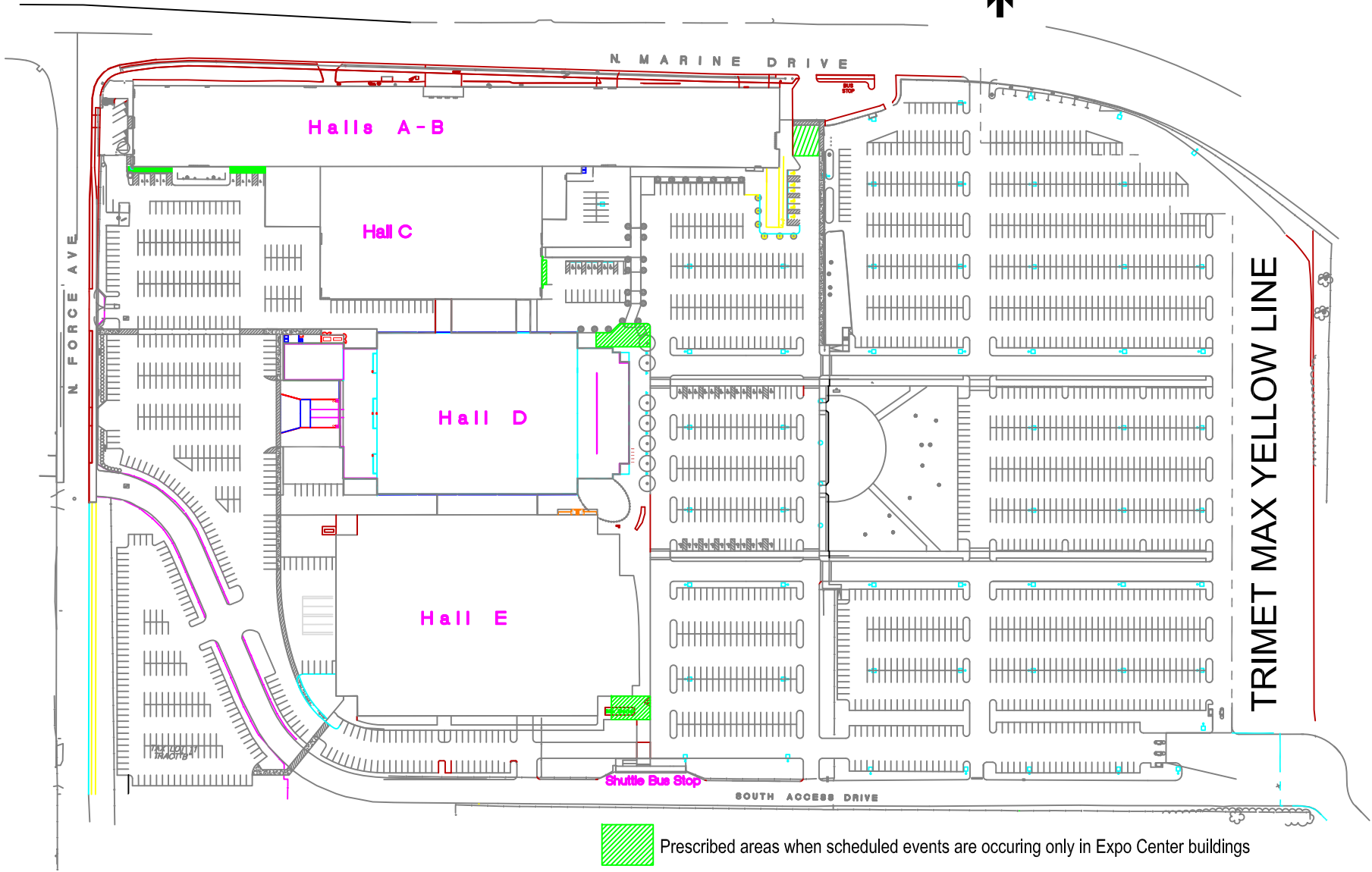


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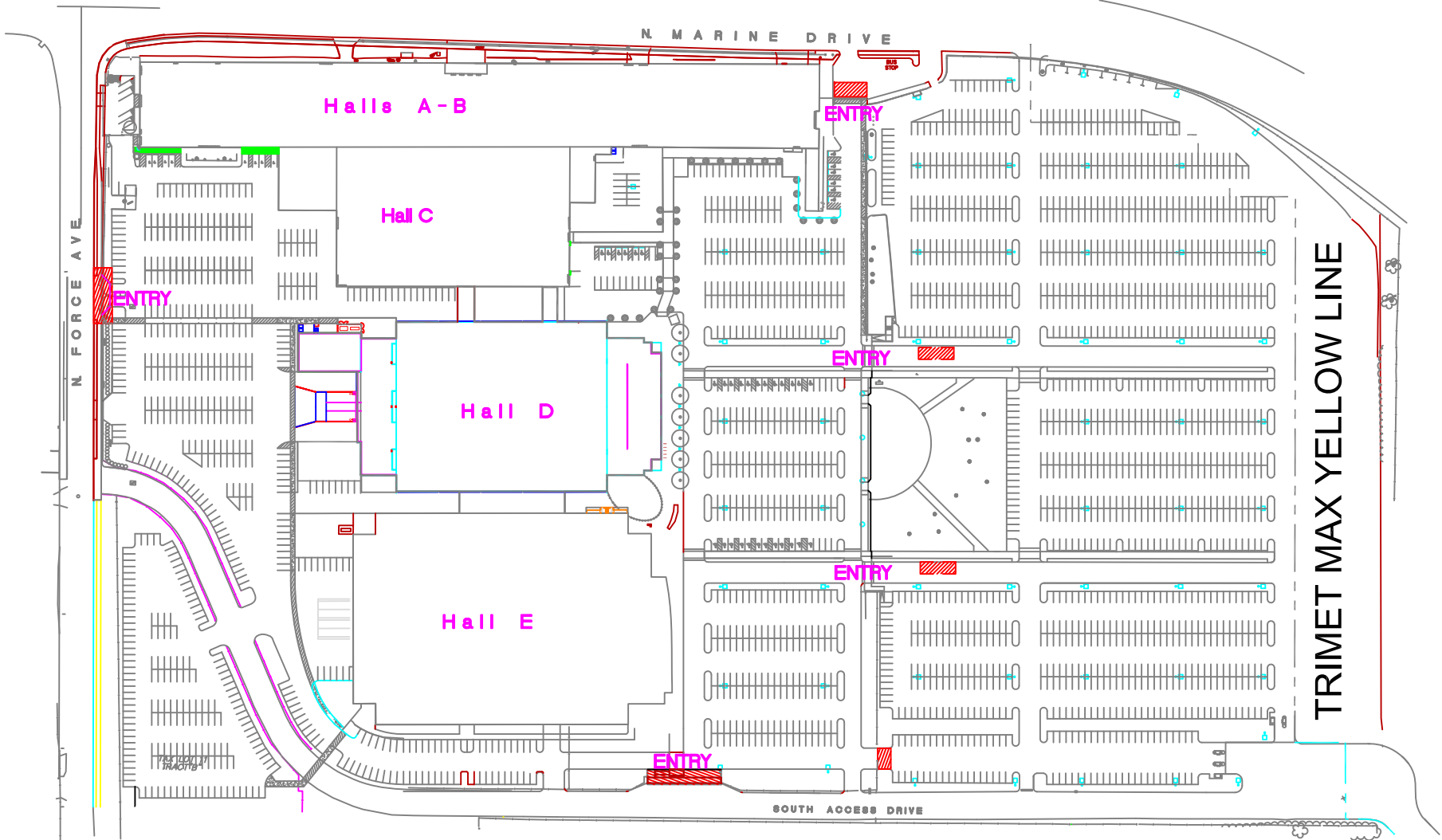
RESTRICTED AREAS 

EXISTING COVER RESTRICTED AREAS 

UNSCHEDULED ACTIVITIES PORTLAND EXPO CENTER



UNSCHEDULED ACTIVITIES PORTLAND EXPO CENTER



Restricted areas when scheduled events are occurring in Expo Center buildings and upper parking lot
subject to change based on exterior fence line and public entry points.