

# Oregon Parks and Recreation Department

## Special Use Permit Application and Instructions



*Nature*  

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**HISTORY**  

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*Discovery*

Revision Date: November 2013

## When Do I Need a Special Use Permit?

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Special Use Permits allow access to park land, including the ocean shore, managed by the Oregon Parks and Recreation Department for a wide variety of non-traditional park uses including but not limited to large group activities, activities that require placing structures on park land, activities that would not normally be allowed under the park rules, activities that restrict public access to or use of the park and commercial filming which involves the use of props, sets or lighting and sound equipment, other than hand held equipment. The following list gives some common examples of activities that do and don't require a permit.

Examples of activities that **would** require a permit:

- An organized group of 50 or more using a portion of the park not designated for group use;
- An activity that will require a structure such as a stage, large event sized tents, bleachers or other structures not normally found in the park;
- An activity that restricts public access to an area of a park such as a running event that takes over a parking lot and park trail or a festival that uses the entire day use area in a park;
- A multi-day cycling event camping in a park day use area;
- A commercial film shoot that requires the public be excluded from a portion of the park or that requires equipment be set up in the park;
- An activity that requires park staff be available to the group, such as dedicated interpretive staff or additional staff to provide services to facilitate the activity;
- Activities that could pose a safety concern such as black powder events or fireworks displays;
- Activities that have some form of vending associated with them, such as a concession stand or sales of products to participants;
- Short term non-exclusive commercial vending such as a weekend coffee cart or horse rental when the financial transactions are conducted in the park.

Examples of activities that **would not** require a permit:

- Family gatherings, club picnics or a company cookout where the group size is less than 50 people;
- A large group picnic, over 50 people, being held in a reserve-able picnic area designed for large group use;
- A small wedding being held in a park where no structures are being set up and the public is not being excluded from the area;
- Commercial photography using a hand held camera and no props as long as the activity does not exclude the public from area;
- A guided trip or instructions given in a park as long as the financial transactions occur outside of the park, for example climbing guides at Smith Rock or surfing lessons at the beach;
- A school field trip using the park in a traditional manner: hiking on the trails, wildlife viewing or traditional recreation, and the group does not require park staff involvement such as an interpretive ranger;

The above list does not cover all activities that require a permit. It is meant to assist in determining if your activity would need a permit, and if there is any uncertainty regarding the need for a permit please contact the park staff at the location where your activity will be held.

## Who do I contact to get a permit or get questions answered?

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Activities on the ocean shore are handled through the Coastal Region Office, 12735 NW Pacific Coast Hwy Seal Rock, OR 97376 (phone 541-563-8500). Activities in a park are handled by the local park office. If you do not know the office location for the park you want to hold your activity contact the Oregon State Parks information center at 1-800-551-6949 for assistance.

## What criteria will be used to evaluate my application?

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Once a completed application is received it will be evaluated against the following criteria:

1. **Consistency with local, state, and federal laws** – all activities must comply with the law and rules governing the park land where the activity will occur;
2. **Compliance with park rules governing special use permits** – the activity must comply with Oregon Administrative Rules on non-traditional park use OAR 736, division 16;
3. **Disruption of traditional park use** – activities should not totally exclude the public from the park, although exclusive use of some areas of the park can be allowed, and the impact of the activity on areas surrounding the park and neighbors is also considered;
4. **Impact on public health, safety or welfare** – activities should not put the public or the participants at undue risk, although measures taken by the organizer to mitigate such risk will be considered in the evaluation;
5. **Impact on natural and cultural resource values** – activities should not adversely impact natural or cultural resources within the park and must comply with any resource management plans, policies, or procedures adopted for the park;
6. **Applicant's ability to finance, plan and manage the activity** – an evaluation will be made regarding the applicant's ability to fulfill any sanitation, safety, medical care, fire control, security, crowd, noise, and traffic control requirements, as well as any measures required to protection of park resources which are set forth by the park in the conditions of the permit;
7. **Previous experience in conducting similar activities** – the evaluation will take into consideration any previous experience the applicant has in conducting similar activities in the past;
8. **Measures proposed to mitigate negative impacts** – if the activity will have negative impacts consideration will be given to measures proposed to lessen or eliminate those impacts;
9. **Ability to fully meet the terms and conditions of the permit** – the evaluation will consider evidence presented by the applicant regarding their ability to fully meet any requirements placed on them by the terms and conditions of the permit, including past performance conducting other activities in State Parks;
10. **Positive impact on the local community, environment, or park** – any positive impacts of the activity on the local community through support of tourism and their economy, the environment through restoration and preservation efforts, or park land and facilities through enhancement efforts will be considered when evaluating the permit application.

## How are applications prioritized?

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Applications are considered in the order they are received, however ongoing events that have been conducted for five years or more are given priority over new events. It is recommended that applicants make contact with the park staff as early in the process as possible to ensure the date of their activity is available and that the activity will be possible in the proposed area of the park.

## What are the fees for my permit?

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Fees associated with special use permits are intended to recover the costs to the park associated with the activity. There are three basic categories of fees: administrative, use fees and additional staffing costs.

- Administrative costs are covered by a \$100 application fee for each permit.
- Use fees cover the costs for waste disposal, utilities and normal park operations staff. The fee to cover these costs is based on established rates for park day use and overnight use. The fees below are the current state park rates which are used for special use permits.
  - Day Use Activities – \$50 minimum for up to 50 participants and \$1 per person thereafter
  - Overnight camping in an established campground – standard posted camping rate
  - Overnight camping in a non-designated camping area – \$70 for up to 25 people and \$3 per person thereafter

*NOTE: For the purpose of calculating permit fees, participants are defined as those people participating in the activity as staff and group members. If the general public comes to the activity or event and observes at no charge they are not considered participants. An example would be spectators at a sand castle contest or the finish line of a race.*

- Additional staffing costs are applied if the activity requires the park to provide additional staff over and above the level that would normally be required to operate the park and the rate for any additional staff is a flat fee of \$20 per hour per staff person. A minimum of four hours of additional staffing is required to trigger this cost. Consult with park staff to determine if you will be required to have additional park staff for your event.

**A worksheet is provided in this packet to aid you in calculating your permit fees.**

In addition to the fees above, some special uses do have other fees associated with them. If your activity or event will have a concession that sells to the general public an additional concession agreement may be necessary and may have additional fees associated with it. Concessions selling only to your group, rather than the general public, need to be referenced on the special use permit but require no additional agreements or fees. In some rare instances there are permits that have annual or monthly rental, lease and access fees associated with them. Consult with local park staff if you think your activity may have any of these additional fees.

## Is there any way to reduce my fees?

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The rules for special use permits provide several ways to adjust fees. The fee waiver policy for the department may be applied to reduce fees if an applicant provides in-kind services or in some way offsets the cost of the event. Activities that are conducted in partnership with the department may have negotiated fees. These are activities in which the organizer has a written agreement with the department, such as a “partner in parks” agreement or other memorandum of understanding. Finally, public agencies applying for special use permits may be exempted from certain requirements, including fees, through negotiations with staff issuing the permit.

Once the fees for your activity have been determined you may work with park staff to see if waivers can be applied. Some common ways applicants are granted waivers are: by providing volunteer labor to do a project in the park of equal or greater value than the fees; or by paying for services, like sanitation, security and waste disposal, to reduce cost of the activity to the park.

## Am I required to have insurance for my activity?

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Yes, liability insurance is required for all special use permits. The basic insurance requirement is coverage with limits of not less than \$1,000,000, and for activities or uses that are assessed as having high risk exposure insurance with limits of \$4,000,000 is required. Examples of high risk activities include but are not limited to: public fireworks displays; Civil War reenactments or other black powder events; and construction projects involving heavy equipment.

Insurance coverage for activities and events requiring a special use permit must name “the State of Oregon, its Parks and Recreation Department, its Parks and Recreation Commission, and the officers, agents and employees thereof” as additional insured.

There are also some instances where the insurance requirements may be waived or reduced:

1. Insurance is not required if the applicant is a Cooperative Association with a current agreement signed by the department and the activity or use being permitted has been listed on their annual plan for the current year;
2. Insurance is not required if the activity or use being permitted is being conducted in partnership with OPRD through a written agreement with the applicant;
3. Commercial insurance is not required if the applicant is a public agency;
4. The insurance limits may be reduced if a reduction is approved by the department’s Safety & Risk manager based on a risk assessment process that takes into account the level of risk and measures that will be put in place to reduce that risk. The risk assessment will use the following process:
  - a. Identify the risks (fire/explosion, infrastructure damage legal action, etc.);
  - b. Determine who is at risk (people, environment, property, etc.);
  - c. Rate the risk (assigning a point value to each risk from unlikely [+1] to Certain [+5]);
  - d. Identify controls to reduce the risk (point reduction values from passive actions like posting signs [- 1] to active safety procedures like stationing guards [-4])

Once the point score is calculated the Safety and Risk manager will determine the level of insurance limits required, which can range from no reduction to a complete waiver of the insurance requirements. If an applicant thinks their activity is low risk or if they are putting measures in place to reduce the risk and they want an insurance reduction considered they should work with park staff issuing the permit to prepare an insurance reduction request.

## What else should I know?

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Key dates:

- Applications will not be accepted more than nine months in advance of the activity or use commencement date;
- Unless an exception is approved by the park manager or designee, the department will not consider a special use permit application received less than 30 days prior to the commencement date of the activity or use.

More information is available:

- Full rules text governing non-traditional park use is contained in OAR 736, division 16 and can be found at <http://tinyurl.com/Special-Use-Rules> ;
- Park managers and staff that issue permits have been trained and are available to answer questions. Call the park or the State Parks Information Center at 1-800-551-6949.

# Special Use Fee Calculation Worksheet

Application Processing Fee -----\$100.00

<b>Daily Use Fee(s): 1-50 people = \$50.00; OVER 50 = additional \$1.00 per person.</b>			
Day 1	\$50.00-----PLUS-----	Additional over 50: _____	=\$ _____
Day 2	\$50.00	Additional over 50: _____	=\$ _____
Day 3	\$50.00	Additional over 50: _____	=\$ _____
Day 4	\$50.00	Additional over 50: _____	=\$ _____
#Additional Days _____	X (\$50.00	Additional over 50: _____)	=\$ _____
<b>TOTAL USER FEE(S) -----</b>			<b>= \$ _____</b>

<b>Overnight Camping Fees in non-camping areas: 1-25 people = \$70.00; OVER 25 = additional \$3.00 per person.</b>			
Day 1	\$70.00-----PLUS-----	Additional over 25: _____	=\$ _____
Day 2	\$70.00	Additional over 25: _____	=\$ _____
Day 3	\$70.00	Additional over 25: _____	=\$ _____
Day 4	\$70.00	Additional over 25: _____	=\$ _____
#Additional Days _____	X (\$70.00	Additional over 25: _____)	=\$ _____
<b>TOTAL CAMPING FEE(S) -----</b>			<b>= \$ _____</b>

<b>Commercial Film Use Fees: 1-5 people = \$100.00; 6-30 = \$150.00; 31-60 = \$300.00; 61 or more = \$400.00.</b>			
Day 1	Total people: _____	Use Fee amount	=\$ _____
Day 2	Total people: _____	Use Fee amount	=\$ _____
Day 3	Total people: _____	Use Fee amount	=\$ _____
Day 4	Total people: _____	Use Fee amount	=\$ _____
#Additional Days _____	X (Total people: _____	Use Fee amount)	=\$ _____
<b>TOTAL COMMERCIAL FILM FEE(S) -----</b>			<b>= \$ _____</b>

- A) TOTAL ALL FEES; (Include \$100.00 processing fee) ----- = \$ \_\_\_\_\_**
- B) PRE-Approved Waived fees ----- = \$ \_\_\_\_\_**
- C) PLEASE PAY ----- (TOTAL: LINE A) MINUS LINE B) ----- = \$ \_\_\_\_\_**

*\*Additionally OPRD may require park staff to monitor and/or assist in an activity or use, rate for each employee = \$20.00 per hours, minimum four hours.*

TO BE INCLUDED IN APPLICATION MATERIALS.

**Oregon Parks and Recreation Department**  
**APPLICATION TO HOLD A SPECIAL EVENT / ACTIVITY**

Revision date November 2013 (version 1.5)

**Processing fee of \$100.00 should accompany all submitted applications, unless exempt by Division Rules.**

**Applicant should complete this section and attach any additional information as appropriate.**

**APPLICANT INFORMATION**

Applicant Name:		Organization:	
Mailing Address:			
City:	State:	Zip:	
E-Mail Address:			
Phone:	Cell:	Fax:	

**ON SITE RESPONSIBLE CONTACT**

Name:	Cell:
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**ACTIVITY PROPOSED**

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**ACTIVITY LOCATION**

Park/Beach:	Specific area of use:
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**ACTIVITY DATE(S)** (Include setup & cleanup days/times)

Start Date:	Start Time:	<input type="checkbox"/> A.M. <input type="checkbox"/> P.M.
Finish Date:	Finish Time:	<input type="checkbox"/> A.M. <input type="checkbox"/> P.M.

**DESCRIPTION OF ACTIVITIES** (attach additional sheets if necessary)

<input type="checkbox"/> <b>Additional description detail attached.</b>
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**PERMIT FEES**

ENTER TOTAL ON LINE <u>C</u> OF FEE CALCULATION WORKSHEET: \$_____ (Attach worksheet) *Please note a PERFORMANCE BOND may be assessed upon application review.
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**ADDITIONAL REQUIREMENTS: (Please attach)**

- Site plan indicating the location of activities, construction of facilities, structures, embellishment, and utilities, including staging area.
- Description of parking and security arrangements
- Description of plans for use of amplified sound, alcohol, entry fees and sale of goods and services.
- Plan for timely cleanup and restoration of area use.
- Applicant shall be at least 18 years of age, or 21 years if alcohol is to be served.

*\* Applicant assumes full responsibility and liability for damages or injury to any member of the public arising out of the activity or use, including personal injury and property damages and for any damage to park property, including natural and cultural resources.*

*\* Applicant shall indemnify and hold harmless the State of Oregon, its Parks and Recreation Commission and members thereof, the Oregon Parks and Recreation Department and its officers, agents and employees against any and all damages, claims or causes of action arising from or in connection with the activity or use.*

**APPLICANT SIGNATURE:**

**DATE:**



**OREGON PARK AND RECREATION DEPARTMENT**

**SPECIAL USE PERMIT# \_\_\_\_\_**

**(FOR DEPARTMENT COMPLETION ONLY)**

**DATE APPLICATION RECEIVED: FEES PAID: DATE RECEIVED:**

<b>PERMITTEE:</b>		<b>ORGANIZATION:</b>	
<b>MAILING ADDRESS:</b>			
<b>CITY:</b>	<b>STATE:</b>	<b>ZIP:</b>	
<b>PHONE:</b>	<b>CELL:</b>	<b>FAX:</b>	
<b>ON SITE CONTACT PERSON:</b>			<b>CELL:</b>
<b>CRITERIA EVALUATION:</b>			
<b>YES/NO/NA</b>		<b>YES/NO/NA</b>	
<input type="checkbox"/> / <input type="checkbox"/> / <input type="checkbox"/>	Consistent with local/state/federal laws	<input type="checkbox"/> / <input type="checkbox"/> / <input type="checkbox"/>	Ability to finance, plan & manage activity
<input type="checkbox"/> / <input type="checkbox"/> / <input type="checkbox"/>	Complies with Division rules	<input type="checkbox"/> / <input type="checkbox"/> / <input type="checkbox"/>	Protects park resources
<input type="checkbox"/> / <input type="checkbox"/> / <input type="checkbox"/>	Disrupts traditional park use	<input type="checkbox"/> / <input type="checkbox"/> / <input type="checkbox"/>	Experience in performing activity
<input type="checkbox"/> / <input type="checkbox"/> / <input type="checkbox"/>	Inconvenience neighbors or general public	<input type="checkbox"/> / <input type="checkbox"/> / <input type="checkbox"/>	Plan for damage control or negative impact
<input type="checkbox"/> / <input type="checkbox"/> / <input type="checkbox"/>	Impact on public health/safety or welfare	<input type="checkbox"/> / <input type="checkbox"/> / <input type="checkbox"/>	Ability to meet terms & conditions of permit
<input type="checkbox"/> / <input type="checkbox"/> / <input type="checkbox"/>	Consistent with natural & cultural polices	<input type="checkbox"/> / <input type="checkbox"/> / <input type="checkbox"/>	Positive impact
<b>PERMITTED ACTIVITY:</b>		<b>ACTIVITY LOCATION:</b>	
<b>DATE:</b>	<b>TIME:</b>	<input type="checkbox"/> A.M. <input type="checkbox"/> P.M.	<b>TO:</b> <input type="checkbox"/> A.M. <input type="checkbox"/> P.M.
<b>NUMBER OF PARTICIPANTS:</b>		<b>PERFORMANCE BOND:</b>	
<b>CONDITIONS OF THIS ACTIVITY:</b>			

<b>ISSUING PARK/LOCATION:</b>	
<b>PHONE:</b>	<b>FAX:</b>
<b>STAFF CONTACT:</b>	<b>CELL:</b>
<b>APPROVER:</b>	<b>TITLE:</b>
<b>APPROVER SIGNATURE:</b>	<b>DATE:</b>

*\*The department may, in its discretion, cancel a special use permit in the event of any emergency, significant law enforcement problem or substantial threat to public welfare, safety or property, arising from or affecting this activity, or for breach of permit conditions.*

*\*The department retains the right to enter onto any park land at any time for the purposed of inspection or management.*

**THIS PERMIT TO BE MADE AVAILABLE, UPON REQUEST, ENTIRE DURATION OF THIS ACTIVITY**

*This permit is non-transferable.*

Cc:

Revision date November 2013 (version 2.0)