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DIVISION 1

PROCEDURAL RULES

622-001-0000
Notice of Proposed Rule

Prior to the adoption, amendment, or repeal of any permanent rule, the Oregon State Fair and Exposition Center shall give notice of the proposed adoption, amendment, or repeal:

(1) In the Secretary of State's Bulletin referred to in ORS 183.360 at least twenty-one (21) days before the effective date of the rule;

(2) By mailing a copy of the notice to persons on the Agency mailing list established pursuant to ORS 183.335(8) at least 28 days before the effective date of the rule;

(3) By mailing a copy of the notice to the following persons, organizations, or publications:

- (a) Western Fairs Association;
- (b) Oregon Fairs Association;
- (c) Amusement Business;
- (d) Associated Press;
- (e) Statesman-Journal;
- (f) The Oregonian;
- (g) Capital Press;
- (h) Department of Agriculture;
- (i) Agri-Business Council of Oregon;
- (j) Oregon State Grange;
- (k) Oregon Farm Bureau Federation;
- (l) Oregon State Fair Commission.

(4) By mailing a copy of the Notice to the legislators specified in ORS 183.335(15) at least 49 days before the effective date of the rule.

Stat. Auth.: ORS 183 & 565.060

Stats. Implemented: ORS 565.080

Hist.: 2FC 88, f. & ef. 12-23-76; FEC 1-1991, f. & cert. ef. 5-15-91; SFEC 1-2003, f. 1-15-03, cert. ef. 1-16-03; SFEC 1-2004, f. & cert. ef. 7-30-04

622-001-0005

Model Rules of Procedure

Pursuant to ORS 183.341, the Oregon State Fair and Exposition Center adopts the Attorney General's Model Rules of Procedure under the Administrative Procedures Act as amended and effective October 3, 2003.

[ED. NOTE: The full text of the Attorney General's Model Rules of Procedure is available from the agency.]

Stat. Auth.: ORS 565.060

Stats. Implemented: ORS 183

Hist.: 2FC 59, f. 1-27-72, ef. 2-15-72; 2FC 70, f. 11-21-73, ef. 12-11-73; 2FC 88, f. & ef. 12-23-76; 2FC 3-1978, f. & ef. 3-8-78; 2FC 3-1981, f. & ef. 11-25-81; FEC 1-1991, f. & cert. ef. 5-15-91; FEC 1-1996, f. & cert. ef. 8-22-96; SFEC 1-2003, f. 1-15-03, cert. ef. 1-16-03; SFEC 1-2004, f. & cert. ef. 7-30-04

DIVISION 10

PREMIUM LISTS

622-010-0000

Definitions

(1) The Oregon State Fair and Exposition Center (OSFEC) offers the opportunity during each annual State Fair for individuals to participate in certain activities and enter certain competitions. These activities and competitions are described in an annual publication called the "Exhibitor Handbook" for each Department and collectively called "Exhibitor Handbooks." The Exhibitor Handbooks list the rules, procedures, conditions, provisions, information, and fees for participation in these certain activities and competitions as well as the awards offered.

(2) "Department(s)" are various sections of activity that are divided by subject area. Departments include but are not limited to the subject areas listed below. OSFEC may add or delete Departments as necessary to reflect the interests of its participants.

- (a) Agriculture, Horticulture, Floriculture;
- (b) All Oregon Art Annual and Calligraphy Exhibit;
- (c) International Exhibition of Photography;

- (d) 4-H;
- (e) FFA;
- (f) Home Economics/Hobby Show, Special Contests;
- (g) Horse Show;
- (h) Livestock;
- (i) Small Animals — Poultry, Pigeons, Rabbits and Cavies;
- (j) Oregon Salon of Photography;
- (k) Amateur Beer;
- (l) Professional Wine;
- (m) Amateur Wine.

(3) "OSFEC" is an acronym for Oregon State Fair and Exposition Center.

(4) "State Fair" is the State Fair event held annually at Oregon State Fairgrounds in Salem, Oregon.

(5) "Entry Fee" is the fee that participants pay to participate in certain Department activities and/or competitions.

Stat. Auth.: ORS 565.060

Stats. Implemented: ORS 565.080

Hist.: 2FC 1-1979, f. & ef. 8-16-79; 2FC 1-1980, f. & ef. 7-16-80; 2FC 2-1981, f. & ef. 8-17-81; 2FC 1-1982, f. & ef. 8-2-82; 2FC 1-1983, f. & ef. 8-15-83; 2FC 1-1984, f. & ef. 8-16-84; FEC 1-1985, f. & ef. 7-16-85; FEC 2-1986, f. & ef. 8-19-86; FEC 1-1987, f. & ef. 8-14-87; FEC 4-1988(Temp), f. 8-22-88, cert. ef. 8-20-88; FEC 2-1989, f. 8-3-89, cert. ef. 8-4-89; FEC 1-1990, f. & cert. ef. 8-20-90; FEC 4-1991, f. & cert. ef. 8-27-91; FEC 2-1992, f. & cert. ef. 7-17-92; FEC 2-1993, f. & cert. ef. 7-22-93; FEC 1-1995, f. & cert. ef. 8-10-95; FEC 2-1996, f. & cert. ef. 8-22-96; FEC 3-1997, f. & cert. ef. 6-25-97; SFEC 1-2003, f. 1-15-03, cert. ef. 1-16-03

622-010-0006

Procedures for Obtaining Exhibitor Handbooks

(1) Parties interested in participating in Department activities and/or competitions may contact the administrative office of the Oregon State Fair & Exposition Center at 2330-17th Street NE, Salem OR 97303, PH: (503) 947-3247, FAX: (503) 947-3206, in person or by phone, mail, email, or fax to make an inquiry.

(2) Prior to the commencement of each annual State Fair, OSFEC shall make Exhibitor Handbooks available on the OSFEC web site for personal download or by mail upon request.

(3) Participants shall follow the instructions in the Exhibitor Handbooks in order to enter a particular activity or competition.

Stat. Auth.: ORS 565.060

Stat. Implemented: ORS 565.080

Hist.: FEC 3-1997, f. & cert. ef. 6-25-97; SFEC 1-2003, f. 1-15-03, cert. ef. 1-16-03

622-010-0011

Entry Fees

(1) Entry Fees for participation in some Department activities and/or competitions shall be established in the Exhibitor Handbook for each particular Department and shall be based on the following factors:

(a) Comparison with fees charged at similar state and county fairs and/or other similar events;

(b) Operational costs including, but not limited to, utilities, production, labor, facilities, equipment, and administration.

(2) Entry Fees published in the Exhibitor Handbooks cover most ordinary situations involving participation in State Fair Departments. OSFEC shall have authority to establish fees that are not specifically listed in the Exhibitor Handbooks.

(3) Entry fees shall be deposited in the Oregon State Fair & Exposition Center Account established in ORS 565.107.

Stat. Auth.: ORS 565.060

Stat. Implemented: ORS 565.080

Hist.: FEC 3-1997, f. & cert. ef. 6-25-97; SFEC 1-2003, f. 1-15-03, cert. ef. 1-16-03

DIVISION 20

BUILDINGS, FACILITIES, AND EQUIPMENT RENTAL COSTS

622-020-0001

Definitions

(1) "Permittee": Individual, group or organization entering into a written agreement with the Oregon State Fair and Exposition

Center (OSFEC) for use of buildings, facilities, services and/or equipment rental costs.

(2) "OSFEC": An acronym for Oregon State Fair and Exposition Center.

(3) "Director": The Director of the Oregon State Fair and Exposition Center as appointed under ORS 565.015(2).

(4) "Schedule of Rates and Fees": An annual publication listing rental rates and charges for buildings, facilities, services and/or equipment rented from the OSFEC by a Permittee.

(5) "Event": An activity, meeting, attraction or other occurrence in OSFEC with specific opening and closing dates and specific operating hours.

Stat. Auth.: ORS 565.060

Stats. Implemented: ORS 565.080

Hist.: FEC 2-1997, f. 2-28-97, cert. ef. 3-3-97; SFEC 1-2003, f. 1-15-03, cert. ef. 1-16-03

Policies

622-020-0140

Facilities Available for Rent and Schedule of Rates and Fees

(1) Certain facilities located on the OSFEC grounds are available for lease by Permittees throughout the calendar year, other than during the days of the annual Oregon State Fair. Permittees also have the option of renting accessory equipment owned and maintained by OSFEC to augment an Event in these facilities.

(2) Parties interested in use of OSFEC facilities may contact the OSFEC administrative office at 2330-17th Street NE, Salem OR 97303, PH: (503) 947-3247. OSFEC provides information about facilities and dates available, rental rates, and terms and conditions of use by telephone, on OSFEC's website and/or in writing. If an agreement is reached for use of a facility, OSFEC issues a Permit, which must be signed by the party and OSFEC. The Permit contains the terms and conditions of the Permit and describes the facilities being used, type of use, date of use, cost for use, and payment requirements. Permit may include an attachment which stipulates the policies and required procedures for use of the facility. A Permit must be fully executed before it is a binding reservation of a date.

(3) OSFEC offers the use of facilities, buildings, services, and/or equipment to interested parties based on one or more of the following factors:

(a) Reoccurring annual Events.

(b) Availability of facilities that are appropriate to meet the needs of the party.

(c) Ability to generate net profit to OSFEC.

(d) Agreement, and ability, to fulfill the requirements established by OSFEC for use of facilities.

(4) OSFEC may deny use of facilities, buildings, services, and/or equipment to interested parties based on one or more of the following factors:

(a) Nature of Event is not compatible with facilities available.

(b) Party has been unable to demonstrate adequate financial capability to pay required fees and charges, has a history of late payments or failure to pay, or is unable to acquire required insurance.

(c) Party has demonstrated inability to adhere to rules stipulated in Permit.

(d) A particular use may have a negative financial impact on OSFEC.

(e) A particular use may have a negative impact on another use or Event, or on OSFEC facilities or operations.

(5) Fees and charges for facilities, buildings, services, and/or equipment rental shall be charged according to OSFEC's current Schedule of Rates and Fees. The Schedule of Rates and Fees shall be published each July to be effective July 1 of the following year. The Schedule of Rates and Fees shall be mailed in July to all persons and organizations that have leased OSFEC facilities within the past twelve (12) months and to all interested persons requesting the information.

(6) Rates published in the Schedule of Rates and Fees shall be established based on one or more of the following factors:

(a) Comparison with similar facilities, events, and/or rental companies.

(b) Operational costs for utilities, labor, and facilities and grounds upkeep.

(c) Costs for equipment.

(d) Potential Event gross revenue (pertains only to Events that are primarily concerts and/or concert/dances).

(7) Director may waive, vary or increase, in whole or in part, the rates and fees established on the Schedule of Rates and Fees when it is determined that:

(a) Marketing opportunities exist to encourage use and increase revenues.

(b) Time frame for use varies from that specified on Schedule of Rates and Fees.

(c) Rate change would attract business when otherwise there would be none.

(8) OSFEC reserves the right to add a surcharge to fees and charges for facilities, buildings, services, and/or equipment rental for unusual and/or unexpected direct costs to OSFEC.

(9) Rates and fees published in the Schedule of Rates and Fees cover most ordinary situations involving use of buildings, facilities, services, and/or equipment. Director shall have authority to establish rates and fees at any time for buildings, facilities, services, activities and/or equipment that are not specifically listed in the annual Schedule of Rates and Fees.

Stat. Auth.: ORS 565.060

Stats. Implemented: ORS 565.080

Hist.: 2FC 2-1983, f. & ef. 11-22-83; FEC 3-1986, f. & ef. 12-18-86; FEC 1-1989, f. & cert. ef. 1-18-89; FEC 2-1991, f. 5-15-91, cert. ef. 9-1-91; FEC 4-1992, f. & cert. ef. 12-17-92; FEC 2-1997, f. 2-28-97, cert. ef. 3-3-97; SFEC 1-2003, f. 1-15-03, cert. ef. 1-16-03

622-020-0141

Payment

(1) New Permittees will be required to make deposit not to exceed 50% of the estimated facility rental fee upon signing the Permit. The balance of the facility rental fee may be due no later than two weeks prior to Event move-in. Additional charges incurred during Event must be paid on the last day of the Event. A fee of one and one-half percent (1-1/2%) per month, or portion thereof, may be assessed for late payments or the maximum permitted by law whichever is less.

(2) Returning Permittees may receive an alternative payment schedule.

Stat. Auth.: ORS 565.060

Stats. Implemented: ORS 565.080

Hist.: 2FC 2-1983, f. & ef. 11-22-83; FEC 1-1989, f. & cert. ef. 1-18-89; FEC 2-1991, f. 5-15-91, cert. ef. 9-1-91; FEC 4-1992, f. & cert. ef. 12-17-92; FEC 2-1997, f. 2-28-97, cert. ef. 3-3-97; SFEC 1-2003, f. 1-15-03, cert. ef. 1-16-03

622-020-0142

Insurance

A Certificate of Insurance may be required prior to each Event. Permittee will be provided with detailed insurance requirements.

Stat. Auth.: ORS 565.060

Stats. Implemented: ORS 565.080

Hist.: 2FC 2-1983, f. & ef. 11-22-83; FEC 2-1997, f. 2-28-97, cert. ef. 3-3-97; SFEC 1-2003, f. 1-15-03, cert. ef. 1-16-03

622-020-0143

Fire Marshal Regulations

All Fire Marshal Regulations must be adhered to. Permittee will be provided with copies of applicable regulations upon request.

Stat. Auth.: ORS 565.060

Stats. Implemented: ORS 565.080

Hist.: 2FC 2-1983, f. & ef. 11-22-83; FEC 2-1997, f. 2-28-97, cert. ef. 3-3-97

622-020-0144

Food Concessions

(1) All food and beverage items provided for sale to the general public must be sold by OSFEC's food contractor. Food contractor does not charge Permittee for this service, nor does Permittee receive revenue from food and beverage sales.

(2) Events that are food oriented may request an exemption to provide own food and beverage sales but shall pay a concession fee according to the Schedule of Rates and Fees for such privilege. Permittees requesting an exemption shall be required to put such pro-

posal in writing, which will be evaluated by the Director. Director's decision shall be final. Evaluation shall be based on whether or not food is an integral part of Event, type of food proposed (must be different from that served by OSFEC's food contractor) and OSFEC's food contractor's ability to provide same service.

(3) Director may, at his/her discretion, grant an exemption to any Event to provide food and/or beverage sales.

Stat. Auth.: ORS 565.060

Stats. Implemented: ORS 565.080

Hist.: 2FC 2-1983, f. & ef. 11-22-83; FEC 2-1991, f. 5-15-91, cert. ef. 9-1-91; FEC 4-1992, f. & cert. ef. 12-17-92; FEC 2-1997, f. 2-28-97, cert. ef. 3-3-97; SFEC 1-2003, f. 1-15-03, cert. ef. 1-16-03

622-020-0145

Catered Events

(1) All Permittees must use the primary food and/or alcohol caterer designated and licensed by OSFEC. All labor and equipment required specifically for a catered Event will be charged to Permittee at established rates.

(2) Director may, at his/her discretion, grant an exemption to any Event to provide food and/or beverage catering.

Stat. Auth.: ORS 565.060

Stats. Implemented: ORS 565.080

Hist.: 2FC 2-1983, f. & ef. 11-22-83; FEC 4-1992, f. & cert. ef. 12-17-92; FEC 2-1997, f. 2-28-97, cert. ef. 3-3-97; SFEC 1-2003, f. 1-15-03, cert. ef. 1-16-03

622-020-0147

Security

Permittee may be required to hire a specified number of security personnel from OSFEC's approved security contractor(s) at the contractor's established rate.

Stat. Auth.: ORS 565.060

Stats. Implemented: ORS 565.080

Hist.: 2FC 2-1983, f. & ef. 11-22-83; FEC 2-1991, f. 5-15-91, cert. ef. 9-1-91; FEC 4-1992, f. & cert. ef. 12-17-92; FEC 2-1997, f. 2-28-97, cert. ef. 3-3-97; SFEC 1-2003, f. 1-15-03, cert. ef. 1-16-03

622-020-0148

Parking

For certain events held at the Oregon State Fairgrounds or Salem Armory Auditorium, a daily parking fee may be assessed as stated in the Schedule of Rates and Fees.

Stat. Auth.: ORS 565.060

Stats. Implemented: ORS 565.080

Hist.: FEC 1-1989, f. & cert. ef. 1-18-89; FEC 2-1991, f. 5-15-91, cert. ef. 9-1-91; FEC 2-1997, f. 2-28-97, cert. ef. 3-3-97

622-020-0149

Submission of Event Set-Up Requirements

Permittee is required to submit floor plans, equipment orders, electrical orders, and any other instructions to the OSFEC program manager assigned to the Event in writing no later than ten (10) working days prior to Event move-in. Any changes to above instructions must be provided in writing no later than five (5) days prior to Event move-in. Failure to do so may result in penalty fees. If changes must be made after set-up has already been completed, Permittee may be billed for labor according to the Schedule of Rates and Fees.

Stat. Auth.: ORS 565.060

Stats. Implemented: ORS 565.080

Hist.: FEC 2-1991, f. 5-15-91, cert. ef. 9-1-91; FEC 2-1997, f. 2-28-97, cert. ef. 3-3-97; SFEC 1-2003, f. 1-15-03, cert. ef. 1-16-03

622-020-0153

Protests

(1) Any protest of OSFEC actions regarding OAR 622 division 20 must be in writing, delivered in person or by certified mail, to OSFEC's Event Manager within ten (10) business days of occurrence of protested action, and must make specific citation to the law, rule, regulation, or practice upon which the appeal is based. Event Manager will respond in writing within ten (10) business days of receipt of protest.

(2) If satisfaction is not achieved then written protest may be delivered in person or by certified mail to OSFEC's Director of Marketing and Sales within ten (10) business days of receipt of response from Event Manager, and must make specific citation to the law, rule, regulation, or practice upon which the appeal is based. Director of

Marketing and Sales will respond in writing within ten (10) business days from receipt of protest.

(3) If satisfaction is not achieved then written protest may be delivered in person or by certified mail to OSFEC's Director within ten (10) business days from receipt of response from the Director of Marketing and Sales, and must make specific citation to the law, rule, regulation, or practice upon which the appeal is based. Director will respond, in writing, within ten (10) business days of receipt of protest. The decision of Director shall be final.

Stat. Auth.: ORS 565.060

Stats. Implemented: ORS 565.080

Hist.: FEC 2-1997, f. 2-28-97, cert. ef. 3-3-97; SFEC 1-2003, f. 1-15-03, cert. ef. 1-16-03

DIVISION 30

ADVERTISING, CANVASSING, OR SOLICITING

622-030-0005

Advertising, Canvassing, or Soliciting — Fairtime

(1) No advertising, canvassing or soliciting, and no dissemination of written materials is permitted within the fenced-in portions of the Oregon State Fair & Exposition Center property, and the air space above, except by persons exhibiting as lessees under exhibit space or sponsorship agreements signed by the Oregon State Fair and Exposition Center.

(2) No person or group shall use the properties of the Oregon State Fair and Exposition Center to advertise products, goods, or services of a commercial nature, or solicit funds without the expressed written consent of the Oregon State Fair & Exposition Center. Canvassing, soliciting, and dissemination of written materials of a non-commercial nature is permitted on the Fair parking lot and on other property of the Oregon State Fair outside the fenced-in portions of the Oregon State Fairgrounds. Such activities must be conducted in accordance with the following conditions:

(a) Parking lot entrances, exits, and travel lanes must not be obstructed. Interference with traffic flow and with the duties of traffic attendants is prohibited.

(b) The use of land vehicles, including but not limited to cars, trucks, and other motorized vehicles, bicycles, scooters, skateboards, and skates is prohibited. Use of air vehicles is prohibited. Use of land vehicles as platforms or other temporary or permanent structures or platforms is prohibited.

(c) A person conducting such activity shall not place pamphlets, leaflets, or other material in or on any vehicles in the parking lots. Such activity must be conducted with pedestrians only, after their vehicles have been parked and they have exited.

(d) Loudspeakers and other sound devices are prohibited.

(e) Activity causing a crowd to gather is prohibited if pedestrian or vehicular traffic is obstructed or impeded.

(f) Activity conducted within twenty feet of an admission gate or ticket booth is prohibited.

(g) Active obstruction of a Fair employee, contractor, subcontractor, agent or visitor's line of travel or active detention of a Fair employee, contractor, subcontractor, agent or visitor against his will is prohibited.

(h) Abusive language and actual or threatened physical harm directed against a Fair employee, contractor, subcontractor, agent or visitor is prohibited.

(3) Any person or group canvassing, soliciting or disseminating materials covered by this administrative rule must fill out a registration form 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 Oregon State Fair & Exposition Center, 2330 17th Street NE, Salem, Oregon, 97303, at least 24 hours prior to such canvassing, soliciting or dissemination of material. Materials not submitted at least 24 hours in advance shall not be used.

Stat. Auth.: ORS 565.060

Stats. Implemented: ORS 565.080

Hist.: 2FC 86(Temp), f. & ef. 8-31-76; 2FC 87(Temp), f. & ef. 9-2-76 thru 12-30-76; 2FC 89, f. & ef. 4-22-77; 2FC 4-1978, f. & ef. 7-18-78; FEC 3-1989, f. 8-3-89, cert. ef. 8-4-89; FEC 5-1992, f. & cert. ef. 12-17-92; FEC 2-1993, f. &

cert. ef. 7-22-93; SFEC 1-2003, f. 1-15-03, cert. ef. 1-16-03; SFEC 1-2004, f. & cert. ef. 7-30-04

622-030-0010

Advertising, Canvassing, or Soliciting — Non-Fairtime

(1) No advertising, canvassing or soliciting, and no dissemination of written material is permitted on the property of the Oregon State Fair & Exposition Center, except in areas under the control, and rented by, a permittee(s). All such activity must be approved by the permittee(s) and confined to the areas within and/or adjacent to the facilities under the permittee's control. These areas include, but are not limited to, exhibit halls, barns, entrances, walkways and areas adjacent to such areas, such as parking lots.

(2) Persons or groups are not prohibited from advertising, canvassing or soliciting on public sidewalks located on 17th Street, Silverton Road, Evergreen Avenue, or Sunnyview Avenue, however, their activities may be restricted by city ordinance if such activities disturb the public peace, impede pedestrian or vehicular traffic, or create a public disturbance.

(3) Persons or groups are not prohibited from renting space in available facilities, outside the control of other permittee(s), for the purpose of advertising, canvassing or soliciting. Available facilities do not include public parking lots used or available for use during other activities or events.

Stat. Auth.: ORS 565.060

Stats. Implemented: ORS 565.080

Hist.: FEC 5-1992, f. & cert. ef. 12-17-92; SFEC 1-2003, f. 1-15-03, cert. ef. 1-16-03

DIVISION 45

COMMERCIAL EXHIBIT SPACE

622-045-0000

Definitions

(1) The Oregon State Fair and Exposition Center offers the privilege of occupying certain locations on the Oregon State Fairgrounds during each annual State Fair for the purpose of sales and/or displays of goods and services or the dissemination of information under certain conditions and for certain fees. Such locations are called "Paid Exhibit Space."

(2) Individuals, organizations, companies, or associations occupying such locations are called "Commercial Exhibitors" or "Exhibitors."

(3) "OSFEC" is an acronym for Oregon State Fair and Exposition Center.

(4) "Director" is the Director of the Oregon State Fair and Exposition Center as appointed under ORS 565.015(2).

(5) "State Fair" is the State Fair event held annually at Oregon State Fairgrounds in Salem, Oregon.

(6) "Handbook" is the publication created annually which lists the rules, conditions, provisions, information, and fees for occupation of Paid Exhibit Space.

(7) "Exhibit Areas" are various areas or zones on the fairgrounds that are characterized by the type of Exhibitors occupying paid exhibit space there. Such exhibit areas include but are not limited to Commercial Exhibit Areas, Artisan's Village, and other commercial-style attractions.

Stat. Auth.: ORS 565.060

Stats. Implemented: ORS 565.080

Hist.: FEC 3-1991, f. & cert. ef. 5-15-91; FEC 1-1997, f. & cert. ef. 2-10-97; SFEC 1-2003, f. 1-15-03, cert. ef. 1-16-03

622-045-0005

Procedures for Obtaining Paid Exhibit Space

(1) Parties interested in the use of Paid Exhibit Space may contact the administrative office of the Oregon State Fair & Exposition Center at 2330-17th Street NE, Salem OR 97303, PH: (503) 947-3247 in person or by phone, mail, email, or fax to make an inquiry.

(2) Procedures for obtaining exhibit space in a particular Exhibit Area along with fees, conditions, rules, and other information about exhibiting in that area shall be specified in the Handbook for each Exhibit Area.

(3) Prior to the commencement of each annual State Fair, OSFEC shall make the Handbook available on the OSFEC web site for personal download or by mail upon request.

(4) OSFEC shall select Exhibitors for participation in each annual State Fair, and the locations where such exhibits may be presented, based on the factors listed below. Exhibitors may be denied exhibit space based on the lack of one or more of these factors.

(a) Number of years exhibitor has participated in past State Fairs;

(b) Quality, uniqueness, and appeal of product, service, or information to be promoted as assessed by OSFEC's knowledge of current market interest and demand;

(c) Timeliness of application submission;

(d) Compatibility of exhibit with other exhibits;

(e) Appropriateness of exhibit for State Fair audience;

(f) Ability, and/or experience, providing adequate customer service;

(g) References from other similar venues;

(h) Layout options and space availability;

(i) Balance of product with others being offered;

(j) For returning applicants, a satisfactory history of exhibiting at State Fair including satisfactory compliance with applicable rules, policies, and procedures.

(5) OSFEC's acceptance of an Exhibitor and assignment of specific space location will be evidenced by presentation to Exhibitor of a License to do Business, which shall pertain to the period stipulated on the license and shall not give Exhibitor any rights nor create the expectation or assurance that the license or privileges granted therein shall be extended for any other period. Such license shall be effective upon signature of Exhibitor and OSFEC and payment of required deposits.

Stat. Auth.: ORS 565.060

Stats. Implemented: ORS 565.080

Hist.: FEC 3-1991, f. & cert. ef. 5-15-91; FEC 1-1992, f. 4-21-92, cert. ef. 4-22-92; FEC 1-1997, f. & cert. ef. 2-10-97; SFEC 1-2003, f. 1-15-03, cert. ef. 1-16-03

622-045-0010

Exhibit Space Fees

(1) Fees for the use of exhibit space and costs for associated services such as, but not limited to electricity, production, admission, and parking shall be established in the Handbook for each particular Exhibit Area and shall be based on the following factors:

(a) Comparison with fees charged at similar large fairs and/or other similar events;

(b) Operational costs for utilities, labor, facilities, equipment, and administration.

(2) The Director may waive or vary, in whole or in part, the rates and fees established in the Handbook when it is determined that:

(a) Marketing opportunities exist to encourage use;

(b) Time frame for use varies from that specified in Handbook;

(c) Configuration of space layout varies from that specified in Handbook;

(d) Rate change would attract business when otherwise there would be none.

(3) Fees, conditions, rules, and other information about exhibiting in a particular Exhibit Area published in the Handbook cover most ordinary situations involving exhibit space at the State Fair. The Director shall have authority to establish fees, conditions, rules, and other information about exhibiting in a particular Exhibit Area that are not specifically listed in the Handbook.

Stat. Auth.: ORS 565.060

Stats. Implemented: ORS 565.080

Hist.: FEC 3-1991, f. & cert. ef. 5-15-91; FEC 1-1992, f. 4-21-92, cert. ef. 4-22-92; FEC 1-1993, f. 3-25-93, cert. ef. 3-26-93; FEC 1-1997, f. & cert. ef. 2-10-97; SFEC 1-2003, f. 1-15-03, cert. ef. 1-16-03

622-045-0015

Compliance Procedures

During the annual State Fair, in the event an Exhibitor refuses to comply with fees, conditions, rules, or other information as outlined in the Handbook or License to do Business, OSFEC will take the following action:

(1) Upon first observance of Exhibitor noncompliance, OSFEC staff will talk with Exhibitor on an informal basis to inform Exhibitor of infraction and request compliance.

(2) If Exhibitor noncompliance reoccurs, OSFEC will issue to Exhibitor written notice of noncompliance, stipulating that Exhibitor comply within a specified period of time.

(3) If Exhibitor fails to comply with first written notice within the specified period of time, OSFEC will require Exhibitor to meet with OSFEC regarding the infraction at a specified date and time. Failure of Exhibitor to attend meeting will result in exhibit space being revoked and Exhibitor required to remove booth furnishings immediately, or OSFEC will remove furnishings and store them at a fee of \$100 per day or portion thereof. OSFEC reserves the right to lease the booth to a new Exhibitor the remaining dates and times of the State Fair.

(4) If Exhibitor continues noncompliance, or fails to comply with agreements reached during above meeting within the specified period of time, exhibit space will be revoked and Exhibitor will be required to remove booth furnishings immediately, or OSFEC will remove furnishings and store them at a fee of \$100 per day or portion thereof. OSFEC reserves the right to lease the booth to a new Exhibitor the remaining dates and times of the State Fair.

(5) Due to the annual State Fair occurring during a specified timeframe, time is of the essence with regard to these proceedings. "Specified period of time" as referred to in 622-045-0015 may be measured in hours or days.

(6) If Exhibitor noncompliance occurs on the last day of the State Fair when it is not feasible to invoke compliance procedures, Exhibitor will be notified of noncompliance in writing within 30 days of occurrence.

Stat. Auth.: ORS 565.060

Stats. Implemented: ORS 565.080

Hist.: FEC 1-1997, f. & cert. ef. 2-10-97; SFEC 1-2003, f. 1-15-03, cert. ef. 1-16-03

622-045-0019

Protest Procedures

(1) Any protest of OSFEC actions regarding chapter 622 division 45 must be in writing and delivered in person or by certified mail to the OSFEC Event and Sales Manager within three (3) business days of occurrence, and must make specific citation to the law, rule, regulation, or practice upon which the appeal is based. The Event and Sales Manager will respond in writing within two (2) business days of receipt of protest.

(2) If satisfaction is not achieved then written protest may be delivered in person or by certified mail to the OSFEC Director of Marketing within three (3) business days of receipt of response from Event and Sales Manager, and must make specific citation to the law, rule, regulation, or practice upon which the appeal is based. Director of Marketing will respond in writing within two (2) business days of receipt of protest.

(3) If satisfaction is not achieved then written protest may be delivered in person or by certified mail to the Director within three (3) business days of receipt of response from Director of Marketing, and must make specific citation to the law, rule, regulation, or practice upon which the appeal is based. Director will respond in writing within two (2) business days of receipt of protest. The decision of the Director shall be final.

(4) If protest occurs during the operation of the annual State Fair, or within one week prior to commencement of the annual State Fair, time is of the essence. In that instance, written protests received within three (3) calendar days of occurrence will go directly to the Director, who will respond within two (2) calendar days of receipt of protest. The decision of the Director shall be final.

Stat. Auth.: ORS 565.060

Stats. Implemented: ORS 565.080

Hist.: FEC 1-1997, f. & cert. ef. 2-10-97; SFEC 1-2003, f. 1-15-03, cert. ef. 1-16-03

DIVISION 55

ITEMS AND ACTIVITIES PROHIBITED
ON FAIRGROUNDS

622-055-0003

Definitions

(1) "Firearm" means a weapon, by whatever name known, which is designed to expel a projectile by the action of powder and which is readily capable of use as a weapon.

(2) "Weapon" includes, but is not limited to, any firearm; any destructive device; any dirk or dagger; any knife with a blade of three inches or more in length, and any snap-blade or spring-blade knife, regardless of the length of the blade; any ice pick or similar sharp stabbing tool; any straight-edge razor or any razor blade fitted to a handle; any device by whatever name known, which is designed to expel a projectile by the action of compressed air, gas, compressed spring or by any chemical action; any dangerous or deadly weapon within the meaning of any law of this state restricting the use thereof; any cutting, stabbing or bludgeoning weapon or any other device capable of inflicting grievous bodily harm.

(3) "Destructive Device" means:

(a) A projectile containing an explosive or incendiary material or any other chemical substance;

(b) Ammunition, ammunition components including, but not limited to, smokeless powder, black powder, primers and percussion caps;

(c) A bomb, grenade, missile, or similar device or any launching device therefore; or

(d) Any weapon of mass destruction including any device capable of producing injury, death or property damage by way of release or discharge of chemical or biological agents, disease or radiation.

Stat. Auth.: ORS 565.060

Stats. Implemented: ORS 565.080

Hist.: SFEC 1-2002(Temp), f. 7-10-02 cert. ef. 8-1-02 thru 1-15-03; SFEC 1-2003, f. 1-15-03, cert. ef. 1-16-03

622-055-0005

Items Prohibited On Fairgrounds

(1) The following items are prohibited on the property owned or controlled ("fairgrounds") by the Oregon State Fair and Exposition Center ("OSFEC") unless specifically authorized in this rule:

(a) Bicycles, skateboards, roller blades, scooters;

(b) Unauthorized vehicles;

(c) Unauthorized animals, reptiles, insects, arachnids and other pets;

(d) Weapons;

(e) Fireworks, explosives or explosive devices, and inflammables;

(f) Alcohol or alcoholic beverages;

(g) Controlled substances; or

(h) Any other object or objects which in the opinion of the Director or his/her designee may affect the safety and well-being of persons attending events at the fairgrounds.

(2) Exceptions to the above prohibitions are limited to:

(a) Weapons of law enforcement officials and those carried by persons authorized by law to carry them when carried in a manner authorized by law;

(b) Alcoholic beverages and alcoholic beverage containers belonging to OSFEC, licensed concessionaires or catering services contracting with OSFEC;

(c) Prohibited items that have been permitted by OSFEC by virtue of a signed agreement;

(d) Fireworks in the custody of any group operating or presenting an officially sanctioned fireworks display;

(e) Bicycles, skateboards, roller blades, scooters are permitted on the property outside the fenced areas;

(f) Prescription medications;

(g) Prohibited items in the possession of employees of OSFEC and its licensees and contractors that are required in the performance of their official duties. Employees of OSFEC and its licensees and contractors may not carry personal prohibited items that are not necessary for the performance of their official duties;

(h) Prohibited items in the possession of exhibitors that are necessary for daily care and/or preparation of animals and/or for showing and are used only for preparation and showing purposes; and

(i) Such prohibited items expressly permitted in writing by the Director or his/her designee.

Stat. Auth.: ORS 565.060

Stats. Implemented: ORS 565.080

Hist.: FEC 3-1992(Temp), f. 8-26-92; cert. ef. 8-27-92; FEC 6-1992, f. & cert. ef. 12-17-92; SFEC 1-2002(Temp), f. 7-10-02 cert. ef. 8-1-02 thru 1-15-03; SFEC 2-2002(Temp), f. 7-26-02, cert. ef. 8-1-02 thru 1-15-03; SFEC 1-2003, f. 1-15-03, cert. ef. 1-16-03

622-055-0009

Sanctions

Any person or group violating the above-referenced rules shall be the basis for revocation of the person's or group's license and as such subject to being requested to promptly leave the grounds. Failure to promptly leave the grounds upon request of the OSFEC personnel, agents or law enforcement officials shall be considered trespass.

Stat. Auth.: ORS 565.060

Stats. Implemented: ORS 565.080

Hist.: SFEC 1-2002(Temp), f. 7-10-02 cert. ef. 8-1-02 thru 1-15-03; SFEC 1-2003, f. 1-15-03, cert. ef. 1-16-03

622-055-0010

Inspections During State Fair and Other OSFEC-Controlled Events

(1) OSFEC employees or agents may request, as a condition of the license to enter, that persons about to enter allow them to look inside all purses, backpacks, briefcases, suitcases, athletic bags, packages, duffel bags, coolers, ice chests, picnic baskets, diaper bags, strollers, carts and other similar items capable of concealing prohibited items ("containers").

(2) OSFEC staff or agents requesting such an inspection shall do so outside the fairgrounds' gates or such other reasonable places as designated by the Director or his/her designee. The person(s) entering the facility will be asked by OSFEC staff or agents to reveal the items in the container. They shall inform person(s) in possession of containers to which the inspection request pertains that they are free to decline the inspection and may receive a refund of the price of the ticket and parking (if admission or parking fees were incurred) upon surrender of their tickets or, in the alternative, the persons may discard the container or prohibited items in the container or return them to a vehicle without inspection and then enter without such items.

(3) Most searches are visual. At the option of OSFEC staff, agents or law enforcement officers, other search measures may be employed, including but not limited to electronic, chemical or physical inspections such as "pat downs."

(4) If prohibited items are discovered during an inspection, the possessor of such items shall be offered the choice of discarding them in a public trash receptacle or of returning them to a vehicle. Possession of Weapons or controlled substances may also be reported to law enforcement officials.

(5) If prohibited items are possessed by a person inside the facility, that person shall be considered to have violated the license to enter. The license is then revoked and the person(s) shall be requested to leave immediately. A refusal or failure to leave following such a request can cause the person to be treated as a trespasser.

(6) If a refund is requested under the provisions of section (2) of this rule, a bearer coupon shall be completed and delivered promptly by OSFEC officials. Such a coupon shall specify the location, date, and refund to be made. This bearer coupon may be redeemed immediately at the nearest admission booth or mailed within 30 days to the OSFEC business office, along with parking and/or admission tickets to be reimbursed, for a full refund.

(7) Prohibited items which may be seen without inspection are subject to the same consequences as specified in section (4) of this rule.

(8) Signs shall be prominently displayed at entrances to the facilities generally identifying prohibited items, and providing notification of the request for inspection.

Stat. Auth.: ORS 565.060

Stats. Implemented: ORS 565.080

Hist.: SFEC 1-2003, f. 1-15-03, cert. ef. 1-16-03

622-055-0015

Inspections During Other Than OSFEC-Controlled Events

(1) OSFEC may require, as a condition of license or permit for use of fairgrounds' facilities during non-Fairtime periods, that facility users provide a certain level of security for the sole purpose of protecting OSFEC facilities.

(2) Facility users are solely responsible to determine, enhance, and institute security levels beyond those required, if any, by OSFEC based on the nature of the event to protect the facilities and any property contained therein as well as their guests, employees, customers, clients, contractors, and other individuals attending or associated with an event held in OSFEC facilities.

Stat. Auth.: ORS 565.060

Stats. Implemented: ORS 565.080

Hist.: SFEC 1-2003, f. 1-15-03, cert. ef. 1-16-03

622-055-0020

Activities Prohibited On Fairgrounds

No person or group shall participate in loud, rude and/or unreasonable behavior; disturb the public peace; make threatening comments, actions or gestures towards others; obstruct the use and enjoyment of any facility, area or event; act in a disorderly manner; or participate in any behavior or activity which in the opinion of the Director or his/her designee may affect the safety and well-being of persons attending events at the fairgrounds.

Stat. Auth.: ORS 565.060

Stats. Implemented: ORS 565.080

Hist.: SFEC 1-2003, f. 1-15-03, cert. ef. 1-16-03

622-055-0025

Sanctions

Any person or group violating the above-referenced rules shall be the basis for revocation of the person's or group's license and as such subject to being requested to promptly leave the fairgrounds. Failure to promptly leave the fairgrounds upon request of OSFEC personnel, agents or law enforcement officials shall be considered trespass.

Stat. Auth.: ORS 565.060

Stats. Implemented: ORS 565.080

Hist.: SFEC 1-2003, f. 1-15-03, cert. ef. 1-16-03

DIVISION 65

GENERAL FEES

622-065-0001

Returned Checks

The Oregon State Fair and Exposition Center may assess a fee of \$15.00 for each personal or business check returned by our bank. The fee may be assessed in addition to any legal remedies the Oregon State Fair and Exposition Center may pursue to effect collection of the returned items.

Stat. Auth.: ORS 565.060

Stats. Implemented: ORS 565.080

Hist.: FEC 1-1991, f. & cert. ef. 5-15-91; SFEC 1-2003, f. 1-15-03, cert. ef. 1-16-03

622-065-0002

Credit Card Returns

The Oregon State Fair and Exposition Center may assess a fee of \$15.00 for each VISA or MasterCard charge returned by our bank. The fee may be assessed in addition to any legal remedies the Oregon State Fair and Exposition Center may pursue to effect collection of the returned items.

Stat. Auth.: ORS 565.060

Stats. Implemented: ORS 565.080

Hist.: FEC 1-1991, f. & cert. ef. 5-15-91; SFEC 1-2003, f. 1-15-03, cert. ef. 1-16-03

622-065-0003

Late Payments

The Oregon State Fair and Exposition Center may assess a fee of 1.5% per month or portion thereof on any unpaid balances due the agency if not paid within 30 days of billing. The fee may be assessed in addition to any legal remedies the Oregon State Fair and Exposition Center may pursue to effect collection of the late payments.

Stat. Auth.: ORS 565.060

Stats. Implemented: ORS 565.080

Hist.: FEC 1-1991, f. & cert. ef. 5-15-91; SFEC 1-2003, f. 1-15-03, cert. ef. 1-16-03

622-065-0010

Photocopying Charges

The Oregon State Fair and Exposition Center may provide photocopies of the agency's public records for a copying fee of \$.05 per single sided letter-sized copy or \$.10 per double-sided copy. Legal size copies are \$.20 and \$.30 respectively. Ledger-sized copies (11" x 14") are \$.50, single sided only, per page. Oregon State Fair & Exposition Center reserves the right to set a minimum number of copies allowed per person.

Stat. Auth.: ORS 565.060

Stats. Implemented: ORS 565.080

Hist.: FEC 1-1991, f. & cert. ef. 5-15-91; SFEC 1-2003, f. 1-15-03, cert. ef. 1-16-03

622-065-0011

Facsimile Machine Usage

The Oregon State Fair and Exposition Center may make its facsimile machine available for public usage at rates not to exceed the following:

(1) To Send: For local numbers \$.50 for first page, \$.10 per page thereafter. For long distance numbers (not including international) \$1.00 for first page, \$.25 per page thereafter. Faxes may not be sent to international numbers. Oregon State Fair & Exposition Center reserves the right to set a minimum number of pages to be faxed per person.

(2) To Receive: \$.10 per page.

Stat. Auth.: ORS 565.060

Stats. Implemented: ORS 565.080

Hist.: FEC 1-1991, f. & cert. ef. 5-15-91; FEC 2-1993, f. & cert. ef. 7-22-93; SFEC 1-2003, f. 1-15-03, cert. ef. 1-16-03

