

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR COLUMBIA COUNTY, OREGON

In the Matter of Adopting)
 the Columbia County Fair) ORDINANCE NO. 98-7
 Ordinance)
 _____)

The Board of Commissioners for Columbia County ordains as follows:

SECTION 1. TITLE.

This ordinance shall be known as Ordinance No. 98-7. Exhibit "A", which is attached hereto and incorporated herein by this reference, shall be known as the "Columbia County Fair Ordinance".

SECTION 2. AUTHORITY.

This ordinance is adopted pursuant to ORS 203.035.

SECTION 3. PURPOSE.

The purpose of this ordinance is to adopt the Columbia County Fair Ordinance. The Fair Ordinance establishes the Columbia County Fair Department, describes the membership and authority of the Columbia County Fair Board, establishes the Columbia County Fair Fund, dedicates proceeds from the sale of forest products from Apple Valley County Forest to the use of the Columbia County Fair and Fair Department, and provides a means to enforce the rules, regulations and fee schedules of the Fair Board.

SECTION 4. ADOPTION.

The "Columbia County Fair Ordinance", a copy of which is attached hereto, labeled Exhibit "A" and incorporated herein by this reference, is hereby adopted.

SECTION 5. SEVERABILITY.

If any provision of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent

provision and such holding shall not affect the validity of the remaining portions of this ordinance.

SECTION 6. EFFECTIVE DATE.

This ordinance shall take effect on Oct 13, 1998.

DATED this 15th day of July, 1998.

Approved as to form

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: John K. Knight
Office of County Counsel

By: Joe E. Garbo
Chairman

Attest:

By: [Signature]
Commissioner

By: Jan Sunrath
Recording Secretary

By: Jack R. Peterson
Commissioner

First Reading: 7-1-98
Second Reading: 7-15-98
Effective Date: 10-13-98

EXHIBIT "A"

COLUMBIA COUNTY FAIR ORDINANCE

Adopted by Ordinance No. 98-7

on July 15, 1998

COLUMBIA COUNTY FAIR ORDINANCE

ARTICLE I

PREAMBLE

SECTION 1. TITLE.

This ordinance shall be known as the "Columbia County Fair Ordinance".

SECTION 2. DEFINITIONS.

As used in this ordinance:

A. Columbia County Fair. "Columbia County Fair" or the "Fair" means an exhibition held for the purposes of disseminating knowledge concerning, and encouraging the growth and prosperity of, all agricultural, stock raising, horticultural, mining, mechanical, artistic and industrial pursuits in Columbia County, including the racing of animals and vehicles.

B. Columbia County Fair Board. "Columbia County Fair Board" or the "Fair Board" means the board of not less than three nor more than seven residents of Columbia County appointed by the Board of County Commissioners to manage the Columbia County Fair.

C. Columbia County Fair Fund. "Columbia County Fair Fund" or the "Fair Fund" means the fund within the Columbia County Budget in which monies devoted to the use of the Columbia County Fair are held.

D. Columbia County Fairgrounds. "Columbia County Fairgrounds" or the "Fairgrounds" means the ground and all other property owned, leased, used or controlled by Columbia County and devoted by order of the Board of County Commissioners to the use of the Columbia County Fair. For purposes of this ordinance, the Fairgrounds does not include Apple Valley County Forest.

E. Columbia County Fairgrounds Administrator. "Columbia County Fairgrounds Administrator" or the "Administrator" means the person appointed by the Columbia County Fair Board to manage the daily business of the Columbia County Fair and Fair Department.

ARTICLE II

ADMINISTRATION

SECTION 1. COLUMBIA COUNTY FAIR DEPARTMENT.

The Columbia County Fair Department is hereby established as a department within Columbia County government with the purpose of conducting the Columbia County Fair and other events as provided by ORS 565.230.

SECTION 2. COLUMBIA COUNTY FAIR BOARD.

Consistent with ORS 565.210 through 565.330, the Board of County Commissioners shall appoint the members of the Columbia County Fair Board who shall serve at the pleasure of the Board of County Commissioners. The Fair Board shall have the exclusive management of the Columbia County Fairgrounds and shall have such other powers and duties as are spelled out for it under ORS 565.210 through 565.330. The Fair Board shall meet regularly and adopt adequate by-laws to govern its meetings and business. The Fair Board shall conduct its affairs consistent with ORS 565.210 through 565.330 and the ordinances, policies and budget adopted by the Board of County Commissioners.

SECTION 3. COLUMBIA COUNTY FAIRGROUNDS ADMINISTRATOR.

The Columbia County Fair Board shall have the authority to appoint a Columbia County Fairgrounds Administrator. The Administrator shall serve under, and at the pleasure of, the Fair Board. The Administrator shall attend all meetings of the Columbia County Fair Board, manage the daily business of the Columbia County Fair, and act as a liaison between the Fair Board and the Board of County Commissioners. In the absence of an Administrator, the Fair Board shall manage the daily business of the Columbia County Fair and Fair Department.

SECTION 4. COLUMBIA COUNTY FAIR FUND.

There is hereby established a separate County fund, kept by the Columbia County Treasurer, to be known as the Columbia County Fair Fund. All moneys received from activities conducted at the Fair or at the Fairgrounds or its facilities, and all moneys received by the Fair as the licensee for pari-mutuel wagering on races conducted at or on behalf of the Fair shall be deposited in

the Fair Fund. After the first \$165,000 of proceeds from the sale of forest products from Apple Valley County Forest has been paid into the Forest, Parks and Recreation Fund as provided by Article I, Section 4, of the Columbia County Forest, Parks and Recreation Ordinance as amended by Ordinance No. 98-6, all proceeds from the sale of forest products from Apple Valley County Forest shall also be placed in the Fair Fund. Any interest or earnings on the moneys placed within the Fair Fund shall be credited to the Fair Fund. The moneys within the Fair Fund shall be used only for the promotion and operation of the County Fair, and to provide, maintain and improve the Fairgrounds, and the buildings, facilities and improvements on the Fairgrounds, for the County Fair and other events authorized by the Fair Board, and, for fiscal years 1997-98 through 1999-2000, in a total amount not to exceed \$150,000, for paying the salary and benefits of the Fairgrounds Administrator. Beginning the fiscal year 2000-2001, proceeds from the sale of forest products from Apple Valley County Forest shall only be used for capital expenditures for the use of the Columbia County Fair Department. The Fair Board may draw warrants upon the Fair Fund consistent with ORS 565.315.

SECTION 5. RULES, REGULATIONS AND FEE SCHEDULES.

Consistent with ORS 565.230 and 565.240, the Fair Board may adopt rules and regulations and fee schedules necessary for the proper conduct and management of the Columbia County Fair and other events authorized by the Fair Board. The rules and regulations and fee schedules shall be in writing and may be adopted by an order or resolution referencing such rules and regulations and fee schedules. Such rules and regulations and fee schedules shall become effective and have the force of law when notice thereof is given by posting copies of them at or by the main entrance of the Fairgrounds. At such time all previous rules and regulations and fee schedules governing the use of the Fairgrounds shall be repealed. The Fair Board, the Administrator, or such other person as may be designated by the Fair Board shall certify in writing to the Board of County Commissioners the date and method of providing such notice. Any rules and regulations and fee schedules adopted prior to the effective date of this ordinance are hereby ratified and shall remain in full force and effect until amended or repealed as if they were originally adopted under the terms of this ordinance.

/////
/////

SECTION 6. ENFORCEMENT.

The rules and regulations and fee schedules adopted pursuant to Section 5 of this ordinance is enforceable under, and violators thereof are subject to the penalties provided in, the Columbia County Enforcement Ordinance.