

Order 11 – 04/05

Passage: 7/19/04 8-0 (Leeman absent)

NATHAN H. SMITH (MAYOR)(3)
WILLIAM R. GORHAM (1)
KAREN A. GERAGHTY (2)
CHERYL A. LEEMAN (4)
JAMES I. COHEN (5)

CITY OF PORTLAND
IN THE CITY COUNCIL

PETER E. O'DONNELL (A/L)
JAMES F. CLOUTIER(A/L)
JILL C. DUSON (A/L)
NICHOLAS M. MAVODONES (A/L)

**ORDER DECLARING “CARIBBEAN INDEPENDENCE CELEBRATION FESTIVAL”
AND APPROVING CONTRACT AND PERMITS THEREFOR**

ORDERED, that Saturday, August 21, 2004 is hereby declared the “Caribbean Independence Celebration Festival” and the City Manager is authorized to grant permits to Maine Caribbean Connections pursuant to Sec. 25-27 of the Portland City Code for the following activities:

Use of the Maine State Pier from 7 a.m. on Saturday, August 21, through 12:00 Midnight, with Festival activities to be held from 1 pm. to 9:00 p.m., and breakdown activities to be completed between 9 p.m. and midnight. Music will cease at 9:00 p.m. and PA speakers will face in toward the middle of the Pier and volume levels will be kept in check. Festival activities will include music, dancing, children’s activities, silent auction, educational information and vendors pursuant to the letter dated June 22, 2004 from the Event Coordinator and attached at Attachment 1;

BE IT FURTHER ORDERED, that under no circumstances may alcoholic beverages be sold on the streets or public property, except the sale and consumption of alcoholic beverages will be permitted solely in the Beverage Services area of the Maine State Pier from 1:00 p.m. to 8:30 p.m. on Saturday;

BE IT FURTHER ORDERED, that Maine Caribbean Connections shall reimburse the City for all expenses incurred by City Departments in connection with the Festival;

BE IT FURTHER ORDERED, that Maine Caribbean Connections shall defend, indemnify and hold harmless the City of Portland, its officers and employees, from and against all claims arising out of or resulting from the Festival, its activities and/or use of City streets and property for said Festival, and shall procure and maintain public liability insurance in the minimum amount of \$400,000 combined single limit for personal or bodily injury, death or property damage and covering the obligation of indemnification hereunder, and naming the City of Portland as an additional insured thereon; Maine Caribbean Connections shall further provide liquor liability insurance covering the sale and consumption of alcoholic beverages;

BE IT FURTHER ORDERED, that the City Manager is authorized to enter into the Agreement attached

hereto as Attachment 2 for the use of the Maine State Pier on August 21, 2004, and the provisions of said Agreement shall control the use of said Pier;

BE IT FURTHER ORDERED, that Festival areas will be closed to street vendors pursuant to Section 19-17 of the Portland City Code and the City Manager is authorized to issue such other temporary licenses for the Festival, including licenses for food service establishments, as may be required by the Portland City Code, provided that all applicable requirements of the Code have been met.