

Order 112 -04/05
Passage 12/8/04 8-0 (Mavodones absent)

JILL C. DUSON (MAYOR)(A/L)
WILLIAM R. GORHAM (1)
KAREN A. GERAGHTY (2)
DONNA J. CARR (3)
CHERYL A. LEEMAN (4)

**CITY OF PORTLAND
IN THE CITY COUNCIL**

JAMES I. COHEN (5)
PETER O'DONNELL (A/L)
JAMES F. CLOUTIER(A/L)
JILL C. DUSON (A/L)
NICHOLAS M. MAVODONES (A/L)

**ORDER DECLARING DECEMBER 31, 2004 AS
"NEW YEAR'S PORTLAND CELEBRATION FESTIVAL"
AND ISSUANCE OF PERMIT THEREFOR**

ORDERED, that the "New Year's Portland Celebration Festival" be and hereby is declared to be held in Downtown Portland in the area bounded by High Street, Cumberland Avenue, Temple Street, Middle Street and Spring Street and for the period from 10:00 a.m. until 8:00 p.m. Friday, December 31, 2004;

BE IT FURTHER ORDERED, that the City Manager is authorized to issue a revocable permit under Sections 25-26 through 25-30 of the Portland City Code to New Year's Portland, Inc., subject to the following conditions:

1) Under no circumstances may alcoholic beverages be sold on City of Portland rights-of-way or on property otherwise owned or under the control of the City of Portland in the Festival area during the celebration; and

2) Expenses incurred by City for said event shall be waived in-kind.

3) The festival zone shall include all public property (including sidewalks bordering the perimeter streets) within the above designated area;

4) The City's Parks & Recreation Department will vend trinkets and non-food items, revenues to be earmarked for recreation programs;

2) New Year's Portland, Inc. shall indemnify the City, its officers, agents and employees and hold them harmless from and against all claims arising out of activities during said Festival and shall take out and maintain Public Liability Insurance coverage in an amount of at least \$400,000 combined single limit coverage for personal and bodily injury, death, or property damage for said purposes, and naming the City of Portland as an additional insured thereon; and

BE IT FURTHER ORDERED, that during the celebration the following streets will be posted “no parking” and towing of vehicles authorized at locations:

Federal Street Ext.: Congress Street to Temple Street (2:45 p.m. until 4:00 p.m., Friday, December 31, 2004);

High Street: Spring Street to Free Street (2:45 p.m. until 4:00 p.m., December 31, 2004)

BE IT FURTHER ORDERED, that the City Manager is authorized to issue such other temporary licenses and temporary permits, including licenses for food service establishments and permits for sales of non-food related items, as may be required by the Portland City Code, provided that all other applicable requirements of the Code have been met regarding the operation of said Event.