

Order 206-04/05

Passed: 4/4/05 7-0 (Geraghty, Carr absent)

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

CITY OF PORTLAND
IN THE CITY COUNCIL

WILLIAM R. GORHAM (1)
KAREN A. GERAGHTY (2)
DONNA J. CARR (3)
CHERYL A. LEEMAN (4)
JAMES I. COHEN (5)

**ORDER DECLARING "BAYSTOCK 2005" AS A FESTIVAL
AND APPROVING CONTRACT AND PERMITS THEREFOR**

ORDERED, that Saturday, August 13, 2005, is hereby declared Baystock 2005 Festival and the City Manager is authorized to grant permits to the organizers of Baystock 2005, Baystock Promotions, pursuant to Sec. 25-27 of the Portland City Code for the following activities:

Use of the Maine State Pier from 9:00 a.m. on Friday, August 12, through 3:00 a.m. Sunday, August 14, with a concert to be held rain or shine from 5:00 p.m. Saturday, August 13, through 10:00 p.m. Saturday, August 13; PA speakers will face south and volume levels will be kept in check.

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 4:00 p.m. Saturday to 10:00 p.m. Saturday;

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

BE IT FURTHER ORDERED, that Baystock Promotions 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 commercial general 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; the Committee 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 for the use of the Maine State Pier on August 12-14th, 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.