

Order 261-04/05

Passage: 5/16/05 8-0 (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 19th ANNUAL SOUTHERN MAINE
PRIDE CELEBRATION OF DIVERSITY FESTIVAL
AND APPROVING CONTRACT AND PERMITS THEREFOR**

ORDERED, that Wednesday, June 15, and Saturday, June 18, 2005, are hereby declared 19th Annual Southern Maine Pride Celebration of Diversity Festival and the City Manager is authorized to grant permits to the Southern Maine Pride Committee pursuant to Sec. 25-27 of the Portland City Code for the following activities:

1. Wednesday, June 15, 2005:

Use of Congress Square Park and Tommy's Park, and adjoining sidewalks from 7:00 p.m. to 10:00 p.m. for a tree lighting ceremony, concert and sidewalk march.

2. Saturday, June 18, 2005:

a. Use of Monument Square, One City Center Sidewalk, Preble Street (from Cumberland Ave. to Congress Street) and Federal Street Extension from 10:30 a.m. to 12:30 p.m. for gathering point for parade participants;

b. Use of Congress Street (Elm to High Street), High Street (from Congress Street to Park Avenue), and Park Avenue (from High to State Street), and State Street Extension to Deering Oaks Park entrance from 12:30 p.m. to approximately 1:00 p.m. for a parade;

c. Use of Deering Oaks Park bandstand area for entertainment, displays and non-food and food vendors and also for display of the Names Quilt from 10:00 a.m. to 7:00 p.m., on Saturday, June 18, 2005; (note: Farmer's Market will still be held in Deering Oaks Park on that day); said use of the park to be subject to the conditions in Paragraph 2 of the Letter dated April 16, 2005 from Southern Maine Pride 2005 to Parks and Recreation, other than the change in the start time herein;

d. Use of the Maine State Pier from noon on Saturday, June 18, through 4:00 a.m. Sunday, June 19, with a dance to be held from 6:00 p.m. Saturday, June 18, through 1:00 a.m. Sunday, June 19; PA speakers will face in toward the middle of the Pier and volume levels will be kept in check.

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BE IT FURTHER ORDERED, that the following streets shall be closed to traffic on Saturday, June 18:

1. Federal Street Extension and Preble Street from Cumberland Ave. to Congress Street (9:00 a.m. – noon). Preble Street and Federal St. Ext. posted “no parking”;
2. Congress Street from Elm to High; High Street from Congress Street to Park Avenue; Park Avenue from High Street to State St. Extension; and State Street Ext. entrance to Deering Oaks Park from 12:30 p.m. to 1:15 p.m.

BE IT FURTHER ORDERED, that the Festival zone areas are as follows:

1. Festival at Oaks: Deering Oaks Park (including the Rose Garden Section of Deering Oaks) and surrounding sidewalk areas abutting the park (Park Ave., Dereing Ave., State Street, and High Street sidewalks);
2. Parade Formation: Monument Square and area sidewalks, Monument Way, sidewalk area in front of One City Center, and adjoining sidewalks, Federal Street Ext. sidewalks, Congress Street sidewalk area (Preble Street to Elm Street);
3. Pride Dance: Maine State Pier;

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 6:00 p.m. Saturday to 1:00 a.m. Sunday;

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

BE IT FURTHER ORDERED, that the Southern Maine Pride Committee 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; 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 substantially in the form attached hereto as Attachment 2 for the use of the Maine State

Pier on June 18 and 19, 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 (other than the Saturday Farmer's Market in Deering Oaks Park which shall be held) 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. Pride Festival organizers shall have sole authority over participating vendors at the event and may charge a fee to vendors for the opportunity to vend at the festival (Deering Oaks Park) and parade formation area (Monument Square and abutting sidewalks) and dance (Maine State Pier).