

Order 223-05/06

Passage: 5/1/06 9-0

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

CITY OF PORTLAND
IN THE CITY COUNCIL

JAMES F. CLOUTIER (A/L)
JILL C. DUSON (A/L)
NICHOLAS M. MAVODONES (A/L)
EDWARD J. SUSLOVIC (A/L)

**ORDER DECLARING SUNDAYS
JULY 2, 2006 – OCTOBER 8, 2006**

AS

“MOULTON STREET SUNDAY CLOSING FESTIVAL DAYS”

ORDERED, that every Sunday from July 2, 2006 – October 8, 2006 is hereby declared to be “Moulton Street Sunday Closing Festival Days” to promote shopping downtown and create a pedestrian friendly atmosphere for families, locals, and visitors.

BE IT FURTHER ORDERED, that the following streets will need to be closed to traffic on each Sunday from July 2, 2006 – October 8, 2006 as follows:

11:00 a.m. to 5:00 p.m.

Moulton Street from Fore Street to Commercial Street

No parking signs would be posted on Moulton Street the Saturday before each closing. The festival area is Moulton Street and bordering sidewalks.

BE IT FURTHER ORDERED, that roving entertainers will be on the sidewalk and entertaining in the street, but there will be no large tents or booths located on the sidewalks or in the street itself.

BE IT FURTHER ORDERED, that City departments will provide in-kind services at no charge to Portland’s Downtown District for the days’ events, and street vendor fees, for participating stores and vendors, shall be waived;

BE IT FURTHER ORDERED, that the Festival shall be closed to licensed street vendors as provided in §19-17 of the City Code;

BE IT FURTHER ORDERED, that the City Manager is authorized to issue a revocable permit to Downtown Improvement District, d/b/a Portland Downtown District, under §25-27 of the City Code to conduct said Festival, subject to the direction and control of the City Manager and to the following specific conditions:

1. Portland’s Downtown District 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 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. The District shall provide the City with a certificate showing evidence of such insurance and showing the City as an additional insured on said insurance.

2. No alcoholic beverages may be sold on the streets or public property during the Festival.

3. Portland's Downtown District shall have sole authority over participating vendors at the Festival and may charge a fee to vendors for the opportunity to vend at the Festival.

4. In consideration of the City of Portland's support/in-kind services of the Festival, Portland's Downtown District shall include the City of Portland logo on all festival publicity.

BE IT FURTHER ORDERED, that the City Manager is authorized to issue such other temporary licenses, including licenses for food service establishments, as may be required by the City Code, provided that all other applicable Code requirements for the operation of the Festival has been met.