

Order 40-04/05

Passage 8/15/05 9-0

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 "CELEBRATION OF THE SEA 2005" AS A FESTIVAL  
AND APPROVING CONTRACT AND PERMITS THEREFOR**

**ORDERED**, that Saturday, September 17, 2005, is hereby declared Celebration of the Sea 2005 Festival and the City Manager is authorized to grant permits to the organizers of Celebration of the Sea 2005, The Maine Fishermen's Wives Association and the Portland Fishermen's Monument Committee, pursuant to Sec. 25-27 of the Portland City Code for the following activities:

Use of the Maine State Pier from 10:00 a.m. to 6:00 p.m. on Saturday, September 17, 2005.

**BE IT FURTHER ORDERED**, that under no circumstances may alcoholic beverages be sold on the streets or public property;

**BE IT FURTHER ORDERED**, that the Maine Fishermen's Wives Association and the Portland Fishermen's Monument 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 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;

**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 September 17th, 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; and

**BE IT FURTHER ORDERED**, that all City event fees shall be waived for this Festival; and

**BE IT FURTHER ORDERED**, that the City Manager is authorized to enter into an Agreement for use of the Maine State Pier substantially in the form attached.