

Order 64 – 05/06

Passage 9/19/05 7-0 (Carr, O'Donnell 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 1st ANNUAL SOUTHERN MAINE  
PRIDE COMMUNITY "BASH FOR CASH" FESTIVAL  
AND APPROVING CONTRACT AND PERMITS THEREFOR**

**ORDERED**, that Saturday, October 1<sup>st</sup>, 2005 is hereby declared the 1st Annual Southern Maine Pride Community "Bash for Cash" 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:

Use of the Maine State Pier from noon on Saturday, October 1, through 4:00 a.m. Sunday, October 2, with a dance to be held from 6:00 p.m. Saturday, October 1, through 1:00 a.m. Sunday, October 2; PA speakers will face in toward the middle of the Pier and volume levels will be kept in check;

**BE IT FURTHER ORDERED**, that the Festival zone areas is the 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 and naming the City as an additional insured;

**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 October 1, 2005, and the provisions of said Agreement shall control the use of

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said Pier;

**BE IT FURTHER ORDERED**, that Festival area 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. 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 on the Maine State Pier.