

Order 252-06/07

Passage: 6/4/07 7-0

(Mavodones, Leeman absent)

NICHOLAS M. MAVODONES (MAYOR)  
KEVIN J. DONOGHUE (1)  
DAVID A. MARSHALL (2)  
DONNA J. CARR (3)  
CHERYL A. LEEMAN (4)

**CITY OF PORTLAND**  
IN THE CITY COUNCIL

JAMES I. COHEN (5)  
JAMES F. CLOUTIER (A/L)  
JILL C. DUSON (A/L)  
EDWARD J. SUSLOVIC (A/L)

**ORDER DECLARING THE AMERICAN LEGION'S  
"MAINE STATE HEALING FIELD"  
IN DEERING OAKS PARK**

**ORDERED**, that the American Legion, Healing Fields Committee, is authorized to use Deering Oaks Park on Friday, November 9, 2007 to Friday, November 16, 2007 for a large display of American flags with a dedication ceremony scheduled for November 11, 2007; and

**BE IT FURTHER ORDERED**, that in order for the dedication ceremony to be held on November 11, 2007 from 2:00 p.m. to 3:00 p.m. at the Oaks Bandstand, park roadways need to be closed to traffic and State Street Extension would also be closed to vehicular traffic (from 1:00 p.m. – 4:00 p.m.); and

**BE IT FURTHER ORDERED**, that some roadway areas of the park (and State Street Ext.) may need to be posted "no parking"; and

**BE IT FURTHER ORDERED**, that the festival area will also be closed to street vendors pursuant to Section 19-17 of the Portland City Code and is reserved for the use of the Mercian Legion, Healing Fields Committee for the purpose of conducting the Maine State Healing Field Events, subject to the direction and control of the City Manager; and

**BE IT FURTHER ORDERED**, that the City Manager is authorized to issue a revocable permit under Section 25-27 of the Portland City Code subject to the following conditions:

- (1) City fees for the use of the grounds shall be waived, however, the American Legion, Healing Fields Committee shall be responsible for covering costs of the needed police personnel at the event and other city costs associated with facilitating the Maine State Healing Field events;
- (2) Under no circumstances may alcoholic beverages be sold or consumed on the streets or public property of said area during said festival; and
- (3) The American Legion, Healing Fields Committee shall have sole authority over participating vendors at the event and may charge a fee to vendors for the opportunity to vend at the November 11 event;

- (4) The Healing Fields event may stay up longer than the Deering Oaks Master Plan 2-day recommended stay for large scale events in the park, for a total of 7 days;
- (5) Conditions for use of grounds, specified in the Friends of Deering Oaks memo and the permit issued from Parks and Recreation, shall be adhered to; and
- (6) The American Legion, Healing Fields Committee shall indemnify and hold the City harmless from and against all claims arising out of activities during said event, and shall take out and maintain public liability insurance coverage in the amount of at least \$400,000 combined single limit for personal or bodily injury, death, or property damage for said purposes. This insurance certificate will also list the City of Portland as an additional insured in regards to the “Maine State Healing Field” activities.

**BE IT FURTHER ORDERED**, that the City Manager is also authorized to issue such other temporary licenses, including licenses for food service establishments, as may be required by the Portland City Code, provided that all other applicable requirements of said code have been met regarding the operation of this event.