

Order 154-07/08

Passage: 3/3/08 9-0

EDWARD J. SUSLOVIC (MAYOR)
KEVIN J. DONOGHUE (1)
DAVID A. MARSHALL (2)
DANIEL S. SKOLNIK (3)
CHERYL A. LEEMAN (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

JAMES I. COHEN (5)
JOHN M. ANTON (A/L)
JILL C. DUSON (A/L)
NICHOLAS M. MAVODONES (A/L)

**ORDER DECLARING “MENSK PRESENTS,
EARTH DAY 2008 FESTIVAL - YOU CAN
GET THERE FROM HERE! DAY”**

ORDERED, that Tuesday, April 22, 2008, is hereby declared as “MENSK presents, Earthday 2008 Festival - You can get there from here! Day”;

BE IT FURTHER ORDERED, the City Manager is authorized to grant a revocable permit to the Mid-Town Community Policing Center and the Earth Day Committee, pursuant to Secs. 25-26 through 25-30 of the Portland City Code, for the following activities:

live music, interactive art, arts and crafts for children, local artists displaying their wares, Maine agricultural processor and retailer booths, informational and educational exhibits promoting alternative energies and transportation, with bio-diesel-fueled and solar vehicles on display;

BE IT FURTHER ORDERED, that the above activities shall take place between 11 a.m. and 6 p.m., in Congress Square and the surrounding area, with setup to begin at 9 a.m. and breakdown finished by 7 p.m.;

BE IT FURTHER ORDERED, that Congress Street (between Forest Avenue and High Street) will be posted "no parking" during the event;

BE IT FURTHER ORDERED, that Congress Street (both lanes between Forest Avenue and High Street) be closed to vehicular traffic from 10 a.m. to 2:30 p.m.;

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

BE IT FURTHER ORDERED, that during said festival, Congress Square and Congress Street and adjacent sidewalks (between Forest Avenue and High Street) will be reserved for the exclusive use of event organizers. Parking meters along that section of closed Congress Street will be reserved for the festival;

BE IT FURTHER ORDERED, with the event being held on a Sunday, MENSCK shall be responsible for covering the cost of required police officers at street intersections. Other costs for permit fees and licenses fees etc., would be waived;

BE IT FURTHER ORDERED, that MENSCK shall defend and indemnify the City and hold it harmless from and against all claims arising out of activities during said festival, 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 purpose. This insurance certificate will also list the City of Portland as an additional insured in regards to the Earthday Festival 2008 activities;

BE IT FURTHER ORDERED, that the 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 and permits for sale of non-food items, provided that all applicable requirements of the Code have been met.