

Order 185-07/08

Passage: 8-0 (Skolnik out)

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 “PIER REVUE, FEATURING TWO NIGHTS WITH MOE” AS A FESTIVAL AND APPROVING CONTRACT AND PERMITS THEREFOR**

**ORDERED**, that Saturday, July 12, 2008 and Sunday, July 13, 2008, are hereby declared “Pier Revue, featuring two nights with moe” and the City Manager is authorized to grant permits to the organizers of “Pier Revue, featuring two nights with moe”, (Preble Street) pursuant to Sec. 25-27 of the Portland City Code for the following activities:

Use of the Maine State Pier from 9:00 noon on Saturday, July 12, through 4:00 am on Monday, July 14, with concerts to be held rain or shine from 5:30 p.m. Saturday, July 12, through 11:00 p.m. Saturday, July 12 and from 5:30 p.m. Sunday, July 13, through 11:00 p.m. Sunday, July 13; any and all public announcement (PA) and other speakers or amplifiers used to amplify music or other sound shall be maintained at a reasonable level and be configured by Preble Street’s contractor and the City to focus volume on the pier and its immediate environment.

**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 4:30 p.m. Saturday to 10:00 p.m. Saturday and from 4:30 p.m. Sunday to 10:00 p.m. Sunday;

**BE IT FURTHER ORDERED**, that Preble Street shall reimburse the City for all expenses incurred by City Departments in connection with the Festival;

**BE IT FURTHER ORDERED**, that Preble Street 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, including contractual liability, insurance in the minimum amount of One Million Dollars (\$1,000,000) 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;

**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 July 12-14th, 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.