

Order 273-10/11

Passage: 8-0 6/20/11 (Coyne out)

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

**CITY OF PORTLAND**  
IN THE CITY COUNCIL

JOHN R. COYNE (5)  
JOHN M. ANTON (A/L)  
DORY RICHARDS WAXMAN (A/L)  
JILL C. DUSON (A/L)

**ORDER DECLARING “THE URBAN EPIC CHALLENGE”  
AS A FESTIVAL AND APPROVING CONTRACT AND PERMITS THEREFOR**

**ORDERED**, that the Urban Epic Challenge is hereby declared as a festival on Saturday, July 09, 2011 and the Acting City Manager is authorized to grant permits to the organizers of the Urban Epic Challenge, the Center for Grieving Children, pursuant to Sec. 25-27 of the Portland City Code for the following activities:

Use of the Eastern Promenade Trail for the Urban Epic Challenge from 5:00 a.m. until 4:00 p.m. on Saturday July 9, 2011. Athletes will congregate on the paved section of the trail near the East End Beach and race will begin at 10:00 a.m.

Use of the Maine State Pier from 8:00 a.m. on Friday July 08, 2011 until 4:00 p.m. Saturday July 09, 2011 with a finish line and post-challenge celebration to be held from 9:00 a.m. Saturday July 09, 2011 until 2:00 p.m. Saturday July 09, 2011, with gates opening at 9:00 a.m.; 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 the Center for Grieving Children’s contractor and the City to focus volume on the pier and its immediate environment; and

**BE IT FURTHER ORDERED**, that the Eastern Promenade Trail will be closed to bicyclists, baby strollers and persons with dogs during the race; and

**BE IT FURTHER ORDERED**, that Cutter Street shall be posted no parking on July 8, 2011 and shall be closed to vehicular traffic from 5:00 a.m. until 12:00 p.m. on July 9, 2011; and

**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 10:30 a.m. to 2:00 p.m. on July 9, 2011; and

**BE IT FURTHER ORDERED**, that the Center for Grieving Children shall reimburse the City for all expenses incurred by City Departments in connection with the Festival; and

**BE IT FURTHER ORDERED**, that the Center for Grieving Children 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 Center for Grieving Children shall further provide liquor liability insurance covering the sale and consumption of alcoholic beverages; and

**BE IT FURTHER ORDERED**, that the Acting City Manager is authorized to enter into the Agreement attached hereto for the use of the Maine State Pier on July 8<sup>th</sup> to 9th, and the provisions of said Agreement shall control the use of said Pier; and

**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 Acting 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.