

Order 192-11/12

Passage 8-0 (Suslovic out) 5/21/12

MICHAEL F. BRENNAN (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)

JILL C. DUSON (A/L)

NICHOLAS M. MAVODONES (A/L)

ORDER DECLARING “SHIPYARD OLD PORT HALF MARATHON & 5K ROAD RACE” AS A FESTIVAL AND APPROVING CONTRACT AND PERMITS THEREFOR

ORDERED, that Sunday, July 22, 2012 from 5:00 a.m. – 2:00 p.m., is hereby declared Shipyard Old Port Half Marathon & 5K Road Race in Portland; and

BE IT FURTHER ORDERED, that Runners will congregate for the start of the races on the Eastern Prom roadway and grass area/sidewalks and the finish line for both races is on the Maine State Pier; and

BE IT FURTHER ORDERED, that the Half Marathon will start at 7:30 a.m. and the 5K Race will start at 8:15 a.m.; and

BE IT FURTHER ORDERED, that the City Manager is authorized to grant permits to the organizers of the festival GiddyUp Productions, LLC and Habitat for Humanity of Greater Portland, pursuant to Section 25-27 of the Portland City Code for the following activities:

- Habitat Humanity of Greater Portland will have the use of the Maine State Pier from 12:00 p.m. on Saturday, July 21, 2012 until 5:00 p.m. Sunday, July 22, 2012 with a finish line and post-half marathon celebration to be held from 6:00 a.m. Sunday, July 22, 2012 until 2:00 p.m. Sunday July 22, 2012, with gates opening at 8:00 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 Habitat for Humanity of Greater Portland contractor and the City to focus volume on the pier and its immediate environment; and

BE IT FURTHER ORDERED, that the Festival Areas will be closed to street vendors pursuant to Section 19-17 of the Portland City Code and is reserved for the use of GiddyUp Productions, LLC, the Race Committee and Habitat for Humanity of Greater Portland for the purpose of conducting the Shipyard Old Port Half Marathon & 5K Road Race, 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 Sections 25-26 thru 25-30 of Portland City Code to GiddyUp Productions, LLC and Habitat for Humanity of Greater Portland subject to the following conditions:

- Under no circumstances may alcoholic beverages be sold or consumed on City of Portland right-of-ways or public property during said event, except the sale and consumption of alcoholic beverages will be permitted solely in the Beverage Services

area of the Maine State Pier from 10:00 a.m. until 2:00 p.m. on Sunday, July 22, 2012.

- GiddyUp Productions, LLC and Habitat for Humanity of Greater Portland shall indemnify the City and hold it harmless from and against all claims arising out of activities during said event.

GiddyUp Productions, LLC shall maintain public liability insurance coverage in the amount of no less than \$400,000 combined single limit for personal or bodily injury, death, or property damage for said purposes.

Habitat for Humanity of Greater Portland shall adhere to the insurance requirements in the Attached Operator's Agreement.

Both organizers shall cover the obligation of indemnification hereunder, and name the City of Portland as an additional insured thereon.

- Conditions for use of grounds, specified in a permit issued from the Recreation and Facilities Management, shall be adhered to.
- Race 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.
- City permit fees, license fees, and costs for city staff assistance will be paid by organizers GiddyUp Productions, LLC and Habitat for Humanity of Greater Portland.
- The route of the course is subject to change, depending on construction projects along the course, and Police Department needs; and

BE IT FURTHER ORDERED, the following streets will be closed to vehicular traffic on Sunday July 22, 2012:

- Eastern Promenade from Congress Street to Morning Street (7:15 a.m. – 8:20 a.m.)
- Cutter Street from Fort Allen Park exit to the top of the lower parking lot (6:30 a.m. – 8:45 a.m.)
- Washington Ave. ramp to Tukey's Bridge from Eastern Prom side (7:30 a.m. – 9:30 a.m.)
- Washington Ave. inbound at Bates/Veranda Street (7:45 a.m. – 9:15 a.m.); and

BE IT FURTHER ORDERED, that the Maine State Police will monitor/hold back traffic at:

- Exit 8, 295 Ramp Southbound onto Washington Ave (7:30 a.m. – 8:00 a.m.)
- Exit 8, 295 Ramp Northbound onto Washington Ave (7:30 a.m. – 9:30 a.m.)
- Exit 9 Southbound Ramp to Baxter Blvd (7:30 a.m. – 8:15 a.m.); and

- Exit 9 Northbound Ramp to Route 1 (7:40 a.m. – 8:20 a.m.); and

BE IT FURTHER ORDERED, that the City Manager is 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 the Festival; and

BE IT FURTHER ORDERED, that the City Manager is authorized to enter into the Agreement with Habitat for Humanity of Greater Portland attached hereto for the use of the Maine State Pier on July 21-22nd, and the provisions of said Agreement shall control the use of said Pier.