

Order 3- 11/12

Passage: 7/18/11 6-0 (Anton, Donoghue, Leeman absent)

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 SATURDAY AND SUNDAY
AUGUST 20 and 21, 2011
AS MS HARBORFEST SHORESIDE FESTIVAL**

ORDERED, that Saturday August 20th, and Sunday, August 21, 2011, are hereby declared "MS Harborfest Shoreside Festival"; and

BE IT FURTHER ORDERED, that the festival be held in Fort Allen Park and portions of the Eastern Promenade Park from 10:00 a.m. to 4:30 p.m. on Saturday August 20th and Sunday August 21, 2011; and

BE IT FURTHER ORDERED, that the Fort Allen Park Roadway shall be closed to traffic and posted "No Parking" from 7:00 a.m. until 5:00 p.m. on Saturday August 20th and Sunday August 21, 2011; and

BE IT FURTHER ORDERED, that the festival area (Fort Allen Park and portions of the Eastern Promenade Grass Hillside and down to East End Beach, and abutting sidewalks along those areas) will be closed to street vendors pursuant to Section 19-17 of the Portland City Code and is reserved for the use of MS Harborfest organizers, for the purpose of conducting the festival, 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) The MS Society shall defend, 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 regard to the "MS Harborside Shoreside Festival" and its activities; and
- (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) MS Harborfest 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; and
- (4) The MS Society shall be responsible for any costs incurred by City Departments for the purposes of facilitating the Festival, including, but not limited to: Police Department charges, Public Services fees, Parking Control fees, Inspection Services fees, City Clerk's license fees and Recreation and Facilities Management fees, and organizers shall adhere to the conditions for use as stated in the permit for use issued by Recreation and Facilities Management; and

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.