

Order 213-12/13

Passage: 7-0 (Leeman absent, Mavodones out)

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 2013
“SUMMER EVENTS/CONCERT SERIES FESTIVAL”**

ORDERED, that July 9 – August 16, 2013 is hereby declared to be the “Summer Events/Concert Series Festival” following the below schedule:

Alive at Five Outdoor Concerts (Monument Square) (Maine bands)

Thursdays, July 11, 18, 25, August 1, 8 from 5:00 p.m. to 7:30 p.m. (rain date: August 15)

Weekday Performance Series (Post Office Park)

Tuesdays, July 9, 16, 23, 30 (music and performance), Noon – 1:00 p.m.

Weekday Performance Series (Congress Square Park)

Tuesdays, August 6, 13 (music and performance), Noon – 1:00 p.m.

Kids Activity Days (Lobsterman Park)

Wednesdays, July 10, 17, 24, 31 from 10:30 a.m. to 11:30 a.m.

Friday Music Series (Post Office Park)

Fridays, July 12, 19, 26 (acoustic folk) from Noon to 1:00 p.m.

Friday Music Series (Congress Square Park)

Fridays, August 2, 9, 16 (acoustic folk) Noon to 1:00 p.m.; and

BE IT FURTHER ORDERED, that for the Alive at Five Outdoor Concerts to be held, Federal Street Ext. needs to be barricaded to traffic (3:00 p.m. – 9:00 p.m.) on each of the concert dates, and posted “No Parking” from 9:00 a.m. – 9:00 p.m.; and

BE IT FURTHER ORDERED, that the following will be considered the festival area:

- For the Alive at Five Outdoor Concerts: Monument Square, Monument Way, and the sidewalk areas in front of One City Center, as well as Federal Street Ext. and

sidewalk areas abutting Federal Street Ext.

- For the Kids Activity Days: Lobsterman Park and surrounding sidewalks of Temple Street and Middle Street.
- For the Weekday Performance Series and the Friday Music Series: Post Office Park and surrounding sidewalks of Exchange Street, Middle Street, and Market Street (Tommy's Park and adjoining sidewalks are also included in the Festival area) Congress Square Park and surrounding sidewalks of High Street and Congress Street; and

BE IT FURTHER ORDERED, that the Festival shall be closed to licensed street vendors as provided in §19-17 of the City Code and is reserved for the use of the Portland's Downtown District for the purpose of conducting the Summer Events/Concert Series Festival, subject to the direction and control of the City Manager;

BE IT FURTHER ORDERED, that the City Manager is authorized to issue a revocable permit to Downtown Improvement District, d/b/a Portland Downtown District, under §25-27 of the City Code to conduct said Festival, subject to the direction and control of the City Manager and to the following specific conditions:

1. Portland's Downtown District 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 and/or use of City streets and property for said Festival, and shall procure and maintain public liability insurance in the minimum amount of \$400,000 combined single limit for personal or bodily injury, death or property damage and covering the obligation of indemnification hereunder. The District shall provide the City with a certificate showing evidence of such insurance and showing the City as an additional insured on said insurance.
2. No alcoholic beverages may be sold on the streets or public property during the Festival within the area of the Festival except at the Alive at Five Outdoor Concert Series, subject to meeting all liquor licensing requirements.
3. Conditions for use of grounds and requirements for the events and concerts, and other items specified in a permit issued from the Public Services Event Office, shall be adhered to;
4. City Clerk's Office will charge the usual fees for licensing food vendors, street goods vendors, and other needed licenses for the Festival.
5. Portland's Downtown District shall have sole authority over participating vendors at the events/concerts and may charge a fee to vendors for the opportunity to vend at the events/concerts.

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 City Code, provided that all other applicable Code requirements for the operation of the Festival has been met.