

Order 253-12/13

Passage: 9-0 6/17/13

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 14, 2013 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 Ocean Gateway queuing lanes and the finish line for both races is at Ocean Gateway; and

BE IT FURTHER ORDERED, that the Half Marathon will start at 7:30 a.m. and the 5K Race will start at 8:00 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 ITN Portland, pursuant to Section 25-27 of the Portland City Code for the following activities:

- ITN Portland will have the use of the Ocean Gateway Queuing Lanes and Moon Tide Park from 12:00 p.m. on Saturday, July 13, 2013 until 5:00 p.m. Sunday, July 14, 2013 with a finish line and post-half marathon celebration to be held from 6:00 a.m. Sunday, July 14, 2013 until 2:00 p.m. Sunday July 14, 2013, 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 ITN Portland contractor and the City to focus volume on the Ocean Gateway Terminal 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 ITN 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 ITN 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 Ocean Gateway Moon Tide Park from 10:00 a.m. until 2:00 p.m. on Sunday, July 14, 2013.

- GiddyUp Productions, LLC and ITN 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.

ITN 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 Public Services Event Office, 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 ITN 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 14, 2013:

- West-bound lane of Commercial Street between High and Fore River Parkway (7:30 a.m. – 8:00 a.m.)
- Park Street between York and Commercial Street (6:00 a.m. – 8:35 a.m.)
- Valley Street between St. John and A Street – North Bound Only (7:40 a.m. – 8:00 a.m.)
- Danforth Street between St. John and Vaughan Street (7:40 a.m. – 8:00 a.m.); and

BE IT FURTHER ORDERED, that race intersections will be staffed by Police, PCO's or qualified volunteers so that traffic may proceed when there are no runners nearby; 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 ITN Portland attached hereto for the use of the Ocean Gateway Moon Tide Park on

July 13-14th, and the provisions of said Agreement shall control the use of said Ocean Gateway.