

Order 177-13/14

Passage: 8-0 (Coyne absent) on 3/17/2014

Effective 3/27/2014

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)  
JILL C. DUSON (A/L)  
JON HINCK (A/L)  
NICHOLAS M. MAVODONES, JR (A/L).

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

**ORDERED**, that the Shipyard Old Port Half Marathon & 5K Road Race is hereby declared as a Festival to be held in Portland on Saturday, July 12, 2014 and Sunday, July 13, 2014; and

**BE IT FURTHER ORDERED**, that the races are authorized from 5:00 a.m. – 3:00 p.m. Sunday, July 13, 2014, to be held in Portland, along city streets and trails; and

**BE IT FURTHER ORDERED**, that the Half Marathon will start at 7:00 a.m. and the 5K Race will start at 7:30 a.m.; and

**BE IT FURTHER ORDERED**, that Runners will congregate for the start of the Half Marathon in the Ocean Gateway queuing lanes, in the Eastern Promenade area for the 5–K Road Race, and the finish line for both races is at Ocean Gateway; and

**BE IT FURTHER ORDERED**, that the City Manager is authorized to grant permits to the organizers of the festival, Giddyup Productions, LLC for Habitat for Humanity of Greater Portland, Cancer Community Center, and Portland Trails (“event beneficiaries”), pursuant to Sections 25–27 of the Portland City Code for the following activities:

- Giddyup Productions, LLC will have the use of the Maine State Pier, Ocean Gateway Queuing Lanes, Moon Tide Park, and along the proposed road race course from 4:00 a.m. on Saturday, July 12, 2014 until 12:00 p.m. Sunday, July 13, 2014 with a finish line and post-half marathon celebration to be held from 5:00 a.m. Sunday, July 13, 2014 until 3:00 p.m. Sunday July 13, 2014.; 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 Giddyup Productions, LLC and the City to focus volume on the Ocean Gateway Terminal and Maine State 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 event beneficiaries 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 event beneficiaries subject to the following conditions:

- Under no circumstances may alcoholic beverages be sold or consumed on City of Portland right-of-ways during said event, other than what is approved by City Council. More specifically, as part of this festival, a 21+ beer-only garden will be set up near the stage and security provided by Public Assembly Facilities Management staff on Maine State Pier. A 21+ beer garden will also be set up in Moontide Park at Ocean Gateway with security provided by Public Assembly Facilities Management staff.
- Race organizer shall indemnify the City and hold it 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 per occurrence for personal or bodily injury, death, or property for said purposes.
- Conditions for use of grounds, specified in a permit issued from 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 and license fees, and costs for city staff assistance, will be paid by the race organizer (race organizer will hire many Police Officers and Parking Control Officers to assist with street closures, detours, and at race intersections).
- Route of the course is subject to change, depending on construction projects along the course and Police recommendations leading up to the race day.

**BE IT FURTHER ORDERED**, the following streets will be closed to vehicular traffic on Sunday July 13, 2014:

- Thames St. and Commercial St. (both lanes – from India St. to Franklin St.) will be closed to vehicular traffic (6:15 a.m. – 7:15 a.m.)
- Franklin Street (at Commercial St.) (7:00 a.m. – 7:15 a.m. and 7:35 a.m. –8:30 a.m.);
- Eastern Promenade road (both lanes, from Morning St. to Washington Ave.) (7:20 a.m. – 7:45 a.m.)
- North Street (from Walnut St. to E. Prom), (7:20 a.m. – 7:45 a.m.)

- Cutter Street (6:30 a.m. – 7:45 a.m.)
- North-bound traffic on Washington Ave. (at the intersection with Eastern Prom road), will either be detoured or held back from 7:30 – 8:45a.m. (State Police will close the I-295 Exit 8 ramp onto Washington Ave. from 7:30 – 8:45a.m.)
- Commercial Street (west-bound only, from High St. to Valley St.) (7:00 a.m. – 8:15a.m.)
- Danforth Street (both lanes, from Valley St. to Vaughan St.(7:10 a.m.– 7:40a.m.). The uphill lane will remain closed until 8:05a.m.; downhill lane will open up again to traffic again once the last runner reaches Vaughan Street.
- Danforth Street (west-bound lane, from Clark St. to Vaughan St.) (7:10 a.m. – 8:15a.m.. (Church attendees detoured onto Clark, to Spring, to Emery St.)
- Western Promenade (both lanes from Vaughan St. to Bowdoin St.) (7:15 a.m. – 7:45a.m.)
- Park Street (from York St. to Commercial St.) (6:00 a.m. – 8:15a.m.)
- Beach Street (from York St. to Commercial St.) (7:20 a.m. – 8:10a.m.)

**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 Giddyup Productions, LLC and event beneficiaries for the use of the Ocean Gateway Moon Tide Park on July 12 and 13, and the provisions of said Agreement shall control the use of said Ocean Gateway.