

Order 202-08/09

Passage: 4/6/09 9-0

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KEVIN J. DONOGHUE (1)
DAVID A. MARSHALL (2)
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CITY OF PORTLAND
IN THE CITY COUNCIL

JOHN R. COYNE (5)
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DORY-ANNA R. WAXMAN (A/L)
NICHOLAS M. MAVODONES (A/L)

**ORDER DECLARING “PICNIC MUSIC & ARTS FESTIVAL”
IN LINCOLN PARK**

ORDERED, that PICNIC is authorized to use Lincoln Park on September 12, 2009 for a free event to showcase emerging artists’ work and live music performances from local bands to the public and declaring such use as a Festival; and

BE IT FURTHER ORDERED, that the festival area will also be closed to street vendors pursuant to Section 19-17 of the Portland City Code and is reserved for the use of WPOR for the purpose of conducting the music festival, subject to the direction and control of the City Manager; and

BE IT FURTHER ORDERED, that reserved parking is needed on Federal Street (beside Lincoln Park) and Temple Street (from Federal Street to Congress Street) and needs to be posted “No Parking”; 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) PICNIC 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 “PICNIC Music and Arts Festival” 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) PICNIC shall reimburse the City Departments for applicable permit fees, services, licenses, and materials for said Festival; and
- (4) PICNIC shall take steps to ensure any and all public announcement (PA) and other speakers or amplifiers used to amplify music or other sound, be maintained at a reasonable level and be configured by organizers to create the least amount of noise

disturbance to area residents; and

- (5) PICNIC agree to leave a Noise Control Security Deposit (amount determined by the Director of Recreation) on file at the Recreation office; and
- (6) PICNIC shall be solely responsible for trash cleanup at the festival and shall be required to leave a Park Security Deposit (amount determined by the Director of Recreation) on file at the Recreation office; and
- (7) PICNIC shall have the sole authority over participating vendors at the event and may charge a fee to vendors for the opportunity to vend at the Festival; and
- (8) Conditions for use of grounds and requirements for food service, vending sales, concert licensing, tent and stage installations, and other items specified in a permit issued from Recreation, shall be adhered to.

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.