

Order 224-08/09

Passage: 4/27/09 8-0 (Skolnik absent)

JILL S. DUSON (MAYOR)  
KEVIN J. DONOGHUE (1)  
DAVID A. MARSHALL (2)  
DANIEL S. SKOLNIK (3)  
CHERYL A. LEEMAN (4)

**CITY OF PORTLAND**  
IN THE CITY COUNCIL

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

**ORDER DECLARING 23rd ANNUAL SOUTHERN MAINE  
PRIDE CELEBRATION OF DIVERSITY FESTIVAL  
AND APPROVING CONTRACT AND PERMITS THEREFOR**

**ORDERED**, that Sunday, June 14, 2009 through Sunday, June 21, 2009, are hereby declared 23rd Annual Southern Maine Pride Celebration of Diversity Festival and the City Manager is authorized to grant permits to the Southern Maine Pride Committee pursuant to Sec. 25-27 of the Portland City Code for the following activities:

1. Saturday, June 20, 2009:
  - a. Use of Monument Square, One City Center sidewalk, Preble Street (from Cumberland Ave to Congress St) and Federal Street Extension from 10:30 a.m. to noon for gathering point for parade participants;
  - b. Use of Congress Street (Elm to High Street), High Street (from Congress Street to Park Avenue), Park Avenue (from High to State Street), and State Street Extension, crossing over State Street Extension to Deering Oaks Park entrance from 12:30 p.m. to approximately 1:30 p.m. for a parade;
  - c. Use of Deering Oaks Park bandstand area for Pride Festival: entertainment, displays and non-food and food vendors from noon to 7:00 p.m., on Saturday, June 20, 2009; (note: Farmer's Market will still be held in Deering Oaks Park on that day);
  - d. Use of the Maine State Pier from noon on Saturday, June 20, through 4:00 a.m. Sunday, June 21, with a dance to be held from 8:00 p.m. Saturday, June 20, through 1:00 a.m. Sunday, June 21; PA speakers will face in toward the middle of the Pier and volume levels will be kept in check.
  - e. If inclement weather on Saturday, June 20, the Festival at Deering Oaks Park would be cancelled, but the parade would still take place, rain or shine. The Dane would possibly be moved to an indoor location.

**BE IT FURTHER ORDERED**, that the following streets shall be closed to traffic on Saturday, June 20:

1. Federal Street Extension and Preble Street from Cumberland Ave. to Congress

Street (9:00 a.m. – noon). Preble Street and Federal St. Ext. posted “no parking”;

2. Congress Street from Elm to High; High Street from Congress Street to Park Avenue; Park Avenue from High Street to State St. Extension; and State Street Ext. entrance to Deering Oaks Park from 12:30 p.m. to 1:30 p.m.

**BE IT FURTHER ORDERED**, that the parade route and 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 the Southern Maine Pride Committee for the purpose of conducting the Pride Festival events, subject to the director 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 Municipal Code to the Southern Maine Pride Committee for the use of the above-described area for said Festival, subject to the following conditions:

1. The Southern Maine Pride Committee shall reimburse the City for all expenses incurred by City Departments for said 2009 Festival;
2. The Pride Festival Committee shall enter into a “contract for use” agreement with the City of Portland for use of the Maine State Pier attached hereto as Attachment 1;
3. Under no circumstances may alcoholic beverages be sold on the streets or public property of said area during said festival (other than designated Beverage Services area at the Maine State Pier Dance (Saturday, June 20, 2009, 8:00 p.m. to Sunday, June 21, 2009 at 1:00 a.m.);
4. The Southern Maine Pride Committee 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;
5. Conditions for use of grounds, specified in a permit issued from Recreation, shall be adhered to; and
6. The Southern Maine Pride Committee shall indemnify the City and hold it harmless from and against all claims arising out of activities during said Festival, and shall take out and maintain public liability insurance coverage in the amount of at least \$400,000 (for use of Deering Oaks and the Pier) combined single limit for personal or bodily injury, death or property damage for said purpose. This insurance certificate will also list the City of Portland as an additional insured thereon; the Committee shall further provide liquor liability insurance covering the sale and consumption of alcoholic beverages; and

**BE IT FURTHER ORDERED**, that the City Manager is also authorized to issue such other

temporary licenses and temporary permits, including licenses for food service establishments and permits for sales of non-food related items, as may be required by the Portland City Code, provided that all applicable requirements of said code have been met regarding the operation of said event.