

Order 227 -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 2009  
“SUMMER EVENTS/CONCERT SERIES FESTIVAL”**

**ORDERED**, that July 7 – August 14, 2009 is hereby declared to be the “Summer Events/Concert Series Festival” following the below schedule:

Alive at Five Outdoor Concerts (Monument Square) (national recording acts)

Thursdays, July 9, 16, 23, 30, August 6 from 5:00 p.m. to 8:00 p.m.

Weekday Performance Series (Post Office Park)

Tuesdays, July 7, 14, 21 (music), Noon – 1:00 p.m.

Weekday Performance Series (Congress Square Park)

Tuesday, July 28, August 4, 11 (music), Noon – 1:00 p.m.

Kids Activity Days (Lobsterman Park)

Wednesdays, July 8, 15, 22, 29, from 10:30 a.m. to 11:30 a.m.

Friday Music Series (Post Office Park)

Fridays, July 10, 17, 24 (acoustic folk) from Noon to 1:00 p.m.

Weekday Music Series (Congress Square Park)

Fridays, July 31, August 7, 14 (acoustic folk) Noon to 1:00 p.m.

**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. Congress Square Park and surrounding sidewalks of High Street and Congress Street.

**BE IT FURTHER ORDERED**, that the following streets will need to be closed to traffic for the Alive at Five outdoor concerts:

Federal Street Extension from 3:00 p.m. – 9:00 p.m. on each of the concert dates, and posted “No Parking” from 9:00 a.m. – 8:00 p.m.

**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 Recreation 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.