

Order 156-17/18

Passage: 9-0 on 2/21/2018

ETHAN K. STRIMLING (MAYOR)
BELINDA S. RAY (1)
SPENCER R. THIBODEAU (2)
BRIAN E. BATSON (3)
JUSTIN COSTA (4)

**CITY OF PORTLAND
IN THE CITY COUNCIL**

Effective 3/3/2018

KIMBERLY COOK (5)
JILL C. DUSON (A/L)
PIOUS ALI (A/L)
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER DECLARING APRIL 22, 2018 THROUGH OCTOBER 31, 2018
THE IN THE SQUARE FESTIVAL**

ORDERED, that the period beginning April 22, 2018 and ending on October 31, 2018 is hereby declared to be the In the Square Festival, sponsored by the Friends of Congress Square Park; and

BE IT FURTHER ORDERED, that the In the Square Festival area, which is Congress Square Park and adjoining sidewalks of Congress and High streets, shall be closed to licensed street vendors on the days of scheduled In the Square Festival events as provided in §19-17 of the City Code; and

BE IT FURTHER ORDERED, that vehicles in violation of “no parking” signs in the spaces next to the adjacent sidewalks shall be towed at owner’s expense; and

BE IT FURTHER ORDERED, that the City Manager is authorized to issue a revocable permit to Friends of Congress Square Park 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. The Friends of Congress Square Park 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 per occurrence for personal or bodily injury, death or property damage and covering the obligation of indemnification hereunder. The Friends of Congress Square Park 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 Festival area;
3. Conditions for use of grounds and requirements for food service, vending sales, and other items specified in a permit issued from the Public Assembly Facilities

Division shall be adhered to;

4. The Friends of Congress Square Park shall have sole authority over which vendors may participate in the festival during the scheduled events. The Friends of Congress Square Park may charge a fee to those vendors chosen by the Friends to operate at the In the Square Festival;
5. The Public Assembly Facility Division permit fees for the use of Congress Square are waived, but other fees to city departments may be due. Business Licensing Office shall charge the usual fees for licensing food vendors, street goods vendors, and other needed licenses for the Festival to those vendors the Organizer has agreed shall participate, including an annual concert license fee; and
6. If a proposed event requires the assistance of city staff, the Friends of Congress Square Park will hire and pay for that city staff assistance; and
7. Any and all amplified music and public announcements shall be maintained at a reasonable noise level (under 92 decibels) and be configured by the event organizer to focus volume away from residential housing and neighboring business, limiting any impact in the area by the sound level; and

BE IT FURTHER ORDERED, that the City Manager is authorized to waive fees and 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 have been met.