

Order 229-17/18
Passage: 9-0 on 6/4/2018

Effective 6/14/2018

ETHAN K. STRIMLING (MAYOR)
BELINDA S. RAY (1)
SPENCER R. THIBODEAU (2)
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CITY OF PORTLAND
IN THE CITY COUNCIL

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

**ORDER DECLARING JULY 6 TO AUGUST 24, 2018
THE FRIENDS OF DEERING OAKS CONCERT SERIES FESTIVAL**

ORDERED, that Friday afternoons from July 6 to August 26, 2018 are hereby declared to be the Friends of Deering Oaks Concert Series Festival, sponsored by the Friends of Deering Oaks and the Maine Academy of Modern Music; and

BE IT FURTHER ORDERED, that the Friends of Deering Oaks Concert Series Festival area shall be the Deering Oaks Park Bandstand, grass areas around the bandstand, Farmers Market Road and adjacent sidewalks; and

BE IT FURTHER ORDERED, that some parking spaces in Deering Oaks Park may be posted No Parking on concert days; and

BE IT FURTHER ORDERED, that vehicles in violation of the “no parking” signs in the Festival Area shall be towed at owner’s expense; and

BE IT FURTHER ORDERED, that the Friends of Deering Oaks Concert Series Festival Area shall be closed to licensed street vendors as provided in §19-17 and §19-22 of the Portland City Code; and

BE IT FURTHER ORDERED, that the City Manager is authorized to issue a revocable permit to the Friends of Deering Oaks and the Maine Academy of Modern Music under §§25-26—25-28 of the Portland 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 Deering Oaks and the Maine Academy of Modern Music 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 Deering Oaks and the Maine Academy of Modern Music 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. The Friends of Deering Oaks and the Maine Academy of Modern Music shall comply with all Public Assembly Facilities Division Conditions for use of grounds, and requirements for food service, vending sales, tent and stage installations and other items specified in that permit shall be adhered to, but the Public Assembly Facilities Division fees for the use of the park are waived;
4. The Friends of Deering Oaks and the Maine Academy of Modern Music shall have sole authority over participating vendors at the Festival and may charge a fee to vendors for the opportunity to vend at the Friends of Deering Oaks Concert Series Festival;
5. In addition, the Business Licensing Office shall charge the usual fees for licensing food vendors, street goods vendors, and concert licenses for the Festival to those vendors the Friends of Deering Oaks and the Maine Academy of Modern Music has agreed shall participate;
6. 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 Portland City Code, provided that all other applicable Code requirements for the operation of the Festival have been met.