

Order 216-18/19

Passage: 7-0 (Thibodeau, Batson absent) on 4/22/2019

Effective 5/2/2019

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**

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

**ORDER DECLARING JUNE 7, 8, AND 9, 2019 THE  
SUMMER KICK-OFF WEEKEND FESTIVAL**

**ORDERED**, that June 7, 8, and 9 are hereby declared to be the Summer Kick-Off Weekend Festival, sponsored by Portland Downtown; and

**BE IT FURTHER ORDERED**, that the Summer Kick-Off Weekend Festival area shall be the Longfellow Square, Congress Square Park, Monument Square and Post Office Park, (and the adjoining sidewalks), from 4:00 p.m. – 8:00 p.m. on Friday June 7; and on Sunday June 9 during the Old Port Festival, the Festival Zone shall include the area of the festival as well as Congress Street sidewalks (both sides: from State Street to Franklin Street) and Commercial Street sidewalks (both sides: from Union Street to Franklin Street). The Festival Zone is the area bordered by and within: Congress, Pearl, Commercial, Center, Union, and Temple Streets (and both sides of the streets' sidewalks on those border streets), as well as the Monument Square area, Federal Street Ext. and its sidewalks, Monument Way, One City Center Sidewalks, and Free Street sidewalks near Temple Street (and the afore mentioned Congress Street and Commercial Street corridors); and

**BE IT FURTHER ORDERED**, that streets in the Festival Zone may be posted No Parking on Festival 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 Summer Kick-Off Weekend 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 Portland Downtown 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. Portland Downtown 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. Portland Downtown 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. Portland Downtown shall comply with all Public Assembly Facilities Division Conditions for use of grounds, but the Public Assembly Facilities Division fees for use of grounds are waived, and shall also comply with requirements for food service, vending sales, tent and stage installations and other items specified in the permit;

4. Portland Downtown shall have sole authority over participating vendors at the Festival and may charge a fee to vendors for the opportunity to vend at the Summer Kick-Off Weekend Festival;

5. In addition, the Business Licensing Office shall charge the usual fees for licensing food vendors, and street goods vendors for the Festival to those vendors Portland Downtown has agreed shall participate;

6. Public Assembly Facilities Division concert license conditions shall be complied with and 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

7. In consideration of the City of Portland's support/in-kind services of this Festival, Portland Downtown shall include the City of Portland logo on all Festival publicity; 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.