

Order 145-14/15

Passage: 9-0 on 2/9/2015

MICHAEL F. BRENNAN (MAYOR)
KEVIN J. DONOGHUE (1)
DAVID A. MARSHALL (2)
EDWARD J. SUSLOVIC (3)
JUSTIN COSTA (4)

**CITY OF PORTLAND
IN THE CITY COUNCIL**

Effective 2/19/2015

DAVID H. BRENERMAN (5)
JILL C. DUSON (A/L)
JON HINCK (A/L)
NICHOLAS M. MAVODONES, JR (A/L)

ORDER DECLARING TALL SHIPS PORTLAND 2015 AS A FESTIVAL

ORDERED, that Saturday, July 18, 2015 through Monday, July 20, 2015 is hereby declared to be the Tall Ships Portland 2015 Festival sponsored by Tall Ships Portland Festival 2015 organizers and/or dba Tall Ships Portland; and

BE IT FURTHER ORDERED, that Tall Ships Portland 2015 shall run from Saturday, July 18, 2015 through Monday, July 20, 2015 and will host six to eight tall sailing ships in Portland Harbor; and

BE IT FURTHER ORDERED, that the Tall Ships Portland 2015 Festival Area includes all of the Maine State Pier, the parking and roadway area of the Casco Bay Ferry Terminal, the grass area between Thames Street / Commercial Street and the Queuing Lanes, the Queuing Lanes at Ocean Gateway, Ocean Gateway Pier 1 and Pier 2, Moon Tide Park, and Ocean Gateway's Receiving Building parking lot; and

BE IT FURTHER ORDERED, that from Saturday, July 18, 2015 through Monday, July 20, 2015, Tall Ships Portland 2015 Festival activities on the tall ships and most activity on the Maine State Pier and Moon Tide Park will be limited to ticket holders; and

BE IT FURTHER ORDERED, that the City Manager is authorized to issue a revocable permit to Tall Ships Portland Festival 2015 organizers 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 Tall Ships Portland Festival 2015 organizers and/or dba Tall Ships Portland 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 Tall Ships Portland Festival 2015 organizers shall provide the City with a certificate showing evidence of such insurance and showing the City as an additional insured on said insurance;

2. Beer and Wine Gardens, fenced off within the festival area, will allow 21-year-old and older participants only inside; city staff (from Public Assembly Facilities) will oversee these fenced-in areas; and The Tall Ships Portland Festival 2015 organizers will apply for and hold the State License allowing sales of alcohol at the event. Under no circumstances may alcoholic beverages be sold on public property during said event except inside the Beer and Wine Garden areas;
3. Conditions for use of grounds and requirements for food service, vending sales, and other items specified in an operating agreement issued from the Recreation & Facilities Management Department, shall be adhered to;
4. The City Clerk's Office shall charge the usual fees for licensing food vendors, street goods vendors, and other needed licenses for the Festival;
5. The Tall Ships Portland Festival 2015 organizers shall have sole authority over participating vendors at the festival and may charge a fee to vendors for the opportunity to vend at the Tall Ships Portland Festival 2015; and
6. The Tall Ships Portland Festival 2015 organizers will reimburse City Departments including but not limited to Recreation and Facilities, Public Services, Police, Fire, Parking, and Inspections for the costs incurred at events where city staff are needed; and

BE IT FURTHER ORDERED, the festival area will be closed to street vendors pursuant to Section 19-17 of the Portland City Code and is reserved for the use of race organizers for the purpose of conducting the Tall Ships Portland 2015 Festival, subject to the direction and control of the City Manager.