

Order 33-18/19

Passage: 8-0 (Batson absent) on 8/13/2018

Effective 8/23/2018

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**

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

**ORDER DECLARING SEPTEMBER 21, 2018  
THE MUSCULAR DYSTROPHY ASSOCIATION  
BOOTS, BREWS & BITES FESTIVAL**

**ORDERED**, that September 21, 2018 is hereby declared to be the Muscular Dystrophy Association Boots, Brews & Bites Festival, sponsored by the Muscular Dystrophy Association; and

**BE IT FURTHER ORDERED**, that the Muscular Dystrophy Association Boots, Brews & Bites Festival area shall be the lower section of Payson Park next to Baxter Boulevard; and

**BE IT FURTHER ORDERED**, that the Park Roadway at the West entrance to Payson Parkway will be closed to vehicles and the day of the Festival from approximately 2:00 p.m. to 9 p.m. and shall be posted No Parking on Festival day; 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 Muscular Dystrophy Association Boots, Brews & Bites 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 Muscular Dystrophy Association 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 Muscular Dystrophy Association 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 Muscular Dystrophy Association 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 except within a Beer Garden that shall be monitored by City Staff;
3. The Muscular Dystrophy Association 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 Muscular Dystrophy Association shall have sole authority over participating vendors at the Festival and may charge a fee to vendors for the opportunity to vend at the Muscular Dystrophy Association Boots, Brews & Bites 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 Muscular Dystrophy Association 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;

**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.