

Order 144-18/19

Passage: 9-0 (Ray absent) on 2/4/2019

Effective 2/14/2019

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 21, 2019  
THE MAKE MUSIC PORTLAND FESTIVAL**

**ORDERED**, that June 21, 2019 is hereby declared to be the Make Music Portland Festival, sponsored by Make Music Portland, a Maine non-profit corporation; and

**BE IT FURTHER ORDERED**, that the Make Music Portland Festival area shall be Monument Square, Post Office Park, Lobsterman Park, Bell Buoy Park, Fort Allen Park (at the gazebo), Standpipe Park (Fort Sumner Park), Longfellow Square, Congress Square Park, Harbor View Memorial Park, Lincoln Park, Deering Oaks, Taylor Street Park, and city sidewalks; and

**BE IT FURTHER ORDERED**, that the Make Music Portland 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 Make Music Portland 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. Make Music 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. Make Music Portland 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. Make Music Portland 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; and

4. Make Music Portland shall have sole authority over participating vendors at the Festival and may charge a fee to vendors for the opportunity to vend at the Make Music Portland 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 Make Music Portland has agreed shall participate; and
6. Make Music Portland shall be responsible for paying associated city costs, such as Public Assembly Facilities Division Permit fees; and
7. 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;

**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.