

Order 78-14/15

Passage: 7-0 (Duson, Coyne absent) on 10/30/2014

Effective 10/30/2014

MICHAEL F. BRENNAN, (MAYOR)
KEVIN J. DONOGHUE (1)
DAVID A. MARSHALL (2)
EDWARD J. SUSLOVIC (3)
CHERYL A. LEEMAN (4)

**CITY OF PORTLAND
IN THE CITY COUNCIL**

JOHN R. COYNE (5)
JILL C. DUSON (A/L)
JON HINCK (A/L)
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER DECLARING
TOWNSQUARE MEDIA PORTLAND, LLC PRESENTS “A MUSIC FESTIVAL”
AS A FESTIVAL AND AUTHORIZING THE ACTING CITY MANAGER TO
APPROVE CONTRACT AND PERMITS THEREFOR**

ORDERED, that Townsquare Media Portland, LLC Presents “A Music Festival” is hereby declared as a Festival to be held in Portland in August, 2015; and

BE IT FURTHER ORDERED, that this Festival is to be presented by Townsquare Media Portland, LLC on behalf of its event beneficiaries; and

BE IT FURTHER ORDERED, that the Acting City Manager is authorized to issue revocable permits to the festival organizers, Townsquare Media Portland, LLC, on behalf of event beneficiaries, pursuant to Sections 25–27 of the Portland City Code for the following activities:

- Townsquare Media Portland, LLC will have the use of the Eastern Promenade upon a mutually agreeable date in August, 2015, with a rain date scheduled on the following mutually agreed upon day, when live music will be performed by bands from 1:00 p.m. to 10:00 p.m. in the Festival Area; any and all public announcement (PA) and other speakers or amplifiers used to amplify music or other sound shall be maintained at a reasonable level and be configured by Townsquare Media Portland, LLC and the City to focus volume on the festival area and its immediate environment; and

BE IT FURTHER ORDERED, that the area of the Eastern Promenade hillside and sidewalks from the Playground to Cutter Street and the northbound lane of the Eastern Prom roadway shall be the Festival Area; and

BE IT FURTHER ORDERED, that during the Festival, the following streets will be closed to vehicular traffic:

- Cutter Street; and
- Eastern Prom roadway from Turner to Moody Street; and

BE IT FURTHER ORDERED, that 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 Townsquare Media Portland, LLC, and event beneficiaries for the purpose of

conducting the Festival, subject to the direction and control of the Acting City Manager; and

BE IT FURTHER ORDERED, that the Acting City Manager or designee is hereby authorized to issue a revocable permit for this Festival under Sections 25-26 thru 25-30 of Portland City Code to Townsquare Media Portland, LLC and event beneficiaries subject to the following conditions:

- Under no circumstances may alcoholic beverages be sold or consumed on City of Portland right-of-ways during the Festival, but, at the option of Public Assembly Facilities Management Staff and with state liquor licensing permit requirements fulfilled, alcoholic beverages may be sold and consumed in city and state approved areas within the Festival Area.
- Townsquare Media Portland, LLC shall indemnify the city and hold it harmless from and against all claims arising out of activities during said festival, and shall have and maintain commercial general liability insurance, coverage in the amount of at least **\$1,000,000** combined single limit for personal or bodily injury and \$2,000,000 aggregate. The City of Portland shall be listed as an additional insured on the aforementioned insurance policy in regards to the Festival and its activities.
- Conditions for use of public grounds, specified in permits issued from Public Services Event Office, shall be adhered to.
- Townsquare Media Portland, LLC shall have sole authority and responsibility over participating vendors at the events and may charge a fee to vendors for the opportunity to vend at the Festivals.
- Townsquare Media Portland, LLC shall be responsible for any costs incurred by City Departments for the purposes of facilitating the Festival, including, but not limited to, Police Department charges, Public Services fees, Parking Control fees, Inspection Services fees, City Clerk's License fees and Recreation and Facilities Management fees.
- Townsquare Media Portland, LLC shall adhere to conditions for use as stated in this order and the agreement for use issued by Recreation & Facilities Management; and

BE IT FURTHER ORDERED, that the Public Assembly Facilities Management Staff and/or qualified volunteers will provide security; and

BE IT FURTHER ORDERED, that the Acting City Manager is authorized 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 requirements of said Code have been met regarding the operation of the Festival; and

BE IT FURTHER ORDERED, that the Acting City Manager is authorized to enter into an agreement with Townsquare Media Portland, LLC and event beneficiaries for the use of the Eastern Promenade.