

Order 105-14/15

Passage: 9-0 on 12/15/2014

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 12/25/2014

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

**ORDER DECLARING REGGAE FEST  
AS A FESTIVAL AND AUTHORIZING ADDITIONAL FESTIVALS  
PRESENTED BY WATERFRONT CONCERTS, LLC  
ON THE MAINE STATE PIER AND APPROVING CONTRACTS AND  
PERMITS THEREFOR**

**ORDERED**, that Reggae Fest is hereby declared as a Festival to be held in Portland on Sunday, August 8, 2015; and

**BE IT FURTHER ORDERED**, that Waterfront Concert Festival on Maine State Pier is hereby declared as a series of Festivals in 2015 to be presented by Waterfront Concerts, LLC on behalf of event beneficiaries, which will be non-profit organizations; and

**BE IT FURTHER ORDERED**, that the City Manager is authorized to grant permits to the Festival organizers, Waterfront Concerts, LLC on behalf of each of the event beneficiaries, pursuant to Sections 25–27 of the Portland City Code for the following activities:

- Waterfront Concerts, LLC will have the use of the Maine State Pier on Sunday, August 8, 2015 for Reggae Fest, when live music will be performed by bands from 12:30 p.m. to 9:00 p.m., and on all other mutually agreeable dates of the Waterfront Concert approved Festivals on Maine State Pier; 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 Waterfront Concerts, LLC and the City to focus volume on the Maine State Pier and its immediate environment; and

**BE IT FURTHER ORDERED**, that the Festival Area for all of the approved Festivals will be closed to street vendors pursuant to Section 19–17 of the Portland City Code and is reserved for the use of Waterfront Concerts, LLC, and event beneficiaries for the purpose of conducting the Festivals, 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 each Festival under Sections 25-26 thru 25-30 of Portland City Code to Waterfront Concerts, 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 general admission of each of the approved Festivals, other than at a 21+ beer-only garden to be set up near the stage with security provided by Public Assembly Facilities Management staff; when reserved seats, however, are sold to an approved Festival, alcohol may be served within the general Festival area.
- Waterfront Concerts, LLC shall indemnify the City and hold it harmless from and against all claims arising out of activities during all said Festivals/events approved hereunder, and shall take out and maintain public liability insurance coverage in the amount of at least \$400,000 per occurrence for personal or bodily injury, death, or property for said purposes.
- All conditions for use of grounds, specified in each permit for all Festivals approved hereunder issued from Public Services Event Office, shall be adhered to.
- Waterfront Concerts, LLC shall have sole authority over participating vendors at the events and may charge a fee to vendors for the opportunity to vend at all of the approved Festivals.
- City permit fees and license fees, and costs for city staff assistance, will be paid by Waterfront Concerts, LLC.

**BE IT FURTHER ORDERED**, that the Public Assembly Facilities Management Staff or qualified volunteers will provide security at all of the approved Festivals; 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 all of the Festivals approved hereunder; and

**BE IT FURTHER ORDERED**, that the Acting City Manager is authorized to enter into the Agreement with Waterfront Concerts, LLC and event beneficiaries for the use of the Maine State Pier as described herein.