

149887

AUD 50-25-640

RECEIVED
ACCEPTANCE JUL 2 8 57 AM 1980

GEORGE YERKOVICH, AUDITOR
 CITY OF PORTLAND, ORE.

Portland, Oregon, June 27, 1980
 BY _____

GEORGE YERKOVICH
 Auditor of the City of Portland,
 Room 202, City Hall
 Portland, Oregon 97204

Dear Sir:

This is to advise the City of Portland, Oregon, that I hereby accept the terms and provisions of

Ordinance No. 149887, passed by the Council June 26, 1980, granting a revocable permit to Portland International Raceway for a fireworks display at West Delta Park on July 4, 1980, about 10:00 p.m., under certain conditions,

and in consideration of the benefits to be received thereunder by me I hereby agree to abide by and perform each and all of the terms and provisions thereof applicable to me.

Very truly yours,

[CORPORATE
 SEAL]

APPROVED AS TO FORM

Approved as to form

Charles P. Thomas
 CITY ATTORNEY

 City Attorney

PORTLAND INTERNATIONAL RACEWAY

BY:

* *Jim Rockstead*
 Jim Rockstead, Manager I.R.P.

P.O. Box 506 Kent, Wa 98013
 Address

*When an acceptance is required from a firm or corporation the Acceptance must be signed by an officer of the firm or corporation stating his or her official title, and corporations must affix the corporate seal.

ORDINANCE NO. 149887

An Ordinance granting a revocable permit to Portland International Raceway for a fireworks display at West Delta Park on July 4, 1980, about 10:00 p.m., under certain conditions, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. That Portland International Raceway, through their Manager, Jim Rockstead, has heretofore filed a request for a revocable permit to have a fireworks display at West Delta Park on July 4, 1980, about 10:00 p.m.
2. That under the provision of ORS, Chapter 480, the sale and use of fireworks in the State of Oregon are prohibited except under certain circumstances therein recited.
3. That the request has been approved by the Fire Marshal, as ex-officio Assistant State Fire Marshal by provisions of ORS 476.060, who under authority of ORS, Chapter 480, and pursuant to Section 31.44.250(b) of the Code of the City of Portland has authority to grant a permit in the name of the State Fire Marshal.
4. Further, that the provisions of the State law permitting such displays, the same shall be under the supervision of the Chiefs of the Bureaus of Fire and Police.

NOW, THEREFORE, the Council directs:

- a. That the action of the Commissioner-in-charge of the issuing of the permit is ratified and that a revocable permit hereby is granted to Portland International Raceway to stage a fireworks display at West Delta Park on July 4, 1980; that such displays shall be under the control and supervision of the Chief of the Bureau of Police and the Fire Marshal, Bureau of Fire, and shall be staged in conformity with the regulations and limitations set forth in ORS, Chapter 480, and the rules and regulations promulgated under authority of said chapter by the State Fire Marshal, and under the following conditions:
 - (1) The permittee shall have first filed with the Auditor of the City of Portland, on a form approved by the City Attorney, an insurance policy or certificate of insurance in the sum of \$300,000 for bodily injury and property damage. Said insurance is to protect the City of Portland, its officers, agents and employees.

- (2) The display shall be limited to the fireworks specifically listed by and in the application to the State and City Fire Marshals for the dates and place therein designated.
- (3) The display, handling and transportation of fireworks shall be under the direct supervision of Daniel Hostetler, Rt. 1, Bos 317"B", Molalla, Oregon.
- (4) The permittee shall effectively supervise the fireworks display to prevent unauthorized persons from entering within the firing range of any fireworks device or within 100 feet of any shed, truck or magazine in which fireworks are stored. Such area shall be roped off and security provided to prevent the entry of unauthorized persons into the area.
- (5) The firing platform or location shall not be closer than 500 feet to any audience, combustible structure, occupied parking lot, land bearing a combustible crop, and 100 feet from the nearest aboveground power, telephone or telegraph line, tree or other overhead obstruction.
- (6) The Chief of the Bureau of Police, the Chief of the Bureau of Fire, or the Fire Marshal, or their designated representatives, may stop or cancel the authorized display in the event conditions develop which might tend to endanger the lives or property, or when the wind reaches a velocity of more than twenty (20) miles per hour.
- (7) Two (2) Class 2A fire extinguishers or charged hose line shall be provided in the firing area, and personnel in the firing area shall be knowledgeable in their use and operation.
- (8) A minimum of five (5) security personnel shall secure the access roads north and west where such fireworks are to be fired, so unauthorized persons shall not enter.
- (9) Fire extinguishing equipment shall be provided by International Raceway in the fall-out area, with a fire watch and patrol for sixty (60) minutes following the display.
- (10) All combustible debris, defective and/or unfired fireworks shall be removed from the premises. The fireworks shall be returned to their original storage vaults and removed from the city limits of Portland within six hours of the conclusion of the display.
- (11) This permit shall not be in force and effect until and unless the permittee shall have first filed with the Auditor of the City of Portland, in a form approved by the City Attorney, a document in writing accepting the terms and conditions of this ordinance.
- (12) Smoking shall not be permitted in the firing area.

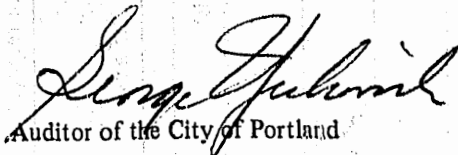
ORDINANCE No.

Section 2. Inasmuch as this ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Portland in this: In order that ratification of the granting of the permit may be made and the required documents heretofore filed with the Auditor may be attached and recorded without delay; therefore, an emergency hereby is declared to exist and this ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council,

JUN 26 1980

Commissioner Mike Lindberg
J.W. Martin/mc
June 4, 1980


Auditor of the City of Portland

Calendar No. 2256

ORDINANCE No. 149887

Title

An Ordinance granting a revocable permit to Portland International Raceway for a fireworks display at West Delta Park on July 4, 1980, about 10:00 p.m., under certain conditions, and declaring an emergency.

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Ivancie	1	
Jordan	1	
Lindberg	1	
Schwab	1	
McCready	1	

FOUR-FIFTHS CALENDAR	
Ivancie	
Jordan	
Lindberg	
Schwab	
McCready	

INTRODUCED BY
Commissioner Lindberg

NOTED BY THE COMMISSIONER
Affairs
Finance and Administration
Safety
Utilities
Works <i>ML/SA</i>

BUREAU APPROVAL
Bureau:
Bureau of Fire
Prepared By: Date:
J.W. Martin/mc 6-4-80
Budget Impact Review:
<input type="checkbox"/> Completed <input checked="" type="checkbox"/> Not required
Bureau Head:
<i>Gordon C. Morterud</i> Gordon Morterud, Chief

NOTED BY
City Attorney
City Auditor
City Engineer <i>GC</i>

Filed JUN 18 1980

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

Gordon C. Morterud
Deputy