

AUD 50-25-640 RECEIVED

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GEORGE YERKOVICH, AUDITOR
CITY OF PORTLAND, ORE.

ACCEPTANCE

BY _____

Portland, Oregon, June 27, 1980

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. 149888, passed by the Council June 26, 1980, granting a revocable permit to Rose City Speedway for a fireworks display at Rose City Speedway on July 4, 1980, 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,

Witnessed this 1st day of July 1980

Jane McEwen
My commission expires 8/6/83
[CORPORATE SEAL]

ROSE CITY SPEEDWAY

BY: _____

[Signature]

9727 N Union (17)

Address

APPROVED, AS TO FORM
Approved as to form:

Christopher P. Thomas

CITY ATTORNEY

*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. 149888

An Ordinance granting a revocable permit to Rose City Speedway for a fireworks display at Rose City Speedway on July 4, 1980, under certain conditions, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. That Rose City Speedway has heretofore filed a request for a revocable permit to have a fireworks display at the Portland Speedway on July 4, 1980 at 10:00 pm.
2. That under the provisions of ORS Chapter 480, the sales 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. That the Council further finds that by 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 be ratified and that a revocable permit hereby be granted to Rose City Speedway to stage a fireworks display at Rose City Speedway on July 4, 1980 at 10:00 pm; that such display 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, 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 in the application to the State and City Fire Marshals for the date and place therein designated.

3. The display, handling, and transportation of fireworks shall be under the direct supervision of Mr. Carl Cadonau, 6149 SW Shattuck Road, Portland, Oregon 97225.
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 50 feet of any shed, truck or magazine in which the fireworks are stored. All combustible debris, defective and/or unfired fireworks shall be removed from the premises and the City of Portland within 6 hours of the final display. The fireworks shall be returned to their original storage vaults.
5. The firing platform or location shall not be closer than 400 feet to any audience, combustible structure, occupied parking lot, or land bearing a combustible crop.
6. Fireworks displays conducted in areas that contain dry grass should be wet down before firing the display.
7. Fireworks stored on the premises of the display site shall be stored in an approved, secured, Class II magazine bearing lettering three inches high, "EXPLOSIVES. KEEP FROM FIRE".
8. The Chief of Police, the Fire Chief, the Fire Marshal, or their designated representatives, may stop or cancel the authorized display in the event conditions develop which might tend to endanger lives or property.
9. Two (2) Class 2A fire extinguishers shall be provided in the firing area, and personnel shall be knowledgeable in their use and operation.
10. No fireworks displays shall be held during any windstorm in which the wind reaches a velocity of more than twenty miles per hour.
11. Smoking shall not be permitted in the firing area.

Section 2. 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 form approved by the City Attorney, a document in writing accepting the terms and conditions of this ordinance.

ORDINANCE No.

Section 3. The Council declares that an emergency exists because prompt enactment is required 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, this Ordinance shall be in force and effect from and after its passage by the Council.

ORDINANCE NO. 149888

DATE

APPROVED BY THE COUNCIL

JUN 16 1980

Passed by the Council, **JUN 26 1980**

Commissioner Mike Lindberg
J.W. Martin/mc
June 16, 1980

Serge J. Pulvish
Auditor of the City of Portland

Calendar No. 2247

ORDINANCE No. 149888

Title

An Ordinance granting a revocable permit to Rose City Speedway for a fireworks display at Rose City Speedway on July 4, 1980, 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	
McCready	
Schwab	
Goldschmidt	

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: J.W. Martin	Date: 6-16-80
Budget Impact Review:	
<input type="checkbox"/> Completed <input checked="" type="checkbox"/> Not required	
Bureau Head: <i>Gordon Mortenson</i> Gordon Mortenson, 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 Cruell
Deputy