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AUD 50-25-640

GEORGE YERKOVICH, AUDITOR
CITY OF PORTLAND, ORE.

149889

BY

ACCEPTANCE

Portland, Oregon, July 11, 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. 149889, passed by the Council June 26, 1980, granting a revocable permit to KGW Radio for a fireworks display on July 13, 1980, on the Willamette River between the Burnside and Morrison Bridges (to be stage from a barge in the river, as a feature of the "Neighborhood Fair" being held on the west bank, between Front Avenue and the River), 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,

KGW RADIO / TV

[CORPORATE
SEAL]

Julie Trecco

Address

APPROVED AS TO FORM
Approved by City Attorney

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. **149889**

An Ordinance granting a revocable permit to KGW Radio for a fireworks Display on July 13, 1980, on the Willamette River between the Burnside and Morrison Bridges (to be staged from a barge in the river, as a feature of the "Neighborhood Fair" being held on the west bank, between Front Avenue and the River), under certain conditions, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. That KGW Radio of Portland, in conjunction with KGW-TV, has heretofore filed a request for a revocable permit to have a fireworks display on the Willamette River between the Burnside and Morrison Bridges on July 13, 1980, at approximately 10:15 p.m. This fireworks display will be visible from the west river bank, where a festival event will be in progress that evening.
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 exofficio Assistant State Fire Marshal by provisions of ORS 476.060, who, under authority of ORS, Chapter 480, and pursuant to Section 21.44.250(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 is ratified and that a revocable permit hereby is granted to KGW to stage a fireworks display on the Willamette River between the Burnside and Morrison Bridges on July 13, 1980, at approximately 10:15 p.m., as a feature of the Neighborhood Fair that evening on the Greenway between Front Avenue and the river. In the event of inclement weather alternate dates may be approved by the Fire Marshal's Office. 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, and under the following conditions:

Conditions for the Willamette River Aerial Fireworks Display

- (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 \$2,000,000 for bodily injury and \$500,000 for property damage. Said insurance is to protect the City of Portland, its officers, agents and employees.
- (2) The fireworks display is to be fired toward the Burnside Bridge from a barge anchored in the Willamette River approximately 500 feet north of the Morrison Bridge and 100 feet from the east bank of the river.
- (3) The barge upon which the fireworks display is to be fired from will be secured by the Willamette Western Tug & Barge Company in such a manner as to present no hazard to normal river traffic. The tug will be positioned up stream from the barge and at a distance which would enable the captain to maintain the safest control possible.
- (4) There shall be no smoking signs posted on the barge and this regulation will be strictly enforced.
- (5) All personnel on the barge are to be equipped with coast guard approved life jackets.
- (6) The firing platform or location of barge shall not be closer than 500 feet to any audience, combustible structure, occupied parking lot, land bearing a combustible crop, nor fifty (50) feet from the nearest aboveground power, telephone or telegraph line, tree or other overhead obstruction.
- (7) The display shall be limited to the fireworks specifically listed by and in the application to the State and City Fire Marshals for the date and place therein designated.
- (8) No shell fired during the display shall exceed four inches in diameter, nor shall their range exceed four hundred feet.
- (9) The duration of this fireworks display shall not last more than fifteen minutes.
- (10) The display, handling and transportation of fireworks shall be under the direct supervision of Jim Larson, 2609 F Street, Vancouver, Washington 98663.
- (11) 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 fireworks are stored.

- (12) Two (2) Class 2A fire extinguishers shall be provided on the barge in the firing area, and the personnel in the firing area shall be knowledgeable in their use and operation.
- (13) KGW will provide six people to act as spotters for fallout from the fireworks display; two on bridges, two on the east side of the river, two on the west side of the river, all provided with a type of communication.
- (14) A minimum of 25 uniformed security people are to be provided by KGW and used, as required, for crowd control.
- (15) 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 lives or property, or when the wind reaches a velocity of more than twenty (20) miles per hour.
- (16) The fireworks are to be stored in a Class I magazine prior to and after the display. Openings to magazines shall be restricted to that necessary for the placement and removal of stock of fireworks. All unused shells are to be immediately returned to their magazine at the conclusion of the display and removed from the city within a six hour period.

Conditions for KGW Neighborhood Fair Stationary Set Display

- (1) Display to consist of two set pieces 8 ft by 12 ft only, and shall be fastened in such a manner from a boom so as to assure maximum safety.
- (2) The display, handling, and transportation of fireworks shall be under the direct supervision of Jim Larson, 2609 F Street, Vancouver, Washington 98663
- (3) 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 fireworks are stored. Such area shall be roped off and security provided to prevent the entry of unauthorized persons into the area.
- (4) Firing platforms shall not be located closer than 50 feet from any audience, combustible structure, or occupied parking area, and 50 feet from the nearest aboveground power, telephone, or telegraph line or other overhead obstruction.

ORDINANCE No.

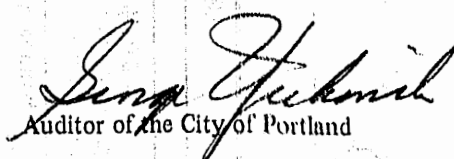
- (5) The Chief of the Bureau of Police, the Chief of the Bureau of Fire, or the Fire Marshal, or their designated representatives, may stop or cancel the authorized display in the event conditions develop which might tend to endanger lives or property, or when the wind reaches a velocity of more than twenty (20) miles per hour.
- (6) Two Class 2A fire extinguishers shall be provided in the firing area, and personnel in the firing area shall be knowledgeable in their use and operation.
- (7) A minimum of ten (10) security personnel shall secure the display/discharge and storage area.
- (8) Fire extinguishing equipment shall be provided by KGW Radio of Portland, Oregon, in the firing area, with a fire watch for thirty (30) minutes following the display.

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.

Section 3. The Council declares that an emergency exists because prompt enactment is required in order that the 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.

Passed by the Council, JUN 26 1980

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


Auditor of the City of Portland

Calendar No. 2288

ORDINANCE No. 149889

Title

An Ordinance granting a revocable permit to KGW Radio for a fireworks display on July 13, 1980, on the Willamette River between the Burnside and Morrison Bridges (to be staged from a barge in the river as a feature of the "Neighborhood Fair" being held on the west bank, between Front Avenue and the River), under certain conditions, and declaring an emergency.

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

FOUR-FIFTHS CALENDAR	
Ivancie	
Jordan	
Lindberg	
Schwab	
McCready	

Filed JUN 18 1980

GEORGE YERKOVICH

Auditor of the CITY OF PORTLAND

Gordon B. Roell
Deputy

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/mc
Date: 6-4-80
Budget Impact Review:
<input type="checkbox"/> Completed <input checked="" type="checkbox"/> Not required
Bureau Head:
<i>Gordon B. Roell</i> Gordon Morzerud, Chief

NOTED BY
City Attorney
City Auditor
City Engineer