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GEORGE YERKOVICH, AUDITOR
CITY OF PORTLAND, ORE.

AUD 80-25-640

BY al

ACCEPTANCE

Portland, Oregon, July 18, 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. 150045, passed by the Council July 17, 1980, granting a revocable permit to Muscular Dystrophy Association, Inc., to close a portion of SW Park Avenue and SW Stark Street during the Labor Day weekend to facilitate the Jerry Lewis Labor Day Telethon,

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,



MUSCULAR DYSTROPHY ASSOCIATION, INC. _____

Edward A. Culbertson _____

2828 SW Corbett, Portland Oregon 97201
Address

Approved as to form:

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.

no former endorsement

ORDINANCE NO. 150045

An Ordinance granting a revocable permit to Muscular Dystrophy Association, Inc., to close a portion of SW Park Avenue and SW Stark Street during the Labor Day weekend to facilitate the Jerry Lewis Labor Day Telethon, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. Muscular Dystrophy Association, Inc., has through Ed Culbertson, District Director, PO Box 8048, Portland, Oregon 97207, requested permission to close a portion of SW Park Avenue between SW Stark Street and SW Washington Street, and a portion of SW Stark Street between SW Park Avenue and SW 9th Avenue to facilitate the Jerry Lewis Labor Day Telethon being telecast from the Benson Hotel by KPTV.
2. That granting the desired permission, under certain conditions, will not be detrimental to the public interest.

NOW, THEREFORE, the Council directs:

- a. A revocable permit is granted to Muscular Dystrophy Association, Inc. (grantee), to close the west one-half of SW Park Avenue between SW Stark Street and SW Washington Street, and the south one-half of SW Stark Street from the center line of SW Park Avenue to SW 9th Avenue for the "Fishbowl" and searchlight sites to facilitate the said Telethon from noon, Sunday, August 31, 1980 to 6:00 p.m., Monday, September 1, 1980, subject to the following conditions:
 - (1) If, as the Telethon progresses, additional street area is required, it may be used as directed by the Bureau of Police.
 - (2) That pedestrian access in the closed street areas will be maintained at all times.
 - (3) The grantee shall provide barricades, signs, and illumination in accordance with the City Traffic Engineer.
 - (4) It is assumed in granting this permission that some disturbance will be created. If, in the opinion of the Bureau of Police, this disturbance to the public does not warrant continuing the Telethon, it is hereby authorized to cause the grantee to discontinue the Telethon activities in the street area authorized by this Ordinance until it feels the situation is improved or the grantee is authorized to continue by the Council.

ORDINANCE No.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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(5) This permit is for the use of the street area only, and shall not exempt the grantee from taking out any license or obtaining any permit required by existing City Codes or Ordinances for any operation or maintenance performed under the permit hereby granted, nor shall this permit waive the provisions of any City Code, Ordinance, or the City Charter, except as herein stated.

(6) The grantee shall hold the City of Portland, its officers, agents and employees free and harmless from any claims for damages to persons or property, including legal fees and costs of defending any actions or suits, including any appeals which may result from the use of the street area under this permit by providing evidence of insurance protecting the City of Portland, its officers, agents, and employees as follows: Bodily injury \$100,000 for one claimant and \$300,000 for one occurrence, property damage \$50,000 for one claimant and \$300,000 for one occurrence, said insurance to be kept in full force and effect at all times. This permit is automatically revoked without further action by the Council if this insurance is permitted to lapse, is cancelled, or for any other reason becomes inoperative.

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Section 2. This Ordinance will not become effective until the grantee has filed with the City Auditor both a document accepting the terms and conditions hereof, and the evidence of insurance, each of which has been approved by the City Attorney.

Section 3. The Council declares that an emergency exists because delay in the enactment of this Ordinance will result in an unnecessary hardship of uncertainty on the part of the applicant as to the status of the requested permit to close a portion of a street; therefore, this Ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council,

JUL 17 1980

Commissioner Mike Lindberg
Steve Hazzard:mmc
June 24, 1980

Attest:

Serge Zelinski
Auditor of the City of Portland

Calendar No. 2600

ORDINANCE No. 150045

Title

An Ordinance granting a revocable permit to Muscular Dystrophy Association, Inc., to close a portion of SW Park Avenue and SW Stark Street during the Labor Day weekend to facilitate the Jerry Lewis Labor Day Telethon, and declaring an emergency.

THURSDAY

JUL 10 1980

GEORGE YERKOVICH

Auditor of the CITY OF PORTLAND

Deputy

THE COMMISSIONERS VOTED AS FOLLOWS:

	Yeas	Nays
Ivancie		
Jordan		
Lindberg		
Schwab		
McCready		

FOUR-FIFTHS CALENDAR

Ivancie	
Jordan	
Lindberg	
Schwab	
McCready	

INTRODUCED BY
Commissioner Mike Lindberg

NOTED BY THE COMMISSIONER

Affairs

Finance and Administration

Safety

Utilities

Works *ML/mgf*

BUREAU APPROVAL

Bureau: Street & Structural Engineering

Prepared By: Steve Hazzard:mmc Date: 6-24-80

Budget Impact Review:

Completed Not required

Bureau Head: *David Vargas*
David Vargas, Acting Chief

NOTED BY

City Attorney

City Auditor

City Engineer Approved: John M. Lang, City Engineer

By: *[Signature]*

Filed

[Signature]
Deputy

120045