

ACCEPTANCE

RECEIVED

AUG 6 8 54 AM 1980

GEORGE YERKOVICH, AUDITOR
CITY OF PORTLAND, ORE.

BY August 1, 1980
Portland, Oregon, _____

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. 150147, passed by the Council July 31, 1980, granting a revocable permit to Portland Oktober Fest to close NE 13th Avenue between Holladay and Multnomah, September 7th to 16th, inclusive, to facilitate their annual Oktober Fest,

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,
CENTRAL CATHOLIC HIGH SCHOOL
PORTLAND OKTOBER FEST

[CORPORATE
SEAL]

* John Shepard
Vice Principal / Development
2401 SE Stark, Portland, Oregon 97214

Address

Approved as to form AS TO FORM

Champion P. Thomas

CITY 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. 150147

An Ordinance granting a revocable permit to Portland Oktober Fest to close NE 13th Avenue between Holladay and Multnomah, September 7th to 16th, inclusive, to facilitate their annual Oktober Fest, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. Portland Oktober Fest, 2401 SE Stark, 97214, through John Shepard, Vice Principal, has requested permission to close NE 13th Avenue between Holladay and Multnomah Street, from September 7th to September 16th inclusive.
2. The desired closure are to facilitate their annual Oktober Fest held in the adjacent park blocks.
3. The Traffic Engineer, City Engineer and Fire Marshal have no objections to said closure, and under certain conditions, granting the desired permission will not be detrimental to the public interest.

NOW, THEREFORE, the Council directs:

- a. A revocable permit is granted to Portland Oktober Fest to close NE 13th Avenue, between Holladay and Multnomah, from 7:00 AM September 7th to 7:00 PM September 16th, inclusive, 1980, to facilitate their annual Oktober Fest to be held in the adjoining park blocks, subject to the following conditions:
 - (1) Nothing contained herein shall limit the authority of the Bureau of Police in maintaining the public peace and safety and upon their request the grantee shall immediately reopen said street to its normal public use.
 - (2) Push carts or other vendors, in accordance with Chapter 17.26 of the Code hereby are not permitted within 200 feet of the above closed area.
 - (3) This permit is for the use of street area only and shall be subject to necessary use by emergency vehicles.
 - (4) This permit shall not exempt the grantee from obtaining any license or permit required by the City Code or Ordinances for any act to be performed under this permit, nor shall this permit waive the provisions of any City Code, Ordinance, or the City Charter, except herein stated.

ORDINANCE No.

(5) This permit is revocable at any time at the pleasure of the Council and no expenditure of money or lapse of time, or other act or thing, shall operate as an estoppel against the City of Portland, or be held to give the grantee any vested or other right. Upon revocation of this permit by the Council, the grantee shall remove the barricades immediately and restore the street area as required by and to the satisfaction of the City Engineer.

(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 and 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.

(7) The grantee shall at his own expense provide barricades, signs and illumination as required by the City Engineer and Traffic Engineer.

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 for temporary closure of NE 13th Avenue; therefore, this Ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, JUL 31 1980

Commissioner Mike Lindberg
Steve Hazzard/tw
July 15, 1980

Attest:

George Hazzard
Auditor of the City of Portland

Calendar No. 2778

ORDINANCE No. 15011

Title

An Ordinance granting a revocable permit to Portland Oktober Fest to close NE 13th Avenue between Holladay and Multnomah, September 7th to 16th, inclusive, to facilitate their annual Oktober Fest, and declaring an emergency.

THURSDAY

JUL 24 1980

Filed

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

By: *Gordon Russell*
Deputy

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 MIKE LINDBERG

NOTED BY THE COMMISSIONER

Affairs

Finance and Administration

Safety

Utilities

Works *ML mgd*

BUREAU APPROVAL

Bureau:
Street & Structural Engineering

Prepared By: Steve Hazzard/tw Date: 7-15-80

Budget Impact Review:
 Completed Not required

Bureau Head:
David J. Vargas
David J. Vargas, Acting Chief

NOTED BY

City Attorney

City Auditor

City Engineer

Approved: John M. Lang

By: *David J. Vargas*