

ACCEPTANCE

RECEIVED
APR 15 9 05 AM 1981

GEORGE YERKOVICH, AUDITOR
CITY OF PORTLAND, OREGON
Portland, Oregon, April 10, 1981
BY: *[Signature]*

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. 151381, passed by the Council April 9, 1981, granting a revocable permit to the Portland Rose Festival Association to place overhead decorations within the street area of NE Union Avenue between Weidler and Burnside Streets, and NE Sandy Boulevard between 37th and 47th Avenues, from May 23rd through June 21st, 1981,

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,

PORTLAND ROSE FESTIVAL ASSOCIATION

[Signature of Clayton W. Hannon]

Clayton W. Hannon, Executive Manager

One SW Columbia, Portland, OR 97201
Address

(CORPORATE SEAL)

APPROVED AS TO FORM
Approved as to form:

[Signature of City Attorney]

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. 151381

An Ordinance granting a revocable permit to the Portland Rose Festival Association to place overhead decorations within the street area of NE Union Avenue between Weidler and Burnside Streets, and NE Sandy Boulevard between 37th and 47th Avenues, from May 23rd through June 21st, 1981, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds;

- 1. The Portland Rose Festival Association, through Clayton Hannon, Executive Manager, has applied for permission to attach decorations on supporting overhead cables across NE Union Avenue between Weidler and Burnside Streets, and across NE Sandy Boulevard between 37th and 47th Avenues, from May 23rd through June 21st, 1981.
- 2. That said banners are traditional part of the Rose Festival events and should be continued.
- 3. That the granting of said permission under certain conditions, will not be detrimental to the public interest.

NOW, THEREFORE, the Council directs:

- a. A revocable permit is granted to Portland Rose Festival Association to place overhead decorations across NE Union Avenue between Weidler and Burnside Streets, and across Sandy Boulevard between 37th and 47th Avenues from May 23rd through June 21st, 1981, subject to the following conditions:
 - (1) All decorations must have a clearance of 18 feet above the roadway of the street and 10 feet above the sidewalk and comply with State Highway regulations governing such installations.
 - (2) Approval for use of utility poles and manner of securing and fastening overhead cables to the poles must be obtained from the utility companies involved.
 - (3) This permit is for the use of the street area only and shall not exempt the permittee from obtaining any license or permit required by City Code or Ordinance for any act to be performed under this permit, nor shall this permit waive the provision of any City Code or Ordinance or the City Charter except as herein stated.

ORDINANCE No.

- (1) This permit is revocable at any time in the event the public's need requires it and no expenditure of money hereunder, lapse of time, or other act or thing shall operate as an estoppel against the City of Portland, or be held to give the permittee any vested or other rights. Immediately upon the expiration of this permit, or upon its sooner revocation by the Council, the permittee shall remove said decorations from the street area as directed by and to the satisfaction of the City Engineer.
- (5) The permittee 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.


Section 2: This Ordinance will not become effective until the permittee has filed with the City Auditor a document, which has been approved by the City Attorney, accepting the terms and conditions hereof. This Ordinance shall be automatically revoked without further consideration by the Council if the terms and conditions are not accepted within sixty (60) calendar days of the passage of this Ordinance.

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 banners and decorations; therefore, this Ordinance shall be in force and effect from and after its passage.

Passed by the Council, **APR 9 1981**

Commissioner Mike Lindberg
 John Brandt:mnc
 March 24, 1981

Attest:


 Auditor of the City of Portland

Calendar No. 1107

ORDINANCE No. 151381

Title

An Ordinance granting a revocable permit to the Portland Rose Festival Association to place overhead decorations within the street area of NE Union Avenue between Weidler and Burnside Streets, and NE Sandy Boulevard between 37th and 47th Avenues, from May 23rd through June 21st, 1981, and declaring an emergency.

THURSDAY

Filed APR 2 1981

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

By: *Robert C. [Signature]*
Deputy

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

FOUR-FIFTHS CALENDAR	
Jordan	
Lindberg	
Schwab	
Ivancie	

INTRODUCED BY
Commissioner Mike Lindberg

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

BUREAU APPROVAL
Bureau:
Street & Structural Engineering
Prepared By: _____ Date: _____
John Brandt:mmc 3-24-81
Budget Impact Review:
<input type="checkbox"/> Completed <input checked="" type="checkbox"/> Not required
Bureau Head: <i>[Signature]</i>
David J. Vargas, Acting Chief

CALENDAR
Consent <input checked="" type="checkbox"/> Regular

NOTED BY
City Attorney
City Auditor
City Engineer Approved:
John M. Lang <i>[Signature]</i>
By: <i>[Signature]</i>