

RECEIVED

151640

JUN 4 11 05 AM 1981

ACCEPTANCE

GEORGE YERKOVICH, AUDITOR
CITY OF PORTLAND, ORE.

BY _____

Portland, Oregon, _____ May 28 _____ 1981

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. 151640, passed by the Council May 27, 1981, granting a revocable permit to The Portland Beaver Baseball Team for fireworks displays on June 7, 1981 (or in the event of inclement weather on alternate date approved by the Fire Marshals Office) at the Lincoln High School Athletic Field, 1800 SW Salmon Street as a feature of the baseball games staged that evening at the Portland Civic Stadium, immediately across the street, 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,

THE PORTLAND BEAVER BASEBALL TEAM

[CORPORATE
SEAL]

* _____

1205 SW 18th, Portland, OR 97205

Address

APPROVED AS TO FORM

Approved as to form:

Christopher P. Thomas

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. 151640

An Ordinance granting a revocable permit to The Portland Beaver Baseball Team for fireworks displays on June 7, 1981 (or in the event of inclement weather on alternate date approved by the Fire Marshals Office) at the Lincoln High School Athletic Field, 1800 SW Salmon Street as a feature of the baseball games staged that evening at the Portland Civic Stadium, immediately across the street, under certain conditions, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. That the Portland Beaver Baseball Team has heretofore filed a request for a revocable permit to have fireworks displays at the Lincoln High School Athletic Field on June 7, 1981 (or in the event of inclement weather on alternate date approved by the Fire Marshals Office), these fireworks displays being visible from the Portland Civic Stadium across the street, where baseball games will be in progress that evening.
2. That written approval for the use of the Lincoln High School Athletic Field for this purpose has been granted by School District #1.
3. 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.
4. 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.
5. 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 the Portland Beaver Baseball Team to stage fireworks displays at the Lincoln High School Athletic Field on June 7, 1981 (or in the event of inclement weather on alternate date approved by the Fire Marshals Office) as a feature of the baseball games being held that evening at the Portland Civic Stadium across the street; that such displays shall be under the control and supervision of the Chief of the Bureau of Police, the Chief of the Bureau of Fire, and the Fire Marshal, 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:

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 \$1,000,000 for bodily injury and/or 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 by and in the application to the State and City Fire Marshals for the date, alternate and place therein designated.
3. The display, handling and transportation of fireworks shall be under the direct supervision of John Sinclair, 2470 NW Westover Road, Portland, OR 97210.
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 fireworks are stored. Such area shall be roped off and security provided to prevent the entry of unauthorized persons into the area.
5. The firing platform or location shall not be closer than 200 feet to any audience, combustible structure, occupied parking lot, land bearing combustible crop, and fifty (50) feet from the nearest aboveground power, telephone, or telegraph line, tree or other overhead obstruction.
6. 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.
7. Two (2) 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.
8. A minimum of two (2) security personnel shall secure the access roads north and south of where such fireworks are to be fired, so that unauthorized persons shall not enter.
9. Fire extinguishing equipment shall be provided by the Portland Beaver Baseball Team, in the fall out area, with a fire watch and patrol for sixty (60) minutes following each display.
10. After each fireworks display all combustible debris, defective and/or unfired fireworks shall be removed from the premises. The fireworks shall be returned to their original storage vaults immediately upon completion of each display and removed from the city limits of Portland within a six (6) hour period.

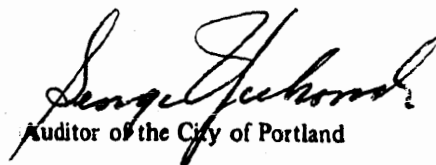
ORDINANCE No.

11. Smoking shall not be permitted in the firing area.
- b. 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 2. Inasmuch as this ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Portland in this: 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 an emergency is hereby declared to exist and this ordinance shall be in force and effect from and after its passage by Council.

Passed by the Council, **MAY 27 1981**
Commissioner Schwab
KLO/MP/lh
May 7, 1981

Attest:


Auditor of the City of Portland

Und. 126.

1666

Calendar No.

~~1560~~

ORDINANCE No. 151610

Title

An Ordinance granting a revocable permit to The Portland Beaver Baseball Team for fireworks displays on June 7, 1981 (or in the event of inclement weather on alternate date approved by the Fire Marshal's Office) at the Lincoln High School Athletic Field, 1800 SW Salmon Street as a feature of the baseball games staged that evening at the Portland Civic Stadium, immediately across the street, under certain conditions, and declaring an emergency.

MAY 21 1981

CONTINUED TO MAY 27 1981

MAY 13 1981

Filed _____

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

By

Deputy

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
JORDAN	—	
LINDBERG	/	
SCHWAB	/	
STRACHAN	/	
IVANCIE	/	

FOUR-FIFTHS CALENDAR	
JORDAN	
LINDBERG	
SCHWAB	
STRACHAN	
IVANCIE	

INTRODUCED BY

Commissioner Schwab

NOTED BY THE COMMISSIONER

Affairs

Finance
Administration

Safety

Utilities

Works

BUREAU APPROVAL

Bureau:

Bureau of Fire

Prepared By:

Date:

KLO/MP/lh

May 7, 1981

Budget Impact Review:

☐ Completed

☐ Not required

Bureau Head: Francis J. Sargant

Francis J. Sargant

CALENDAR

Consent ☒

Regular

NOTED BY

City Attorney

City Auditor

City Engineer