

RECEIVED

JUN 30 8 52 AM 1981

151850

GEORGE YERKOVICH, AUDITOR
CITY OF PORTLAND, ORE.

ACCEPTANCE

BY _____

Portland, Oregon, _____ June 26 _____ 19 81

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. 151850, passed by the Council June 25, 1981, granting a revocable permit to The Oaks Park for a fireworks display at Oaks Amusement Park in the fenced-off area on the east bank of the river, on July 3 and 4, 1981 at approximately 10:15 pm, 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 OAKS PARK

[CORPORATE SEAL]

[Signature]

Oaks Amusement Park, Portland, OR 97202

Address

APPROVED AS TO FORM

Approved as to form:

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. **151850**

An Ordinance granting a revocable permit to The Oaks Park for a fireworks display at Oaks Amusement Park in the fenced-off area on the east bank of the river, on July 3 and 4, 1981 at approximately 10:15 pm, under certain conditions and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. That The Oaks Park, has heretofore filed a request for a revocable permit to have a fireworks display at Oaks Amusement Park on July 3 and 4, 1981 at approximately 10:15 pm.
2. That under the provisions 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 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.
4. Further, that by the provision 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 Oaks Park to stage a fireworks display at Oaks Amusement Park on July 3 and 4, 1981 at approximately 10:15 pm, or in the event of inclement weather additional date to be approved by the Fire Marshal; that such display shall be under the control and supervision 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:
 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 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 in the application to the State and City Fire Marshals for the dates and place therein designated.
3. The display, handling and transportation of fireworks shall be under the direct supervision of Dale Pritchard, Oaks Amusement Park, Portland, Oregon 97202.
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 the fireworks are stored. All combustible debris, defective and/or unfired fireworks shall be removed from the premises and the City of Portland within six hours of the final display. The fireworks shall be returned to their original storage vaults.
5. The firing platform or location should not be closer than 200 feet to any audience, combustible structure, occupied parking lot, or land bearing a combustible crop.
6. Fireworks displays conducted in areas that contain dry grass should be wet down before firing the display.
7. Fireworks stored on the premises of the display site shall be stored in an approved, secured, Class II magazine bearing lettering 3 inches high, "EXPLOSIVES. KEEP FROM FIRE".
8. The Chief of Police, Fire Chief, 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.
9. 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.
10. Smoking shall not be permitted in the firing area.
11. Approval of application to U.S. Coast Guard for Marine Event to discharge fireworks over Willamette River must be in hand before any fireworks are discharged.

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 a form approved by the City Attorney, a document in writing accepting the terms and conditions of this ordinance.

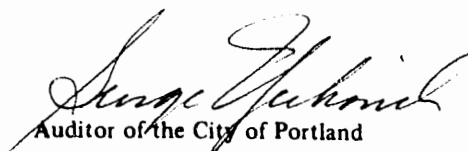
ORDINANCE No.

Section 3. The council declares that an emergency exists because prompt enactment is required 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, this ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, JUN 25 1981

Commissioner Schwab
M. A. Pittmon/mlw
June 4, 1981

Attest:


Auditor of the City of Portland

Calendar No. **2168**

ORDINANCE No. 151850

Title

An Ordinance granting a revocable permit to The Oaks Park for a fireworks display at Oaks Amusement Park in the fenced-off area on the east bank of the river, on July 3 and 4, 1981 at approximately 10:15 pm, under certain conditions and declaring an emergency.

THURSDAY

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

FOUR-FIFTHS CALENDAR	
JORDAN	
LINDBERG	
SCHWAB	
STRACHAN	
IVANCIE	

Filed **JUN 16 1981**

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

By *Gordon Howell*
Deputy

INTRODUCED BY
Commissioner Schwab

NOTED BY THE COMMISSIONER	
Affairs	<i>[Signature]</i>
Finance and Administration	
Safety	
Utilities	
Works	

BUREAU APPROVAL	
Bureau:	
Bureau of Fire	
Prepared By:	Date:
KLO/MP/mlw	June 4, 1981
Budget Impact Review:	
<input type="checkbox"/> Completed	<input checked="" type="checkbox"/> Not required
Bureau Head: Francis J. Sargent	
<i>Francis J. Sargent</i>	

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

NOTED BY	
City Attorney	
City Auditor	
City Engineer	