

RECEIVED  
**ACCEPTANCE** 52 AM 1982  
APR 8

GEORGE YERKOVICH  
CITY AUDITOR  
CITY OF PORTLAND, ORE

Portland, Oregon, April 2 1982  
BY \_\_\_\_\_

**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. 153038, passed by Council April 1, 1982, granting a revocable permit to the Old Town Merchants Association to erect and maintain banners on the ornamental light standards in the Skidmore/Old Town Historic District from April 5 through July 5, 1982,

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,

\_\_\_\_\_  
OLD TOWN MERCHANTS ASSOCIATION

[CORPORATE  
SEAL]

\* *Sharon Nilson, Secretary*  
\_\_\_\_\_

1023 SW Yamhill St., Portland, OR 97205  
\_\_\_\_\_  
Address

Approved as to form:  
**APPROVED AS TO FORM**

*Christopher P. Thomas*  
\_\_\_\_\_  
City Attorney  
**EX-103**

\*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. 153038

An Ordinance granting a revocable permit to the Old Town Merchants Association to erect and maintain banners on the ornamental light standards in the Skidmore/Old Town Historic District from April 5 through July 5, 1982, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. The Old Town Merchants Association, through Jack O'Neil, 1023 SW Yamhill Street, Portland, Oregon 97205, has applied for permission to erect and maintain banners on the ornamental light standards in Skidmore/Old Town Historic District from April 5 through July 5, 1982.
2. The banners are part of a campaign to upgrade the public image of the Skidmore/Old Town area.
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 hereby is granted to the Old Town Merchants Association, permittee, to erect and maintain banners on the ornamental light standards in Skidmore/Old Town Historic District from April 5, through July 5, 1982, subject to the following conditions:
  - (1) 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 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 as herein stated.
  - (2) Banners must be located so as to have a minimum clearance of 11 feet above the roadway of the street and the approval for the use of the light standards and the manner of securing the flags and banners must be obtained from the utility companies involved.
  - (3) 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 right. Immediately upon the expiration of this permit, or upon its sooner revocation by the Council, the permittee shall remove said, flags and banners from the street area as directed by and to the satisfaction of the City Engineer.

## ORDINANCE No.

- (4) 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.
- (5) Should the Rose Festival Association desire to place banners on ornamental light standards within the Skidmore/Old Town District, any banners permitted by this Ordinance must be removed.

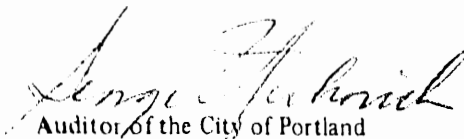
Section 2. This Ordinance will not become effective until the permittee has filed with the City Auditor a document, which has been approved by the City Attorney, accepting the terms and conditions hereof. This Ordinance shall be automatically revoked without further consideration by the Council if the acceptance, together with documents and fees required, are not on file with the City Auditor by 5:00 p.m., April 1, 1982.

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 erect and maintain flags and banners on the ornamental light standards; therefore, this Ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, APR 1 1982

Commissioner Mike Lindberg  
 Larry Barclay:mnc  
 March 24, 1982

Attest:

  
 Auditor of the City of Portland

Calendar No. 838

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THURSDAY

Filed MAR 25 1982

GEORGE YERKOVICH Auditor of the CITY OF PORTLAND

By: *[Signature]* Deputy

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
JORDAN		+
LINDBERG	1	
SCHWAB	1	
STRACHAN	1	
IVANCIE	1	

FOUR-FIFTHS CALENDAR	
JORDAN	
LINDBERG	
SCHWAB	
STRACHAN	
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: Larry Barclay:mmc Date: 3-24-82
Budget Impact Review: <input type="checkbox"/> Completed <input checked="" type="checkbox"/> Not required
Bureau Head: <i>R.O. Schmidt</i> Richard O. Schmidt, Chief

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

NOTED BY
City Attorney
City Auditor
City Engineer Approved: John M. Lang P.E.
By: <i>R.O. Schmidt</i>

Calendar No. 838

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Auditor of the CITY OF PORTLAND

By: *Robert O. Schmidt*  
Deputy

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