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153039

GEORGE YERKOVICH, AUDITOR
CITY OF PORTLAND, ORE.

ACCEPTANCE

BY *EL*

Portland, Oregon, April 9, 1982

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. 153039, passed by Council April 1, 1982, granting a revocable permit to Old Town Merchants Association to close NW Davis Street between NW First Avenue and NW Second Avenue from 11:30 a.m. to 3:30 p.m. on April 10, 1982, at a fee of \$10.00,

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]

Keene Satchwell
Manager

P.O. Box 3458, Portland, OR 97208
Address

Approved **AS TO FORM**

Christopher P. Thomas
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.

From the desk of

BILL NAITO

Mr Keone Satchwell

is my
agent and
employee of
Nonoal Church

by Bill Naito
Vice Pres

ORDINANCE NO. 153039

An Ordinance granting a revocable permit to Old Town Merchants Association to close NW Davis Street between NW First Avenue and NW Second Avenue from 11:30 a.m. to 3:30 p.m. on April 10, 1982, at a fee of \$10.00, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. The Old Town Merchants Association, has through Doug Campbell, PO Box 3458, Portland, Oregon 97208, requested to close NW Davis Street between NW First Avenue and NW Second Avenue.
2. The closure is proposed for April 10, 1982 between the hours of 11:30 a.m. and 3:30 p.m.
3. The purpose of the closure is to hold a mural exhibit and competition involving local artists and to celebrate Portland's 131st birthday.
4. The closure will be held in conjunction with the cornerstone ceremony for One Pacific Square.
5. The proposed closure, under certain conditions will not be detrimental to the public interest.

NOW, THEREFORE, the Council directs:

- a. A revocable permit is hereby issued to the Old Town Merchants Association to close NW Davis Street between NW First Avenue and NW Second Avenue from 11:30 a.m. to 3:30 p.m. on April 10, 1982, 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 request the permittee shall immediately reopen said street to its normal public use.
 - (2) This permit is for use of the street area only and shall be subject to necessary use by emergency vehicles.
 - (3) This permit shall not exempt the permittee from obtaining any 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.

- (4) This permit is revocable at any time 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 permittee any vested rights. Upon revocation of this permit by the City Engineer, the permittee shall remove barricades immediately and restore the street area as required 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.
- (6) The permittee shall at his own expense provide barricades, signs, and illumination as required by the City Engineer and Traffic Engineer.
- (7) The permittee shall be responsible to clean the street and sidewalk at the conclusion of the event.
- (8) The permittee shall restore the street and sidewalks to their normal use by 3:30 p.m.
- (9) The permittee shall pay the permit fee of \$10.00 required by Section 17.24.020 of the City Code.

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 8, 1982.

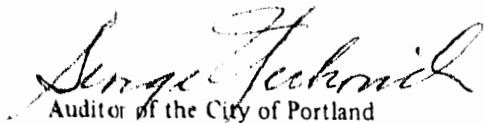
ORDINANCE No.

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; 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:mmc
March 24, 1982

Attest:


Auditor of the City of Portland

Calendar No. 839

ORDINANCE No. 153039

Title

An Ordinance granting a revocable permit to Old Town Merchants Association to close NW Davis Street between NW First Avenue and NW Second Avenue from 11:30 a.m. to 3:30 p.m. on April 10, 1982, at a fee of \$10.00, and declaring an emergency.

THURSDAY

Filed MAR 25 1982

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

By *Gordon Crall*
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>M L / 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 ref</i> Richard O. Schmidt, Chief

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

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