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# ACCEPTANCE

GEORGE YERKOVICH, AUDITOR  
CITY OF PORTLAND, ORE.

BY *[Signature]*

Portland, Oregon, April 21, 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. 153111, passed by the Council April 21, 1982, granting a revocable permit to The Portland Beaver Baseball Team for fireworks displays on April 22, 1982 (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,

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,

(CORPORATE  
SEAL)

THE PORTLAND BEAVER BASEBALL TEAM

BY:

*\*Gene Rosling - Sales mgr.*

*10285 SW Crestwood Ct.*

Address

*Beaverton, Oregon*

Approved: *[Signature]* AS TO FORM

*Christina 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.

Ordinance No. **153111**

An Ordinance granting a revocable permit to The Portland Beaver Baseball Team for fireworks displays on April 22, 1982 (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.

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 April 22, 1982 (or in the event of inclement weather on alternate date approved by the Fire Marshal's 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 April 22, 1982 (or in the event of inclement weather on alternate date approved by the Fire Marshal's 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:

153111

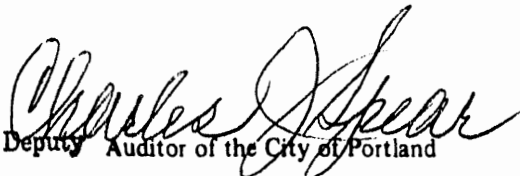
1. The permittee shall have first filed with the Auditor of the City of Portland, on a form approved by the City Attorney, an insurance policy or certificate of insurance in the sum of \$500,000 for bodily injury and/or property damage, said insurance is to protect the City of Portland, its officers, 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 Dennis McCracken, P. O. Box 13299, Portland, OR
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, APR 21 1982  
 Commissioner Schawb  
 KLO/JM/dem  
 April 13, 1982

Attest:  
  
 Chief Deputy Auditor of the City of Portland

Calendar No. 1020

ORDINANCE No. 153111

Title

An Ordinance granting a revocable permit to the Portland Beaver Baseball Team for fireworks displays on April 22, 1982 (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 Salmont 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 COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
JORDAN	/	
LINDBERG	/	
SCHWAB	/	
STRACHAN		-
IVANCIE	/	

FOUR-FIFTHS CALENDAR	
JORDAN	
LINDBERG	
SCHWAB	
STRACHAN	
IVANCIE	

Filed APR 15 1982

GEORGE YERKOVICH  
Auditor of the CITY OF PORTLAND

By *George Yerkovich*  
Deputy

INTRODUCED BY
<i>Commissioner Schwab</i>

NOTED BY THE COMMISSIONER
Affairs
Finance and Administration
Safety
Utilities
Works

BUREAU APPROVAL
Bureau: Fire
Prepared By: Joe Martin      Date: April 13, 1982
Budget Impact Review: <input type="checkbox"/> Completed <input type="checkbox"/> Not required
Bureau Head: <i>Francis J. Sargent</i> FRANCIS J. SARGANT, Chief

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

NOTED BY
City Attorney
City Auditor
City Engineer