

RECEIVED

149597

MAY 12 8 55 AM 1980

GEORGE YERKOVICH, AUDITOR
CITY OF PORTLAND, ORE.

ACCEPTANCE

BY

Portland, Oregon, May 9, 1980

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. 149597, passed by the Council May 8, 1980, granting revocable permits to the Portland Rose Festival Association to hold a Rose Festival Grand Floral Parade on June 14th, 1980, and to vend and sell festival paraphernalia and certain food items along the route during the parade, waiving City license fees and exempting payment of City Permit inspection fees relating to vending and selling,

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]

*

Christopher P. Thomas

APPROVED AS TO FORM

Address

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. 149597

An Ordinance granting revocable permits to the Portland Rose Festival Association to hold a Rose Festival Grand Floral Parade on June 14th, 1980, and to vend and sell festival paraphernalia and certain food items along the route during the parade, waiving City license fees and exempting payment of City Permit inspection fees relating to vending and selling, and declaring an emergency.

The City of Portland ordains:

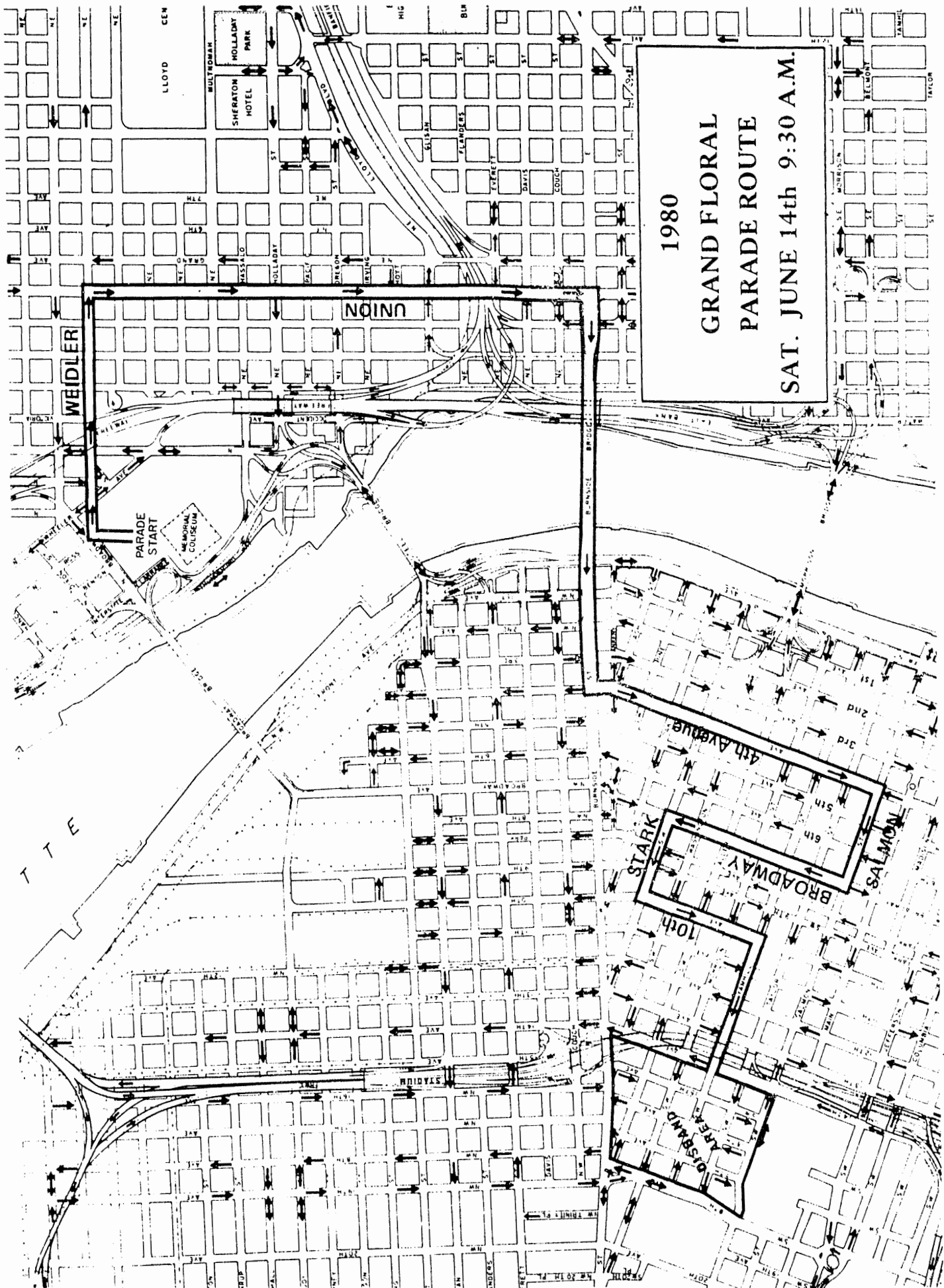
Section 1. The Council finds:

1. The Portland Rose Festival Association, through Clayton Hannon, Executive Manager, has requested a permit for a Rose Festival Grand Floral Parade to be held on Saturday, June 14th, 1980, commencing at 9:30 AM, and for permission to vend and sell between the curb lines of the parade route streets, items of festival paraphernalia and certain food items during the parade, without payment of the license fee and also request exemption of payment of permit inspection fees.
2. The parade is an enjoyable tradition of Portland that should be continued.
3. The vending and selling activities are traditionally part of the parade and the Rose Festival and should be continued.
4. The concerned bureaus have no objections to these requests, and under certain conditions, the granting of said permissions will not be detrimental to the public interest.

NOW, THEREFORE, the Council directs:

- a. A revocable permit is granted to the Portland Rose Festival Association to hold a Rose Festival Grand Floral Parade, June 14th, 1980, beginning at 9:30 AM, over the streets shown on the attached map marked "Exhibit A" and made a part hereof by reference, subject to the following conditions:
 - (1) This permit is revocable at any time at the pleasure of the Council 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 grantee any vested or other right.

- (2) The grantee 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.
 - (3) That benches be placed in the sidewalk areas on the westerly side of SW Stark Street between SW Broadway and SW Park Avenue, and on the eastside of NE Union Avenue between NE Everett Street and NE Glisan Street for Senior Citizen use, subject to supervision of participating City of Portland Bureaus.
- (b) A revocable permit is granted to the Portland Rose Festival Association to vend and sell between the curb lines and their extensions along the route of the 1980 Grand Floral Parade, on June 14, 1980, items of festival paraphernalia and certain food items, without payment of City license fees and with exemption of payment of permit inspection fees, subject to the following conditions:
- (1) The provisions of the permit herein granted shall have no effect as to rights or limitations of news vendors.
 - (2) The grantee 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:



ORDINANCE No.

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.

- (3) The grantee may construct, place and maintain at certain specified locations within the street area, supply depots used solely as a source of supply for the food and novelty vendors and not use to vend or sell to the general public. The Bureau of Police and Bureau of Traffic Engineering shall cooperate with the grantee in determining the number of locations of such supply depots provided, however, that the Bureau of Police and Bureau of Traffic Engineering shall be final.
- (4) The grantee, agents and employees shall observe and obey all applicable traffic ordinances and all other applicable ordinances, provisions of the City, and further shall obey all orders and directions of the Bureau of Police with respect to compliance with this Ordinance and other applicable Ordinances of the City.
- (5) For any violations of the terms of this revocable permit, the Council may at its sole and absolute discretion revoke this special permission granted herein.

Section 2. This Ordinance will not become effective until the grantee has filed with the City Auditor both a document accepting the terms and conditions hereof, and the evidence of insurance, each of which has been approved by the City Attorney.

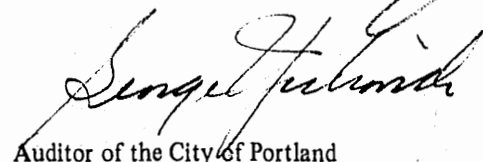
Section 3. The Council declares that an emergency exists because delay in the enactment of this Ordinance will result in unnecessary hardship of uncertainty for planning for said parade; and to vend and sell along the parade route, therefore, this Ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, **MAY 8 1980**

Commissioner Mike Lindberg
Harry Hendrickson:mmc
April 24, 1980


Mayor of the City of Portland

Attest:


Auditor of the City of Portland

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Ivancie		
Jordan		
Lindberg		
Schwab		
McCready		

FOUR-FIFTHS CALENDAR	
Ivancie	
Jordan	
Lindberg	
Schwab	
McCready	

Calendar No. 1598

ORDINANCE No. 149597

Title

An Ordinance granting revocable permits to the Portland Rose Festival Association to hold a Rose Festival Grand Floral Parade on June 14th, 1980, and to vend and sell festival paraphernalia and certain food items along the route during the parade, waiving City license fees and exempting payment of City Permit inspection fees relating to vending and selling, and declaring an emergency.

THURSDAY

Filed MAY 2 1980

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

By *Gordon C. ...*
Deputy

INTRODUCED BY
Commissioner Mike Lindberg

NOTED BY THE COMMISSIONER
Affairs
Finance and Administration
Safety
Utilities
Works <i>MLISA</i>

BUREAU APPROVAL
Bureau:
Street & Structural Engineering
Prepared By: Date:
Harry Hendrickson:mmc 4-24-80
Budget Impact Review:
<input type="checkbox"/> Completed <input checked="" type="checkbox"/> Not required
Bureau Head: <i>David S. Vargas</i>
David Vargas, Acting Chief

NOTED BY
City Attorney
City Auditor
City Engineer Approved: <i>[Signature]</i>
John M. Lang, Acting City Engr.
By: <i>David S. Vargas</i>