

RECEIVED
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ACCEPTANCE
GEORGE YERKOVICH, AUDITOR
CITY OF PORTLAND, ORE.

BY _____ June 26 1981
Portland, Oregon, _____

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. 151862, passed by the Council June 25, 1981, granting a revocable permit to Golden West Broadcasters for a fireworks display on July 3, 1981, on the Willamette River between the Burnside and Morrison Bridges, 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,

GOLDEN WEST BROADCASTERS OF PORTLAND

(CORPORATE SEAL)

* *[Signature]* *Mgr. Bus. Affairs*

4949 SW Macadam, Portland, OR 97201

Address

Approved as to form:

APPROVED AS TO FORM

[Signature]

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. 151862

An Ordinance granting a revocable permit to Golden West Broadcasters for a fireworks Display on July 3, 1981, on the Willamette River between the Burnside and Morrison Bridges (to be staged from a barge in the river, as a feature of the "Old Fashioned Summer Picnic" being held on the west bank, between Front Avenue and the River), under certain conditions, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. That Golden West Broadcasters of Portland, has heretofore filed a request for a revocable permit to have a fireworks display on the Willamette River between the Burnside and Morrison Bridges on July 3, 1981, at approximately 10:00 p.m. This fireworks display will be visible from the west river bank, where a festival event will be in progress that evening.
2. 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.
3. That the request has been approved by the Fire Marshal, as exofficio Assistant State Fire Marshal by provisions of ORS 476.060, who, under authority of ORS, Chapter 480, and pursuant to Section 21.44.250(b) of the Code of the City of Portland, has authority to grant a permit in the name of the State Fire Marshal.
4. 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 is ratified and that a revocable permit hereby is granted to Golden West Broadcasters to stage a fireworks display on the Willamette River between the Burnside and Morrison Bridges on July 3, 1981, at approximately 10:00 p.m., as a feature of the Old Fashioned Summer Picnic that evening on the Greenway between Front Avenue and the river. In the event of inclement weather alternate dates may be approved by the Fire Marshal's Office. Such display shall be under the control and supervision of the Chief 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:

Conditions for the Willamette River Aerial Fireworks Display

- (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 \$1,000,000 for property damage. Said insurance is to protect the City of Portland, its officers, agents and employees.
- (2) The fireworks display is to be fired toward the Burnside Bridge from a barge anchored in the Willamette River approximately 500 feet north of the Morrison Bridge and 200 feet from the east bank of the river.
- (3) The barge upon which the fireworks display is to be fired from will be secured by the Willamette Western Tug & Barge Company in such a manner as to present no hazard to normal river traffic. The tug will be positioned up stream from the barge and at a distance which would enable the captain to maintain the safest control possible.
- (4) There shall be no smoking signs posted on the barge and this regulations will be strictly enforced.
- (5) All personnel on the barge are to be equipped with coast guard approved life jackets.
- (6) The firing platform or location of barge shall not be closer than 550 feet to any audience, combustible structure, occupied parking lot, land bearing a combustible crop, nor fifty (50) feet from the nearest aboveground power, telephone or telegraph line, tree or other overhead obstruction.
- (7) 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 and place therein designated.
- (8) No shell fired during the display shall exceed six inches in diameter, nor shall their range exceed six hundred feet.
- (9) The duration of this fireworks display shall not last more than twenty minutes.
- (10) The display, handling and transportation of fireworks shall be under the direct supervision of Dennis Nordin, 4949 S.W. Macadam, Portland, Oregon 97201.
- (11) 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.

ORDINANCE No.

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- (12) Two (2) Class 2A fire extinguishers shall be provided on the barge in the firing area, and the personnel in the firing area shall be knowledgeable in their use and operation.
- (13) Golden West Broadcasters will provide five people to act as spotters for fallout from the fireworks display; one on each bridge, one on the east side of the river, two on the west side of the river, all provided with a type of communication.
- (14) 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.
- (15) The fireworks are to be stored in a Class I magazine prior to and after the display. Openings to magazines shall be restricted to that necessary for the placement and removal of stock of fireworks. All unused shells are to be immediately returned to their magazine at the conclusion of the display and removed from the city within a six hour period.
- (16) 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.

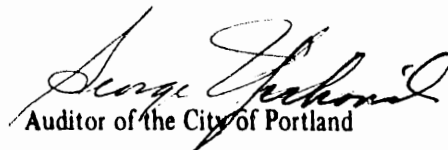
Section 2. This permit shall not be in force and effect until and unless the permittee shall have first filed with the Auditor of the City of Portland, in form approved by the City Attorney, a document in writing accepting the terms and conditions of this ordinance.

Section 3. The Council declares that an emergency exists because prompt enactment is required in order that the 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. 2130

ORDINANCE No. 151862

Title

An Ordinance granting a revocable permit to Golden West Broadcasters for a fire-works display on July 3, 1981, on the Willamette River between the Burnside and Morrison Bridges (to be staged from a barge in the river, as a feature of the "Old Fashioned Summer Picnic" being held on the west bank, between Front Avenue and the River), under certain conditions, and declaring an emergency.

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

FOUR-FIFTHS CALENDAR	
JORDAN	<i>Char. Jordan</i>
LINDBERG	<i>MD</i>
SCHWAB	<i>[Signature]</i>
STRACHAN	<i>RD</i>
IVANCIE	<i>FIF</i>

INTRODUCED BY
Commissioner Mildred Schwab

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

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

CALENDAR	
Consent	Regular

NOTED BY
City Attorney
City Auditor
City Engineer

Filed JUN 23 1981

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

George Yerkovich
Deputy