

ACCEPTANCE

RECEIVED
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GEORGE YERKOVICH, AUDITOR
CITY OF PORTLAND, ORE.

BY _____

Portland, Oregon, July 16 1981

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. 151961, passed by the Council July 15, 1981, granting a revocable permit to Portland Oktober Fest to close NE 13th Avenue between Holladay and Multnomah Streets, September 13, to September 22, inclusive, 1981, to facilitate their annual Oktober Fest, 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,

CENTRAL CATHOLIC HIGH SCHOOL

John Shepard
Vice Principal / Development

[CORPORATE SEAL]

2401 SE Stark, Portland, OR 97214

Address

APPROVED AS TO FORM
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. 151961

An Ordinance granting a revocable permit to Portland Oktober Fest to close NE 13th Avenue between Holladay and Multnomah Streets, September 13, to September 22, inclusive, 1981, to facilitate their annual Oktober Fest, at a fee of \$10.00, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

- 1. Portland Oktober Fest, 2401 SE Stark, 97214, through John Shepard, Vice Principal, has requested permission to close NE 13th Avenue between Holladay and Multnomah Streets, from September 13, to September 16, inclusive, 1981.
- 2. The desired closure are to facilitate their annual Oktober Fest held in the adjacent park blocks.
- 3. The Traffic Engineer, City Engineer and Fire Marshal have no objections to said closure, and under certain conditions, granting the desired permission will not be detrimental to the public interest.

NOW, THEREFORE, the Council directs:

- a. A revocable permit is granted to Portland Oktober Fest to close NE 13th Avenue, between Holladay and Multnomah Streets, from 7:00 a.m., September 13, to 7:00 p.m., September 22, inclusive, 1981, to facilitate their annual Oktober Fest to be held in the adjoining park blocks, 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 their request the permittee shall immediately reopen said street to its normal public use.
 - (2) Push carts or other vendors, in accordance with Chapter 17.26 of the Code, hereby are not permitted within 200 feet of the above closed area.
 - (3) This permit is for the use of street area only and shall be subject to necessary use by emergency vehicles.

- (4) This permit shall not exempt the grantee 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 herein stated.
- (5) 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 permittees shall remove barricades immediately and restore the street area as directed by and to the satisfaction of the City Engineer.
- (6) 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.
- (7) The permittee shall pay the permit fee of \$10.00 required by Section 17.24 of the City Code.
- (8) The permittee, shall at his own expense, provide barricades, signs and illumination as required by the City Engineer and Traffic Engineer.

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 terms and conditions are not accepted within sixty (60) calendar days of the passage of this Ordinance.

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 for temporary closure of NE 13th Avenue; therefore, this Ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, JUL 15 1981

Commissioner Mike Lindberg
Steve Hazzard:mnc
July 19, 1981

Attest:


Auditor of the City of Portland

Calendar No. **2349**

ORDINANCE No. 151961

Title

An Ordinance granting a revocable permit to Portland Oktober Fest to close NE 13th Avenue between Holladay and Multnomah Streets, September 13, to September 22, inclusive, 1981, to facilitate their annual Oktober Fest, at a fee of \$10.00, and declaring an emergency.

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

FOUR-FIFTHS CALENDAR	
JORDAN	
LINDBERG	
SCHWAB	
STRACHAN	
IVANCIE	

Filed JUL 10 1981

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

By: *Gordon Cooper*
Deputy

INTRODUCED BY
Commissioner Mike Lindberg

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

BUREAU APPROVAL
Bureau:
Street & Structural Engineering
Prepared By: Steve Hazzard:mmc Date: 6-19-81
Budget Impact Review:
<input type="checkbox"/> Completed <input checked="" type="checkbox"/> Not required
Bureau Head: <i>R.O. Schmidt/ces</i> R.O. Schmidt, Chief

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

NOTED BY
City Attorney
City Auditor
City Engineer Approved: <i>John M. Lang</i>
By: <i>Glen R. Pierce</i>