

ORDINANCE NO. 158761

An Ordinance ratifying issuance of a revocable permit to KKSX for a fireworks display on July 4, 1986, on the Willamette River and Waterfront Park between the Burnside and Morrison Bridges as a feature of the "Handel On The River" concert being held on the river, under certain conditions, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. That KKSX 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 4, 1986, at approximately 9:45 P.M. This fireworks display will be visible from the river where a concert 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 ex-officio Assistant State Fire Marshal by provisions of ORS 476.060, who, under authority of ORS, Chapter 480, and pursuant to Section 31.70.070(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.
5. Insurance provided was approved by the City Attorney prior to date of display.

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 KKSX to stage a fireworks display on the Willamette River, between the Burnside and Morrison Bridges on July 4, 1986, at approximately 9:45 P.M., as a feature of the "Handel On The River" concert that evening on 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 Bureaus 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 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 \$500,000 for bodily injury and \$500,000 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 100 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 tug and barge company in such a manner as to present no hazard to normal river traffic. The tug to be positioned for adjustment of firing angle to allow fallout in water.
4. There shall be no smoking signs posted on the barge and this regulation 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 500 feet to any audience, combustible structure, occupied parking lot, land bearing a combustible crop, nor fifty (50) feet from the nearest above ground 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 herein designated.
8. Notification to public of scheduled event must be via two separate medias.
9. The fireworks display shall commence prior to 10:00 P.M. and conclude shortly thereafter.
10. The display, handling and transportation of fireworks shall be under the direct supervision of Bob Gobet, 2542 S.E. 13th, Canby, Oregon 97013.
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.
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. Sponsors will provide four (4) people to act as spotters for fallout from the fireworks display; one on each bridge, one on the east side of the river, one on the west side of the river, all provided with a type of communication.

ORDINANCE No.

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 (6) hour period.
16. Approval of application of U.S. Coast Guard for Marine Event to discharge fireworks over Willamette River must be in hand before any fireworks are discharged.

Section 2. Ratification of 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, **JUL 10 1986**
Commissioner Schwab
MAPittmon/nes
July 9, 1986

Jewel Lansing
Auditor of the City of Portland
By *Doris E. Chisholm*
Deputy

SUB
Calendar No. 1356

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Title

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| THE COMMISSIONERS VOTED AS FOLLOWS: | | |
|--|------|------|
| | Yeas | Nays |
| BOGLE | | |
| LINDBERG | / | |
| SCHWAB | / | |
| STRACHAN | / | |
| CLARK | / | |

| FOUR-FIFTHS CALENDAR | |
|----------------------|--|
| BOGLE | |
| LINDBERG | |
| SCHWAB | |
| STRACHAN | |
| CLARK | |

Filed JUL 10 1986

JEWEL LANSING
Auditor of the CITY OF PORTLAND

By Elena Owens
Deputy

INTRODUCED BY

COMMISSIONER SCHWAB

NOTED BY THE COMMISSIONER

Affairs

Finance and
Administration

Safety

Utilities

Works

BUREAU APPROVAL

Bureau:

FIRE BUREAU

Prepared By:

M.A. PITTMON

Date:

7-9-86

Budget Impact Review:

☐ Completed

☐ Not required

Bureau Head:

CHIEF KENNETH L. OWENS

CALENDAR

Consent

Regular

NOTED BY

City Attorney

City Auditor

City Engineer