

158762

**ACCEPTANCE****RECEIVED**

JUL 22 1986

OFFICE OF THE  
CITY AUDITORPortland, Oregon July 14, 19 86**JEWEL LANSING**Auditor of the City of Portland  
Room 202, City Hall  
Portland, Oregon 97204

This is to advise the City of Portland, Oregon, that I hereby accept the terms and provisions of Ordinance No. 158762, passed by the Council July 10, 1986, ratifying issuance of a revocable permit to the Oaks Park for a fireworks display at Oaks Amusement Park in the fenced-off area on the east bank of the river, on July 4, 1986, at approximately 9:45 p.m., 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,

Oaks Amusement Park

GEN-MANAGERFt. of SE Spokane  
Portland, OR 97202

Address

Approved ~~as to form~~ **AS TO FORM**

City Attorney

\*When an acceptance is signed by an officer of a firm or corporation, his or her official title must be stated.

## ORDINANCE NO. 158762

An Ordinance ratifying issuance of a revocable permit to the Oaks Park for a fireworks display at Oaks Amusement Park in the fenced-off area on the east bank of the river, on July 4, 1986, at approximately 9:45 P.M., under certain conditions, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. That the Oaks Park, has heretofore filed a request for a revocable permit to have a fireworks display at Oaks Amusement Park on July 4, 1986, at approximately 9:45 P.M.
2. That under the provisions 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. Further, that by the provision 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 be ratified and that a revocable permit hereby be granted to the Oaks Park to stage a fireworks display at Oaks Amusement Park on July 4, 1986, at approximately 9:45 P.M., or in the event of inclement weather, additional date to be approved by the Fire Marshal; that such display shall be under the control and supervision of the Bureau of Police and the Fire Marshal, Bureau of Fire, and shall be staged in conformity with the rules and regulations promulgated under authority of said chapter by the State Fire Marshal and under the following conditions:
  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 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 in the application to the State and City Fire Marshals for the dates and place herein designated.
3. The display, handling and transportation of fireworks shall be under the direct supervision of Dale Pritchard, Oaks Amusement Park, Portland, Oregon 97202.
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 the fireworks are stored. All combustible debris, defective and/or unfired fireworks shall be removed from the premises and the City of Portland within six (6) hours of the final display. The fireworks shall be returned to their original storage vaults.
5. The firing platform or location should not be closer than 200 feet to any audience, combustible structure, occupied parking lot, or land bearing a combustible crop.
6. Fireworks displays conducted in areas that contain dry grass should be wet down before firing the display.
7. Fireworks stored on the premises of the display site shall be stored in an approved, secured, Class II magazine bearing lettering 3 inches high, "EXPLOSIVES. KEEP FROM FIRE".
8. The Chief of Police, Fire Chief, 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.
9. 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.
10. Smoking shall not be permitted in the firing area.
11. 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.
12. The fireworks display shall commence at approximately 9:45 P.M. and conclude shortly thereafter.
13. Set pieces fired from moored float shall be attended by a minimum of two persons and have two (2) Class A fire extinguishers aboard ready for immediate use.

**ORDINANCE No.**

14. Notification to public of scheduled event must be via two separate medias.

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 a 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 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 *Donna E. Chassey*  
Deputy

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

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

Calendar No. *S-1357*

## ORDINANCE No. 158762

### Title

An Ordinance ratifying issuance of a revocable permit to the Oaks Park for a fireworks display at Oaks Amusement Park in the fenced-off area on the east bank of the river, on July 4, 1986, at approximately 9:45 P.M., under certain conditions, and declaring an emergency.

Filed JUL 10 1986

JEWEL LANSING  
Auditor of the CITY OF PORTLAND

By *Edna Corvina*  
Deputy

INTRODUCED BY

COMMISSIONER SCHWAB

NOTED BY THE COMMISSIONER

Affairs

Finance and  
Administration

Safety

Utilities

Works

BUREAU APPROVAL

Bureau:

FIRE BUREAU

Prepared By:

Date:

M.A. PITTMON

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