

# ACCEPTANCE

158764  
**RECEIVED**  
JUL 30 1986

OFFICE OF THE  
CITY AUDITOR

Portland, 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. 158764, passed by the Council July 10, 1986, ratifying issuance of a revocable permit to the Portland Beaver Baseball Team for fireworks displays on July 4, 1986, (or in the event of inclement weather on alternate date approved by the Fire Marshal's Office) at the Lincoln High School Athletic Field, 1800 S.W. Salmon Street, as a feature of the baseball games staged that evening at the Portland Civil Stadium, immediately across the street, 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,

Portland Beaver Baseball Team

*MM Hulett*

1800 SW Morrison

Portland, OR 97205

Address

Approved as to form

*Jeffrey L. Rogers*

City Attorney  
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. 158764

An Ordinance ratifying issuance of a revocable permit to the Portland Beaver Baseball Team for fireworks displays on July 4, 1986, (or in the event of inclement weather on alternate date approved by the Fire Marshal's Office) at the Lincoln High School Athletic Field, 1800 S.W. Salmon Street, as a feature of the baseball games staged that evening at the Portland Civic Stadium, immediately across the street, under certain conditions, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. That the Portland Beaver Baseball Team has heretofore filed a request for a revocable permit to have fireworks displays at the Lincoln High School Athletic Field on July 4, 1986, (or in the event of inclement weather on alternate date approved by the Fire Marshal's Office), these fireworks displays being visible from the Portland Civic Stadium across the street, where baseball games will be in progress that evening.
2. That written approval for the use of the Lincoln High School Athletic Field for this purpose has been granted by School District #1.
3. 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.
4. 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.
5. 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.
6. 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 Portland Beaver Baseball Team to stage fireworks displays at the Lincoln High School Athletic Field on July 4, 1986, (or in the event of inclement weather on alternate date approved by the Fire Marshal's Office) as a feature of the baseball games being held that evening at The Portland Civic Stadium across the street; that such displays shall be under the control and supervision of the Chief

of the Bureau of Police, the Chief of the Bureau of Fire, and the Fire Marshal, and shall be staged in conformity with the regulations 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 \$1,000,000 for bodily injury and/or 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 by and in the application to the State and City Fire Marshals for the date, alternate and place therein designated.
3. The display, handling and transportation of fireworks shall be under the direct supervision of Dennis Nordin, 328 Cervantes, Lake Oswego, Oregon 97034.
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 fireworks are stored. Such area shall be roped off and security provided to prevent the entry of unauthorized persons into the area.
5. The firing platform or location shall not be closer than 200 feet to any audience, combustible structure, occupied parking lot, land bearing combustible crop, and fifty (50) feet from the nearest aboveground power, telephone, or telegraph line, tree or other overhead obstruction.
6. 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.
7. 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.
8. A minimum of two (2) security personnel shall secure the access roads north and south of where such fireworks are to be fired, so that unauthorized persons shall not enter.

**ORDINANCE No.**

9. Fire extinguishing equipment shall be provided by the Portland Beaver Baseball Team, in the fallout area, with a fire watch on patrol for sixty (60) minutes following each display.
  10. Set piece shall be positioned on paved area between access road and home run fence adjacent to scoreboard. One security person shall be positioned inside home run fence to guard turf area.
  11. After each fireworks display all combustible debris, defective and/or unfired fireworks shall be removed from the premises. The fireworks shall be returned to their original storage vaults immediately upon completion of each display and removed from the city limits of Portland within a six (6) hour period.
  12. Smoking shall not be permitted in the firing area.
  13. Aerial display shall not include salutes.
- b. 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 2. Inasmuch as this ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Portland in this: 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 an emergency is hereby declared to exist and 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/n  
July 10, 1986

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

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

FOUR-FIFTHS CALENDAR	
BOGLE	
LINDBERG	
SCHWAB	
STRACHAN	
CLARK	

Calendar No. *S-1359*

## ORDINANCE No. 158764

### Title

An Ordinance ratifying issuance of a re-vocable permit to the Portland Beaver Baseball Team for fireworks displays on July 4, 1986, (or in the event of inclement weather on alternate date approved by the Fire Marshal's Office) at the Lincoln High School Athletic Field, 1800 S.W. Salmon Street, as a feature of the baseball games staged that evening at the Portland Civic Stadium, immediately across the street, under certain conditions, and declaring an emergency.

JUL 10 1986

Filed \_\_\_\_\_

JEWEL LANSING  
Auditor of the CITY OF PORTLAND

By *Elena Cervera*  
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: 7-10-86
Budget Impact Review:
<input type="checkbox"/> Completed <input type="checkbox"/> Not required
Bureau Head:
CHIEF KENNETH L. OWENS

CALENDAR
Consent
Regular

NOTED BY
City Attorney
City Auditor
City Engineer