

Order 208-16/17

Passage: 8-0 (Duson absent) on 4/24/2017

Effective 5/4/2017

ETHAN K. STRIMLING (MAYOR)  
BELINDA S. RAY (1)  
SPENCER R. THIBODEAU (2)  
BRIAN E. BATSON (3)  
JUSTIN COSTA (4)

**CITY OF PORTLAND  
IN THE CITY COUNCIL**

DAVID H. BRENERMAN (5)  
JILL C. DUSON (A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER DECLARING SEPTEMBER 28 AND 29, 2017  
PORTLAND OVATIONS' BANDALOOPE FESTIVAL**

**ORDERED**, that September 28 and 29, 2017 is hereby declared to be the Portland Oventions' BANDALOOPE Festival, sponsored by Portland Oventions; and

**BE IT FURTHER ORDERED**, that on September 28, 2017 the Portland Oventions' BANDALOOPE Festival area shall be Congress Square Park and sidewalks on High and Congress streets and also Congress Street from High Street to Forest Avenue, High Street between Spring Street and Deering Street and Free Street from Congress to Oak streets; and

**BE IT FURTHER ORDERED**, that on September 29, 2017 the Portland Oventions' BANDALOOPE Festival area shall be Monument Square, One City Center sidewalks, Monument Way and adjacent sidewalks, Federal Street Extension from Congress to Temple streets, Free Street from Center to Temple Streets, Cross Street from Free to Sprig Streets and adjacent sidewalks and plaza areas as well as the sidewalks on Congress Street next to the Portland Public Library and on Preble Street to the intersection with Elm Street; and

**BE IT FURTHER ORDERED**, that Congress Street (both lanes between Forest Ave. and High Street) and Free Street (High Street to Oak Street), 11am – 1pm; for Friday, shall be closed to traffic from 11:00 a.m. to 1:00 p.m. on September 28, 2017 and

**BE IT FURTHER ORDERED**, that Federal Street Extension (Congress Street to Temple Street) and Free Street (Center Street to Cross Street) shall be closed to traffic from 11:00 a.m. to 1:00 p.m. on September 29, 2017 and

**BE IT FURTHER ORDERED**, that vehicles in violation of the “no parking” signs in the Festival Area shall be towed at owner's expense; and

**BE IT FURTHER ORDERED**, that the Portland Oventions' BANDALOOPE Festival Area shall be closed to licensed street vendors as provided in §19-17 and §19-22 of the Portland City Code; and

**BE IT FURTHER ORDERED**, that the City Manager is authorized to issue a revocable permit to Portland Ovations under §§25-26—25-28 of the Portland City Code to conduct said Festival, subject to the direction and control of the City Manager and to the following specific conditions:

1. Portland Ovations shall defend, indemnify and hold harmless the City of Portland, its officers and employees, from and against all claims arising out of or resulting from the Festival and/or use of City streets and property for said Festival, and shall procure and maintain public liability insurance in the minimum amount of \$400,000 per occurrence for personal or bodily injury, death or property damage and covering the obligation of indemnification hereunder. Portland Ovations shall provide the City with a certificate showing evidence of such insurance and showing the City as an additional insured on said insurance;
2. No alcoholic beverages may be sold on the streets or public property during the Festival within the Festival Area;
4. Portland Ovations shall be responsible for all fees for a permit issued from the Public Assembly Facilities Division Conditions for use of grounds, and requirements for food service, vending sales, tent and equipment installations and other items specified in that permit shall be adhered to;
5. Portland Ovations shall have sole authority over participating vendors at the Festival and may charge a fee to vendors for the opportunity to vend at the Portland Ovations' BANDALOOP Festival;
6. In addition, the Business Licensing Office shall charge the usual fees for licensing food vendors, street goods vendors, and concert licenses for the Festival to those vendors the Portland Ovations has agreed shall participate;
7. Portland Ovations shall be responsible for reimbursing the Police Department and Parking Control Office for services, the Public Works Department for services, the Public Assembly Facilities Division for staff fees; and
8. Portland Ovations shall be solely responsible for trash cleanup at the festival and shall be required to leave a Park Security Deposit on file at the Public Assembly Facilities Division office; and

**BE IT FURTHER ORDERED**, that the City Manager is authorized to waive fees and to issue such other temporary licenses, including licenses for food service establishments, as may be required by the Portland City Code, provided that all other applicable Code requirements for the operation of the Festival have been met.