

Order 94-15/16

Passage: 8-0 (Hinck absent) on 11/2/2015

MICHAEL F. BRENNAN (MAYOR)  
KEVIN J. DONOGHUE (1)  
DAVID A. MARSHALL (2)  
EDWARD J. SUSLOVIC (3)  
JUSTIN COSTA (4)

**CITY OF PORTLAND  
IN THE CITY COUNCIL**

Effective 11/12/2015

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

**DECLARING PORTLAND'S DOWNTOWN DISTRICT  
LIGHT UP YOUR HOLIDAYS FESTIVAL**

**ORDERED**, the following dates are hereby declared the Portland's Downtown District Light Up Your Holidays Festival, to be organized by Portland's Downtown District:

November 27, 28, 29 and December 4, 5, 6, 10, 11, 12, 13, 18, 19 and 20; and

**BE IT FURTHER ORDERED**, that the following activities shall be held in the Monument Square, One City Center sidewalk area and Monument Way:

November 27, 2015: Tree Lighting Ceremony in Monument Square and on Congress Street - 5:30 to 6:30 PM (rain, snow or shine); and

Horse-drawn Wagon rides Fridays, November 28 (4:00 PM to 8:00 PM) and December 4 (4:00 PM to 8:00), Saturdays, November 28 and December 5, 12, and 19, 2015 (2:00 PM-6:00 PM) and Sundays, November 29 and December 6, 13, 20, 2015 (1:00 PM-5:00 PM), as well as on Thursday, December 10 (5:00 PM to 9:00 PM); and

**BE IT FURTHER ORDERED**, that the Federal Street Extension shall be closed to vehicular traffic from 4:45 PM to 7:00 PM and posted "no parking" from 2:00-7:00 PM on Friday, November 27, 2015, and Congress Street shall be closed to vehicular traffic between Preble and Elm streets from noon to 9:00 PM to allow the construction and use of a stage set up on Congress Street for the Monument Square Tree Lighting; and

**BE IT FURTHER ORDERED**, on December 10, 2015, the Organizers will host Merry Madness and will be allowed to place a large tent on Federal Street between Temple Street and Exchange Street where music will be played and refreshments including alcohol may be consumed, after being purchased inside Portland House of Music, only in an area admitting persons 21-years-old and older, with security on site to check identification. Merry Madness will be held from 4:00 PM to 6:00 PM in the Downtown and in Old Port areas with the participation of many stores; and

**BE IT FURTHER ORDERED**, that the City Manager is authorized to issue a revocable permit under Section 25-27 of the Portland City Code to Portland's Downtown District for the use of the above-described area for said events and the Tree Lighting Ceremony, subject to the following conditions:

- Portland's Downtown District shall indemnify the City and hold it harmless from and against all claims arising out of activities during said parade and ceremony, and shall take out and maintain public liability insurance coverage in the amount of at least \$400,000 per occurrence for personal or bodily injury, death or property damage for said purpose. This insurance certificate will also list the City of Portland as an additional insured for the Light Up Your Holidays events, including liquor liability insurance for the Merry Madness event; and
- Portland's Downtown District shall have sole authority over participating vendors at the event and may charge a fee to vendors for the opportunity to vend at Light Up Your Holiday events; and
- Conditions for use of grounds and requirements for food service, vending sales, stages, tents, and other items specified in a permit issued from Public Services Event Office, shall be adhered to; and
- Major expenses incurred by City Departments for the Tree Lighting Ceremony and Closure of Congress Street for that event on Friday, Nov. 27: (Permit Fees for use of grounds, staff assistance – including Police, Public Services for barricades and signage, and Fire Department), shall be in-kind, except that additional staff costs to maintain bus service within the closed section of Congress Street shall be paid for by the Organizer. City Clerk's License fees and Permit fees at the Inspections Office would also be paid by the organizer, Portland's Downtown District; and
- Merry Madness event associated costs from City Departments will be paid by the organizer, Portland's Downtown District. Some of those costs include: Police services (if needed on Federal Street), Inspection Services for Tent Permit, and City Clerk's License fees; and
- Food Vendors participating in the Light Up Your Holidays Festival shall be licensed by the City Clerk's Office. Under no circumstances may alcoholic beverages be sold on the streets of public property of said area during said events and festival other than what is approved by the City Clerk's Office (and by the City Council at the Merry Madness event on Federal Street); and

**BE IT FURTHER ORDERED,** that the City Manager is also authorized to waive any fees and to issue such other temporary licenses and temporary permits, including licenses for food service establishments, and permits for sales of non-food related items, as may be required by the Portland City Code, provided that all applicable requirements of said code have been met regarding the operation of said event.