

**ORDINANCE No. 185073 As Amended**

\*Grant the Bureau of Transportation authority to close SW Ankeny St between 2nd and 3rd Aves for the purposes of issuing permits to adjacent businesses to accommodate customer seating for the purpose of food and beverage service. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Council passed Ordinance No. 184690 authorizing closure of SW Ankeny Street between 2<sup>nd</sup> and 3<sup>rd</sup> for the purposes of converting the street area to cafe seating as a pilot program. Council then extended the ordinance through January 31, 2012.
2. The abutting property owners, business owners and their customers have expressed interest in an ongoing closure to be utilized for outdoor seating and permitted annually.
3. Granting said permission, under certain conditions, will not be detrimental to the public interest.

NOW, THEREFORE, the Council directs:

- a. The Mayor and Auditor are authorized to grant the Bureau of Transportation (PBOT) authority to close SW Ankeny Street between 2<sup>nd</sup> and 3<sup>rd</sup> avenues for the purposes of issuing permits to adjacent businesses to accommodate customer seating, food and beverage service.
- b. The area west of 2<sup>nd</sup> and east of 3<sup>rd</sup> avenues from the south curb line of Ankeny to the north curb line of Ankeny may be permitted annually by PBOT to each abutting business for food and beverage service and seating from Ankeny Street businesses.
- c. The provisions of Section 14A.50.10 related to possession, sale and consumption of alcoholic beverages, for the purposes of PBOT issuance of annual permits to Ankeny Street business are hereby waived for the purpose of serving customers in the seated area subject to conditions of each permit issued by PBOT.
- d. Nothing contained herein shall limit the authority of the Bureau of Police and Fire Bureau in maintaining the public peace and safety and upon a request of said bureaus the Bureau of Transportation shall immediately reopen the street to its normal use.

Section 2. The Council declares that an emergency exists in order to provide as much time as possible to the businesses that are directly affected by this issue to have the certainty that this will or will not move forward as they plan the next year. It is in the public interest the ordinance shall take effect immediately upon passage; therefore, this ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council, **DEC 14 2011**

Mayor Sam Adams

Prepared by: Jeri Jenkins; slg

Date Prepared: December 2, 2011

**LaVonne Griffin-Valade**

Auditor of the City of Portland

By



Deputy

1370

Agenda No.  
**ORDINANCE NO.**  
 Title

185073 As Amended

Grant the Bureau of Transportation authority to close SW Ankeny St between 2nd and 3rd Aves for the purposes of issuing permits to adjacent businesses to accommodate customer seating for the purpose of food and beverage service. (Ordinance)

<p><b>INTRODUCED BY</b>          Commissioner/Auditor:  <b>MAYOR SAM ADAMS</b>  <i>[Signature]</i>  <b>COMMISSIONER APPROVAL</b></p> <p>Mayor—Finance and Administration - Adams</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Leonard</p> <p><b>BUREAU APPROVAL</b>          Bureau: Bureau of Transportation          Group Manager: Greg Jones          Development &amp; Capital Program          Other: <i>[Signature]</i>          Prepared by: Jeri Jenkins:slg          Date Prepared: 12-2-11</p> <p><b>Financial Impact &amp; Public Involvement Statement</b>          Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>          Not Required <input type="checkbox"/></p> <p><b>Portland Policy Document</b>          If "Yes" requires City Policy paragraph stated in document.          Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p><b>Council Meeting Date</b>  <b>December 14, 2011</b></p> <p><b>City Attorney Approval</b></p>	<p>CLERK USE: DATE FILED <b>DEC 09 2011</b></p> <p><i>on behalf of Mayor Adams</i>          LaVonne Griffin-Valade          Auditor of the City of Portland</p> <p>By: <i>[Signature]</i>          Deputy</p> <p><b>ACTION TAKEN:</b></p>
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<p><b>AGENDA</b></p> <p><b>TIME CERTAIN</b> <input type="checkbox"/>          Start time: _____</p> <p><b>Total amount of time needed:</b> _____          (for presentation, testimony and discussion)</p> <p><b>CONSENT</b> <input type="checkbox"/></p> <p><b>REGULAR</b> <input checked="" type="checkbox"/>  <b>Total amount of time needed: 20 min</b>          (for presentation, testimony and discussion)</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 30%;">FOUR-FIFTHS AGENDA</th> <th colspan="2">COMMISSIONERS VOTED AS FOLLOWS:</th> </tr> <tr> <th></th> <th>YEAS</th> <th>NAYS</th> </tr> <tr> <td>1. Fritz</td> <td style="text-align: center;">✓</td> <td></td> </tr> <tr> <td>2. Fish</td> <td style="text-align: center;">✓</td> <td></td> </tr> <tr> <td>3. Saltzman</td> <td style="text-align: center;">✓</td> <td></td> </tr> <tr> <td>4. Leonard</td> <td style="text-align: center;">✓</td> <td></td> </tr> <tr> <td>Adams</td> <td style="text-align: center;">✓</td> <td></td> </tr> </table>	FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:			YEAS	NAYS	1. Fritz	✓		2. Fish	✓		3. Saltzman	✓		4. Leonard	✓		Adams	✓	
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