

ENB-8.02 - Time, Place and Manner Memorandum of Understanding

TIME, PLACE, AND MANNER MEMORANDUM OF UNDERSTANDING BETWEEN PORTLAND POLICE BUREAU/OFFICE OF NEIGHBORHOOD INVOLVEMENT

Administrative Rule Adopted by City Council
 ARC-ENB-8.02

The purpose of this document is to outline the roles, responsibilities, and agreements between the Portland Police Bureau ("Police") and the Office of Neighborhood Involvement ("ONI") as the two City Bureaus identified with responsibilities for administering and enforcing the Time, Place, and Manner (TPM) Ordinance.

1. The Police and ONI will assign employees of their respective bureaus as representatives to serve on the Liquor License Team (LLT).
 - a. The LLT is a collaborative problem-solving group that, at a minimum, meets twice a month to discuss problem liquor outlets that may be subject to the operational limits of the TPM Ordinance.
 - b. The LLT will include representatives from the Police Drugs and Vice Division, ONI Liquor License Notification Program, ONI Crime Prevention Program, ONI Noise Control Program, and impacted Neighborhood or Business Associations when requested by ONI or the Police Bureau.
 - c. The Oregon Liquor Control Commission (OLCC) will be informed of all LLT meetings.
 - d. The LLT will make recommendations to the agency that has the decision making authority and will use the consensus model to make decisions related to the 'Notice' and 'Enforcement' processes as outlined in the TPM Ordinance.
2. The Police agree to supply information that relates to nuisance activity violations as defined in the TPM Ordinance and gathered as a result of either Police generated or complaint driven calls that have been documented in the form of an incident or supplemental Police Report.
 - a. This information will be provided by the Drugs and Vice Division (DVD) to assist in identifying problem outlets during LLT meetings.
 - b. If ONI requests this information, that request shall be made through DVD, noting that the information is intended for ONI.
 - c. This information will be supplied by researching the Portland Police Data System (PPDS) and providing non-exempt and non-confidential information from the Records Division of the Police Bureau.
3. ONI agrees to supply information that relates to nuisance activity violations as defined in the TPM Ordinance and gathered as a result of neighborhood incident logs.
 - a. This information will be provided by the ONI Liquor License Specialist (LLS) and/or Crime Prevention Coordinators (CPC).
 - b. ONI will assist neighbors in documenting incidents through education and training workshops or individual coaching.
 - c. This information may be obtained through individual neighbors or business and/or neighborhood or business associations.
4. ONI agrees to be the central repository for tracking nuisance activities to determine if a location receives 3 or more violation notices within 30 days.
 - a. The LLS will compile this information in a database.
 - b. Reports will be provided at LLT meetings and as otherwise requested.
 - c. ONI agrees not to request information that may jeopardize a DVD investigation.
5. The decision-making authority for cases that may fall under the TPM will be granted to the Police or ONI using the following criteria:

Source of Complaints	Abatement Plan Signature Authority
3 or more complaints in a 30-day period originating from Neighbors or impacted Neighborhood or	ONI Director

Business Associations	
3 or more complaints in a 30-day period that result in a police report being filed	Chief of Police
A combination of complaints filed with neighbors along with complaints resulting in a police report. ¹	ONI Director and/or Chief of Police
¹ The Liquor License Team will provide a recommendation to the Chief of Police and ONI Director as to what is the best course of action.	

HISTORY

Ordinance No. 178201 passed by Council February 18, 2004, effective March 19, 2004.