

ORDINANCE No. 189576 *As Amended*

* Replace Park Exclusion Code to clarify ejection and exclusion processes from city parks to improve parks management and safety at park facilities (Ordinance; replace Code Section 20.12.265)

The City of Portland Ordains:

Section 1. The Council finds:

1. The Council has for many years, through Section 20.12.265, provided a tool for managing behavior, conduct and activity of users in the City's parks. By means of providing Portland Parks & Recreation (PP&R) with the ability to remove persons violating park rules or laws through the remedy of civil property exclusion.
2. It is important to recognize that the remedy of exclusion should be tailored to recognize that some park violations can be more negatively impactful to the park systems and park users. Park Violations that cause harm to vulnerable persons (such as children, persons with mental illness or developmental disabilities, or the elderly), could result in bodily injury or serious property damage, or are bias crimes, create a greater negative impact to the park system as a safe environment for enjoyment and recreation. Persons who engage in these park violations will face a longer period of exclusion from city parks.
3. It is also important to recognize that certain park facilities, such as community centers and other similar locations, serve specific business or operational functions. As a facility manager, PP&R must be able to ensure that Parks business can be carried out efficiently and without disruption. These facilities are safe locations for employees who are assigned to work at those locations, and the customers (many of whom are vulnerable persons) are protected from harm. Similar to exclusions at other City Property under Chapter 3.18, persons who engage in park violations at identified parks facilities should be excluded unless a city code hearing is set by a code hearings officer.
4. Current Code recognizes that the exclusion period should be enhanced for persons who repeatedly commit park violations and a lookback to prior park violations in the past two years that had resulted in an earlier park exclusion. In further evaluation, PP&R, in consultation with the Portland Police Bureau, determines that the length of exclusion should be enhanced when the violator has had a prior park exclusion in the past three years.

NOW, THEREFORE, the Council directs:


- a. Replace Section 20.12.265 as set forth in attached Exhibit A.

Section 2. The Council declares that an emergency exists because it is in the public interest for these rules to go into effect as quickly as possible; therefore, this ordinance shall be in full force and effect from and after its passage by Council.

Passed by the Council: JUN 19 2019

Commissioner Nick Fish
Prepared by: Vicente Harrison
Date Prepared: 5/13/19

Mary Hull Caballero
Auditor of the City of Portland

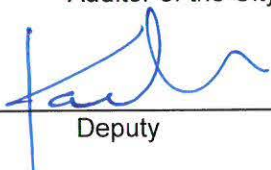



By  Deputy

Agenda No. **ORDINANCE NO. 189576 As Amended**

Title

Replace

* Amend Park Exclusion Code to clarify ejection and exclusion processes from city parks to improve parks management and safety at park facilities (Ordinance to amend Code Section 20.12.265)

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| INTRODUCED BY Commissioner/Auditor: Commissioner Fish | CLERK USE: DATE FILED JUN 04 2019 |
| COMMISSIONER APPROVAL Mayor—Finance & Administration - Wheeler Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Hardesty Position 4/Safety - Eudaly | Mary Hull Caballero Auditor of the City of Portland By:  Deputy |
| BUREAU APPROVAL Bureau: Parks & Recreation Bureau Head: Adena Long  | ACTION TAKEN: JUN 12 2019 PASSED TO SECOND READING JUN 19 2019 9:30 A.M. |
| Prepared by: Vicente Harrison Date Prepared: 5/13/19 | |
| Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> | |
| Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | |
| City Auditor Office Approval: required for Code Ordinances  | |
| City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter  | |
| Council Meeting Date 06/12/2019 | |

AGENDA

TIME CERTAIN
 Start time: _____
 Total amount of time needed: _____
 (for presentation, testimony and discussion)

CONSENT

REGULAR
 Total amount of time needed: **20**
 (for presentation, testimony and discussion)

| FOUR-FIFTHS AGENDA | COMMISSIONERS VOTED AS FOLLOWS: | |
|--------------------|---------------------------------|------|
| | YEAS | NAYS |
| 1. Fritz | ✓ | |
| 2. Fish | ✓ | |
| 3. Hardesty | — | |
| 4. Eudaly | ✓ | |
| Wheeler | ✓ | |