

ORDINANCE No. 184073

*Add City Code to prohibit persons from McCoy Park if they are excluded from New Columbia properties or the Tamarack Apartments under a Housing Authority of Portland Notice of Exclusion (Ordinance; add Code Section 20.12.225).

The City of Portland ordains:

Section 1. The Council finds:

1. Portland Parks & Recreation (PP&R) is committed to having safe and welcoming parks for everyone.
2. In order to provide a welcoming atmosphere, PP&R wishes to maintain McCoy Park as a safe place for families to recreate. Additionally, promoting livability at The New Columbia development has been the subject of concerted efforts by community and government-based public safety partners.
3. There is a high level of concern amongst park neighbors, the Housing Authority of Portland (HAP), the Portland Police Bureau, PP&R, and others about crime and disorder problems in and around McCoy Park.
4. McCoy Park is surrounded on all sides by The New Columbia housing development. McCoy is a neighborhood park, which primarily serves residents of The New Columbia community.
5. There is consensus among public safety partners that persons who have violated HAP community rules, and who have been excluded from the New Columbia properties under a HAP "Notice of Exclusion," should not be allowed in McCoy Park, which located in the middle of the community they have been excluded from. By excluding these persons from the park, the possibility of the park being used as a "safe haven" will be eliminated.
6. Under this new section of the code, persons excluded from HAP properties and McCoy Park can be arrested for Criminal Trespass II if they enter McCoy Park. All other park rules and City ordinances will apply in McCoy Park. A person issued a "Notice of Exclusion from a City of Portland Park" has appeal rights as provided in the City Code.
7. This addition to the code is part of a comprehensive strategy to improve park safety and the overall public safety and livability at The New Columbia community.
8. The Portland Police Bureau, PP&R, HAP, New Columbia property management, and the private security patrol serving New Columbia have urgently requested this code change as a tool to prevent and manage public safety problems in and around McCoy Park.

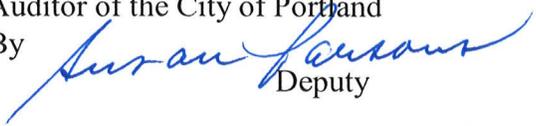
NOW, THEREFORE, The Council Directs:

- a. Section 20.12.225, **Exclusion From McCoy Park**, is hereby enacted and made part of the City Code:

No person shall be in McCoy Park at any time if an exclusion of the person from New Columbia Properties or the Tamarack Apartments under a Housing Authority of Portland Notice of Exclusion is in effect, provided that the Housing Authority of Portland Notice of Exclusion conspicuously informs the person that, under the provisions of this Section, the person may not be in McCoy Park while that exclusion is in effect. For purposes of this Section, "McCoy Park" means the area bounded by the public street right-of-way on the north by N. Fessenden St., on the south by N. Trenton St., on the east by N. Newman Ave. and on the west by N. Fiske Ave. A person excluded from McCoy Park by operation of this Section may, pursuant to Subsection 20.12.265 G. of this Code, apply in writing to the Commissioner for a waiver of some or all of the effects of the exclusion for good cause.

Section 2. The Council declares that an emergency exists for the health, safety and welfare of people visiting McCoy Park and for the health, safety and welfare of residents New Columbia properties and the Tamarack Apartments; therefore, this Ordinance shall be in full force and effect from and after its passage by Council.

Passed by the Council: AUG 18 2010
Mayor Adams/Commissioner Fish
Prepared by: Mark Warrington
August 2, 2010

LaVonne Griffin-Valade
Auditor of the City of Portland
By 
Deputy

Agenda No.
ORDINANCE NO. 184073
 Title

*Add City Code to prohibit persons from McCoy Park if they are excluded from New Columbia properties or the Tamarack Apartments under a Housing Authority of Portland Notice of Exclusion (Ordinance; add Code Section 20.12.225)

<p style="text-align: center;">INTRODUCED BY Commissioner/Auditor: Mayor Adams/Comm. Fish</p>	<p>CLERK USE: DATE FILED <u>AUG 13 2010</u></p>
<p style="text-align: center;">COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Adams <i>[Signature]</i></p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish <i>[Signature]</i></p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Leonard</p>	<p style="text-align: center;">LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <u><i>[Signature]</i></u> Deputy</p>
<p style="text-align: center;">BUREAU APPROVAL</p> <p>Bureau: Parks Bureau Head: Zari Santner <i>[Signature]</i></p>	<p>ACTION TAKEN:</p>
<p>Prepared by: Mark Warrington Date Prepared: August 2, 2010</p>	
<p>Financial Impact Statement Completed <input type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required <input checked="" type="checkbox"/></p>	
<p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	
<p>Council Meeting Date August 19, 2010</p>	
<p>City Attorney Approval <i>[Signature]</i></p>	

AGENDA
<p>TIME CERTAIN <input type="checkbox"/></p> <p>Start time: _____</p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>
<p>CONSENT <input type="checkbox"/></p>
<p>REGULAR <input checked="" type="checkbox"/></p> <p>Total amount of time needed: 15 min (for presentation, testimony and discussion)</p>

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	✓	
4. Leonard	4. Leonard	✓	
Adams	Adams	✓	