



OFFICE OF **MAYOR SAM ADAMS**
CITY OF PORTLAND

SIDEWALK MANAGEMENT PLAN

Frequently Asked Questions

March 2010

Why is the City Council working on a comprehensive “Sidewalk Management Plan?”

Last year, the court ruled that the City’s ordinance regulating the use of sidewalks was preempted by state law and is therefore unenforceable. And, there have been significant budget cuts to Multnomah County’s human services programs, which have left many Portlanders without the safety net needed to stay afloat during the current economic crisis. The lack of services has added social pressures to the way sidewalks are used and affected the City’s need to manage its sidewalks in a way that will accommodate the new pressures without restricting the fundamental purpose of the sidewalks, which is to move people.

What does this ordinance do?

Public sidewalks are a public service. This ordinance takes a holistic approach to managing the myriad of sidewalk uses by *segregating the sidewalks into zones*, which allows for more efficient use of the available space. It is based on federal American with Disabilities Act (1990), Architectural Barriers Act (1968), and the Rehabilitation Act (1973), all of which include specific design guidelines that disabled citizens need for unobstructed passage on public sidewalks.

Based on the federal Americans with Disabilities Act:

- Sighted pedestrians do not feel comfortable walking directly adjacent to building walls, doors or fences and prefer to keep at least two feet away from the edge of sidewalks opposite the street (known as the “frontage line”). As a result, most pedestrians travel more than two feet away from the frontage line, and the sidewalk adjacent to the frontage line does not provide its proportionate share of sidewalk through-put capacity for sighted pedestrians.
- In contrast with sighted pedestrians, people with vision impairments often prefer to travel close to the frontage line to use sound or physical contact for orientation or guidance, traveling one to four feet from the frontage line.
- People using a guide dog, crutches or a walker require four feet of width as they travel along a sidewalk.
- Wheelchair users require five feet to turn around and six feet to pass other wheelchairs.

Based on these guidelines, this plan proposes an 8-foot **pedestrian use zone**, extending from the frontage line, for sidewalks bigger than 10 feet. In the case where a sidewalk is less than 10 feet, the pedestrian use zone would be reduced to a 6-foot zone extending from the frontage line.

In this pedestrian use zone, a person must be on foot to be able to move immediately to accommodate people with disabilities as well as other sidewalk users.

Does this ordinance address aggressive panhandling?

A request for charity, which includes panhandling, is “protected speech” under the Oregon Constitution. *Aggressive* panhandling that employs criminal acts is not protected and the criminal acts can be prosecuted. Police officers will continue proactive zero-tolerance law enforcement.

Are anti-camping laws part of this ordinance?

No. Camping on public property is prohibited by [City Code](#). Police officers will continue to work with JOIN, the local agency that delivers social services to homeless individuals, to allow collaboration with outreach workers to offer assistance.

How will this ordinance be enforced?

Portland’s Bureau of Transportation will enforce the rules governing use of sidewalks by adjoining property owners or permit holders, while the Police Bureau will enforce these new rules governing general citizen use of sidewalks, along with enforcing laws addressing criminal behavior such as littering, harassment, disorderly conduct and drug dealing.

Where will this ordinance be enforced?

We will start with high pedestrian traffic areas in the Downtown Zone and the Rose Quarter/Lloyd Zones.

The Downtown Zone is defined as the public sidewalks in the area bounded by the west bank of the Willamette River, I-5 from the west bank of the Willamette River to its junction with I-405, I-405, the north edge of the north sidewalk of Northwest Irving Street and a line extended from the northeast corner of the north sidewalk of Northwest Irving Street to the west bank of the Willamette River.

The Rose Quarter / Lloyd Zone is defined as the public sidewalks in the area bounded by North Interstate Avenue, the north edge of the north sidewalk of Broadway Street, Northeast 16th Avenue and Northeast Lloyd Boulevard

Does this ordinance cover sidewalk cafés?

[Sidewalk cafés](#) have specific regulations that are mapped out in City Code, and those requirements are another important component to an overall sidewalk management plan. This ordinance allows for streamlining the permitting process for sidewalk tables and for updating codes governing their placement to ensure easy passage for all sidewalk users.

Will the law be in effect 24/7?

The prohibition against unreasonably blocking the passage of a disabled person will be in effect at all times on all sidewalks. The other provisions will be in effect from 7:00 a.m. to 9:00 p.m. seven days a week.

What is the City investing in housing and ending homelessness?

In Mayor Sam Adams FY09-10 budget, the City increased housing assistance programs by 30%, including:

- Ongoing funding for Resource Access Center operations (\$1 million);
- One-time bridge funding to maintain housing support and shelter services (\$5.8 million in General Fund and federal stimulus funding); and
- One-time funding to expand rent assistance, housing, and economic opportunity programs (\$3.1 million in General fund and federal stimulus funding).

In FY 09-10, Portland Housing Bureau (PHB) will spend \$46 million on housing and homeless services. Looking over the next five years (through FY 13-14), PHB will spend \$154 million on housing and homelessness. And PDC Housing will have a total of \$170.5 million in resources.