

ORDINANCE NO.

*Authorizes closure of NW 3rd between Burnside and Everett, Couch between 2nd and 4th, and Davis between 2nd and 4th for certain days and during certain hours for the purpose of implementation of a pilot program in the Old Town Entertainment District. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. The Old Town Entertainment District (District) generates a high volume of calls for police service within the area between W Burnside and NW Everett on certain days and during certain hours. Many of these calls relate to pedestrians struck by, or in conflict with, a vehicle.
2. NW Couch between 2nd and 4th is currently closed to vehicular traffic on specific days and hours by police authority for public safety.
3. There is significant public safety threat posed by illegal taxi activity as well as slow-moving for-hire and other vehicular traffic within the Old Town Entertainment District.
4. The Portland Police Bureau (PPB) proposes street closures for a pilot program (Program) to establish pedestrian-only use of streets within a specific geographic entertainment area, as outlined in the attached Exhibit A, to enhance public safety in that area.
5. Dedicating consistent Police Officers to the Entertainment District Detail has proved to support increased public safety in the Entertainment District by ensuring strong relationships between the Police and business owners, for-hire transportation representatives, and visitors to the area.
6. The Police Bureau plans to develop a Portland Entertainment District Work Group (Work Group) to review relevant data as to the impacts of the pilot program. The Work Group will determine which data to utilize in its review of the Program, but will consider at least:
 - o Overall perception of neighborhood and of the street closure, including perception of: parking, mobility, safety, police visibility, access to homes, access to businesses, and additional comments
 - o Statistical measures of incidents including: incident history, detox incidents, simple assaults, index crimes (rape, aggravated assault, robbery, etc), noise calls, assessment of crowds, ability to provide medical assistance, and overall medical calls.

- City Bureau perception of the street closure, including the Police, Fire and Rescue, and Transportation Bureaus.
7. The Program will include two 90-day trial periods. After the initial 90-day period, the Work Group will perform an analysis of the program's impacts, based on criteria listed in Finding 6, which will be made publicly available and be distributed to City Council. This will be followed by a second 90-day period. Adjustments and changes will be made as needed per the recommendations of the Work Group in consultation with the community and City Council. A final evaluation will be conducted following the second 90-day period and the Work Group will prepare a Report to City Council.
 8. Other parts of the City experience similar conflicting interests between entertainment venues, residences, and other businesses as found in the Old Town Entertainment District. The Work Group review of this Pilot Program will contribute to the possible development of a model for future Entertainment District street closure programs.

NOW, THEREFORE, the Council directs:

- a. The Portland Police Bureau and the Portland Bureau of Transportation are authorized to close the streets of NW 3rd between Burnside and Everett, NW Couch between 2nd and 4th, and NW Davis between 2nd and 4th for implementation of a pilot program in the Old Town Entertainment District as specified in Exhibit A and B, beginning Friday December 14, 2012.
- b. That the Police Bureau are authorized to address concerns of illegal taxi activity by establishing temporary taxi, limo, and pedi-cab zones within the closed street area as illustrated in Exhibit C.
- c. That, in addition to authority already assigned by Charter and Code, Council delegates to all Portland Police Officers authority over the public right of way encompassed by the street closures authorized in section (a), above (for the purpose of regulating that public space and exercising trespass authority during the closure). This authority shall not limit the Bureau of Transportation's authority to issue street use permits for construction and/or deliveries to adjacent properties or for Sidewalk Cafes, and the permitted rights to use right of way under such permits.
- d. That the Police Bureau and the Office of Neighborhood Involvement make an assessment of the impacts of the Street Closure Program to be conducted after both Phase 1 and Phase 2 and reported to the City Council, impacted businesses and residents, and the community at large. Assessment should include consideration of data as noted in Section 1, Finding 6, available incident statistics as well as a survey of the residential properties, addiction service

providers, and non-entertainment businesses and should be available for public comment on the City's website.

- e. That the Portland Police Bureau and the Office of Neighborhood Involvement, form the Portland Entertainment District Work Group that includes the Portland Bureau of Transportation, Revenue Bureau, and other relevant and impacted City Bureaus to explore the creation of a city-approved Entertainment District Model to be considered for adoption by City Council, that addresses any concerns and impacts found from this Pilot Program, and establishes a mechanism for cost recovery and expansion to other areas of Portland.
- f. Abutting property owners may petition Council to modify, change, or revoke this authorization if there is a change in ownership of the abutting property, a significant change in the use of the abutting property, or major renovation of the abutting property. Council may terminate or extend the Program in the best interest of the public or at the request of the Chief of Police, Director of the Bureau of Transportation, or Director of the Office of Neighborhood Involvement.

Section 2. The Council declares that an emergency exists because delay in proceeding with this Ordinance will unnecessarily deprive all interested parties of the benefits associated with an increase in safety and order in the Old Town Entertainment District; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council:

Mayor Adams
Prepared by: Kim Garcia
Date Prepared: December 4, 2012

LaVonne Griffin-Valade
Auditor of the City of Portland
By

Deputy