

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Work Session: An Ordinance Concerning Unruly Gatherings; Adding Section 4.670 And 4.672 to the Eugene Code, 1971; and Amending Sections 4.990 and 4.996 of that Code

Meeting Date: April 23, 2012
Department: Eugene Police
www.eugene-or.gov

Agenda Item Number: B
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ISSUE STATEMENT

This work session provides an opportunity to discuss how a social host ordinance could help address neighborhood livability issues, particularly in the areas surrounding the University of Oregon campus.

BACKGROUND

In July 2010, the Neighborhood Livability Working Group (NLWG) was formed in response to frustrations with increased noise and undesirable behaviors associated with young people partying in the neighborhoods around the University of Oregon (UO) that were negatively impacting residents' quality of life. Staffed by the City Manager's Office and Eugene Police Department (EPD) and with participation from campus area neighborhood associations, UO, Lane County, rental property managers/owners and students, the NLWG identified a number of strategies to improve campus area livability that were presented to the City Council in September of 2011 (see attached Progress Report on Recommendations for Improving Campus Area Livability). One of those strategies was the development of a Eugene social host ordinance (see page 19 of the report).

The traditional approach to resolving this problem has been increased police response followed by an aggressive enforcement action against individual party attendees for violations such as minor in possession. This costly approach has not been effective at reducing the problem as existing ordinances do not provide a sufficient deterrent effect, and potential offenders have learned how to avoid the most significant sanctions. However, the experience of other communities with large higher education institutions has shown that a social host ordinance can be an effective tool in deterring the hosting of large parties in near-campus environments.

A staff group including representatives of the Neighborhood Services Program, City Manager's Office, City Attorney's Office, and Police Department, have developed a draft ordinance, and the attached draft includes all of the best practices identified in the NLWG report. The NLWG has provided input throughout the process, as the ordinance was initially being drafted, and in the review of all subsequent drafts.

In November 2000, the City Council adopted Ordinance 20217, known as the Special Response Ordinance, which established a fee for police responses to gatherings with more than 25 people. The ordinance is not effective in abating negative impacts from loud gatherings; only one first response fee has been assessed since the ordinance's adoption, and no money was collected. The proposed social host ordinance would address several of the problems with this existing legislation, and is further addressed in the section entitled "Stakeholder Perspectives."

Social host ordinances are considered best practices in other communities with large higher education institutions to reduce the negative impacts of unruly alcohol-fueled parties and to reduce the serious public health problems associated with binge drinking by young adults. This is accomplished through increasing accountability and liability for repeated offenses, for both the person holding or hosting the parties, as well as for the property owner on whose property the parties are held. More detailed information about the proposed ordinance is contained in Attachment B.

Metrics and Goals

The goal of this legislation is to reduce the perceived negative impacts caused by alcohol-fueled parties. To assess the impact and effectiveness of the ordinance, staff will monitor the number of complaints received that are related to loud parties over time. Based on a manual count of police records, there have been approximately 550 complaints around the University from September 2011, through March 2012. For the same seven-month period last year, the number of complaints was 560, with a total of 863 for the year. To assess the effectiveness of this program, staff will continue to monitor complaints and evaluate any changes in the number of complaints. The EPD employs a data led policing model, using data to drive where and how the police are deployed to reduced criminal activity. This proposal is based on documented problems and focuses the response to where the problems are.

In addition to complaint data, information can be provided about the number of first response warnings and citations issued. The problem with this data is that it is largely a measure of the Police Department's capacity, rather than public demand; the number of citations or warnings is dependent upon the Police Department's capacity to respond to this public nuisance. If the number of citations or warnings increases or decreases, it is not possible to determine how much of the change is caused by a change in the demand (complaints) or a change in the supply (police resources).

In addition to analyzing complaints, staff will monitor the frequency the civil penalties are assessed, to determine if this is a tool that is effective at addressing the problem of properties that are chronically hosting unruly gatherings. For this proposal, during the 2010 – 2011, school year, there were six properties where four or more complaints for loud parties were received from Thursday through Saturday. This ordinance would have potentially affected no more than six property owners last year. Through April, there are 10 addresses that have received more than four complaints Thursday through Saturday.

It is believed that this strategy will contribute to a reduction in the frequency of unruly gatherings by holding both organizers and property owners accountable. Social host ordinances are now a common tool used to address this issue and have been enacted in over 150 cities and counties in 27 states. While not a silver bullet to what is a complex community problem, other communities have found social host ordinances to be an effective deterrent. Research conducted at 14 public universities in California revealed the largest decrease in off-campus binge drinking at those institutions that had aggressive enforcement programs that included social host ordinances coupled with strong media campaigns.

This has also been the experience in St. Cloud, Minnesota, which recently implemented a similar ordinance and presented their findings at the 2011 International Town and Gown Association Conference attended by staff.

Stakeholder Perspectives

The NLWG includes a diversity of interests and perspectives on how best to combat the impacts to livability in the campus area neighborhoods. While many in the group strongly support a social host ordinance, others have expressed reservations about this strategy. Although consensus was not reached, there is strong support in the group for this proposal. Staff has done their best to respond to all input received. The following is a summary of the main concerns raised within the group followed by any staff response.

The UO expressed concern that any legislation be scheduled to allow full input and discussion by the students. *The schedule has been created to coincide with times when UO students are present. Additionally, representatives from UO Community Relations and UO Public Information are involved in crafting a communication strategy, with City staff. The president of the Associated Students of the UO (ASUO) attended the last working group meeting, and provided comments and student representatives have had an open invitation to participate in the work of the NLWG since its inception.*

Neighbors and property owners expressed concern that existing regulations are not fully enforced, and that additional regulations are not needed until existing regulations are fully enforced. *There is a list of violations that will continue to be used, including noise, and violations of liquor laws. Related to unruly gatherings, these violations are symptoms of the underlying unruly gathering. The City will continue to address the symptoms. This ordinance is focused on the underlying cause of the negative impacts – the unruly gathering. As a separate tool, the First Response Ordinance includes several provisions which render it ineffective for improving livability. First, it applies only to gatherings of 25 people or more. The second problem is that the same person must be cited to result in graduated penalties. The third, and most significant problem, is that the current first response legislation does not address property owner responsibility, which, according to best practices throughout the country, is a key component to effective social host legislation. This proposed ordinance addresses the problems contained in the First Response Ordinance, and supplements existing violations which will continue to be enforced.*

Property owners expressed concern that the timeline in the appeal process was inconsistent with the requirements for notice provided in landlord-tenant laws. *The timelines were adjusted to provide ample opportunity for the property owner to be in full compliance with landlord-tenant laws.*

Students expressed concerns that the ordinance prohibited anyone from organizing, hosting, facilitating or encouraging an unruly gathering, stating that “encouraging” is broad and difficult to define. *In response to their concerns, the word “encouraging” was struck from the definition. The president of the ASUO attended the last working group meeting, and provided comments.*

Property owners have expressed concerns about assessment of “response costs” feeling that it is uncapped, and unknown. *A response cost is not calculated in the ordinance, since it will be based on the true costs of responding to each incident. Using the existing party-patrol staffing model and response times, the police response cost would be approximately \$864 for a 1.5 hour response involving five officers and one sergeant. This cost includes salary, benefits, overtime, and vehicle costs. If the services*

were needed, additional costs could be added for emergency medical, or public works. Staff believe that including a provision to recover response costs is appropriate given the magnitude of the problem and that it communicates a powerful message to potential offenders that their behavior has a real cost to the community. A fixed flat rate would provide predictability but would lessen the potential deterrent impact of actual response costs.

Property owners expressed concern that they could and should not be held responsible for the behavior occurring at their property. *Staff and a number of the members of the NLWG believe it important that the ordinance contain a provision for landowner accountability. To address this concern, a very high threshold has been set before property owner liability would apply (four violations at the same address within a 12-month period) and an appeals process has been included that would consider good faith efforts on the part of the property owner to rectify the problem.*

Property owners expressed concern that the appeal process is too subjective. *The ordinance outlines the factors that should be considered in hearing an appeal, but do not require that if the conditions are met the response cost is automatically waived. With council direction, this change could be made.*

Property owners expressed concern that the tools available to them under Oregon Tenant Law to address the behavior of tenants are solely eviction, and that the eviction process is costly, cumbersome and time consuming. Property owners also have expressed concern that the response costs are indeterminate and that they are held jointly liable with the tenants, who may have little ability to pay.

There have been questions about the role the UO has and will continue to play in this issue. *The University has been involved, and is committed to helping to reduce the negative impacts of loud and unruly gatherings around the UO. In the recent past, the City and the University have jointly developed and sent out a neighborhood livability letter. This is a letter signed by the UO Dean of Students Paul Shang, UO Public Safety Chief Doug Tripp, along with EPD Chief Pete Kerns and Neighborhood Services Manager Michael Kinnison. The letter is sent to residents where a party with multiple citations has occurred in near campus neighborhoods, and shares information about community values concerning neighborhood livability. Since October 2010, 40 of these letters have been sent. UO records show that subsequent incidents have not occurred at the vast majority of locations to which a letter has been sent.*

Communications Plan

When considering implementation of a social host ordinance, research of other jurisdictions has shown that education is a key component to success. A clear communication strategy will help residents and hosts better understand the ordinance and avoid the consequences of enforcement. The City of Eugene and the UO will work together using mostly non-paid outreach methods, similar to the outreach made to the area as new students arrive in the fall.

A team of communication professionals from the City and UO will coordinate communication goals; identify audiences and key messages for those audiences, and the communication methods to use for each audience. Any efforts would be timed to coincide with population increases and residency changes in the area: for instance, as new students and residents move into the campus area, and West and South University areas, in the fall. Communication efforts would be focused before, during and after the

ordinance's implementation. A key strategy would be to use low or no cost news, social media, and face-to-face methods.

RELATED CITY POLICIES

This topic relates to the following:

- Council Goal - Safe Community Vision: A community where people feel safe, valued and welcome, and increased downtown development, as well as support for small and local businesses.
- Growth Management Policy 6 – Increase new housing density development while maintaining the character and livability of individual neighborhoods.
- Envision Eugene Pillar – Protect, Repair and Enhance Neighborhood Livability

COUNCIL OPTIONS

No formal action is required as this is a work session. A public hearing is scheduled for May 14, 2012.

CITY MANAGER'S RECOMMENDATION

This item is scheduled for work session only. No recommendation is being made at this time.

SUGGESTED MOTION

No motion is proposed for the work session.

ATTACHMENTS

- A. Neighborhood Livability Working Group Report
- B. Summary of Ordinance
- C. Draft Ordinance

FOR MORE INFORMATION

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NEIGHBORHOOD LIVABILITY WORKING GROUP



September
2011

A Progress Report On Recommendations
For Improving Campus Area Livability

Table of Contents

I.	Members and Purpose	2
II.	Background	3
III.	Current Conditions	4
IV.	Past Efforts to Address Livability: West University Task Force Progress Update	9
V.	Current Efforts to Address Livability	14
VI.	Potential New Strategies to Improve Livability	18

[Appendices:](#)

A.	Catalogue of Negative Behaviors and Impacts	42
B.	Neighborhood Characteristics: Population Housing, Land Use and Crime	50
C.	Noise, Disorderly Conduct and Alcohol-related Violations by Neighborhood	52
D.	Anticipated Strategy Effectiveness Matrix	57

Neighborhood Livability Working Group

SECTION I: MEMBERS AND PURPOSE

City of Eugene

- Keli Osborn, City Manager's Office
- Michael Kinnison, Neighborhood Services
- Richard Stronach, Eugene Police Department, Captain, Patrol Division
- Sam Kamkar, Eugene Police Department, Lieutenant, Patrol Division
- Kelly Dixon, Eugene Police Department, West Univ. Station Manager

University of Oregon

- Karen Hyatt, Government and Community Relations Assistant Director
- Greg Rikhoff, Government and Community Relations Director
- Sheryl Eyster, Associate Dean of Students
- Paul Shang, Assistant Vice President and Dean of Students
- Carolyn McDermed, Department of Public Safety Deputy Director
- Ed Rinne, Department of Public Safety Captain
- Vanessa Vissar, Graduate Teaching Fellow, Office of the Dean of Students
- Kaitlyn Lange, Community Resource Assistant
- Sheila McGraw, Community Resource Assistant

Neighborhood Associations

- Paul Conte, Jefferson Westside Neighbors
- Malcom Wilson, South University Neighborhood Assoc.
- Carolyn Jacobs, South University Neighborhood Assoc.
- Sandra Austin, Fairmount Neighbors
- David Sonnichsen, Fairmount Neighbors
- Marcy Cauthorn, Amazon Neighbors
- Steven Bennett, West University Neighbors

Property Owners/Managers

- Sue Prichard, Amazon Neighbors
- Kathy Cotta, Jennings & Co.
- Kathy Jo Deen, Mallard Properties
- Terry Shockley, Property Management Concepts
- Dean Hansen, rental property owner
- Jim Anderson, rental property owner
- Jim Straub, Acorn Property Management

Purpose: To identify and clarify issues, existing and planned efforts, gaps and shortfalls and propose actions for improving impacts to neighborhoods from loud parties and other behavioral issues.

SECTION II: BACKGROUND

In March of 2010, nearly 40 people gathered for a Livability Summit organized by residents of campus area neighborhoods in conjunction with the University of Oregon. The Summit was in direct response to long-term residents' frustration with increasing impacts to their quality of life primarily from noise and other undesirable behaviors fueled by binge drinking youth. A variety of stakeholder interests were represented including neighborhood associations, city staff, elected officials, university administrators, and property management companies. The group heard stories about impacts from behaviors of concern, reviewed current efforts to address the problem, and discussed the need for creative solutions that recognize limited resources and competing priorities facing the police department. A recommendation was made to organize a group of stakeholder representatives to continue meeting to identify potential solutions to the problem. This resulted in the creation of the Neighborhood Livability Working Group.

The Working Group began meeting in July 2010 with the facilitation of the City's Neighborhood Services Program. Participation includes representatives from five main stakeholder groups: City, University of Oregon, neighborhood associations, property owners/managers and students (See Section I for a complete list of Working Group members). In the ensuing 14 months, the Working Group has accomplished a number of tasks:

- Created a Catalogue of Negative Behaviors and Impacts document that categorizes and explains the negative behaviors and impacts of living in proximity to the university (Appendix A).
- Gathered data on crime and other neighborhood characteristics to clarify current conditions and trends (see Section III and Appendix B and C)
- Assessed progress to date on implementing strategies recommended by the West University Task Force in 2003 (Section IV).
- Documented current efforts to protect neighborhood livability led by all stakeholder groups (Section V). This document reveals that a significant amount of resource and effort is already being devoted to this problem.
- Conducted research on best practices in other communities to identify potential strategies and assess potential effectiveness of ideas generated by the working group. This included Working Group member attendance at the 2011 International Town and Gown Association Conference.
- Identified potential new strategies (Section VI). Vetted strategies requiring City action with Municipal Court staff, City Attorney and City Prosecutor for consistency with current law and practice.

Purpose of This Report and Next Steps

This document is intended as a report on progress to date. It is not intended as a set of final recommendations for decision-makers. While all stakeholder groups have actively participated and approached the group's work in a spirit of collaboration and shared responsibility, there remain differing opinions on the appropriateness and potential effectiveness of several of the strategies on the list. The Working Group still needs time to collect information and thoroughly discuss several of the strategies to try to address existing stakeholder concerns.

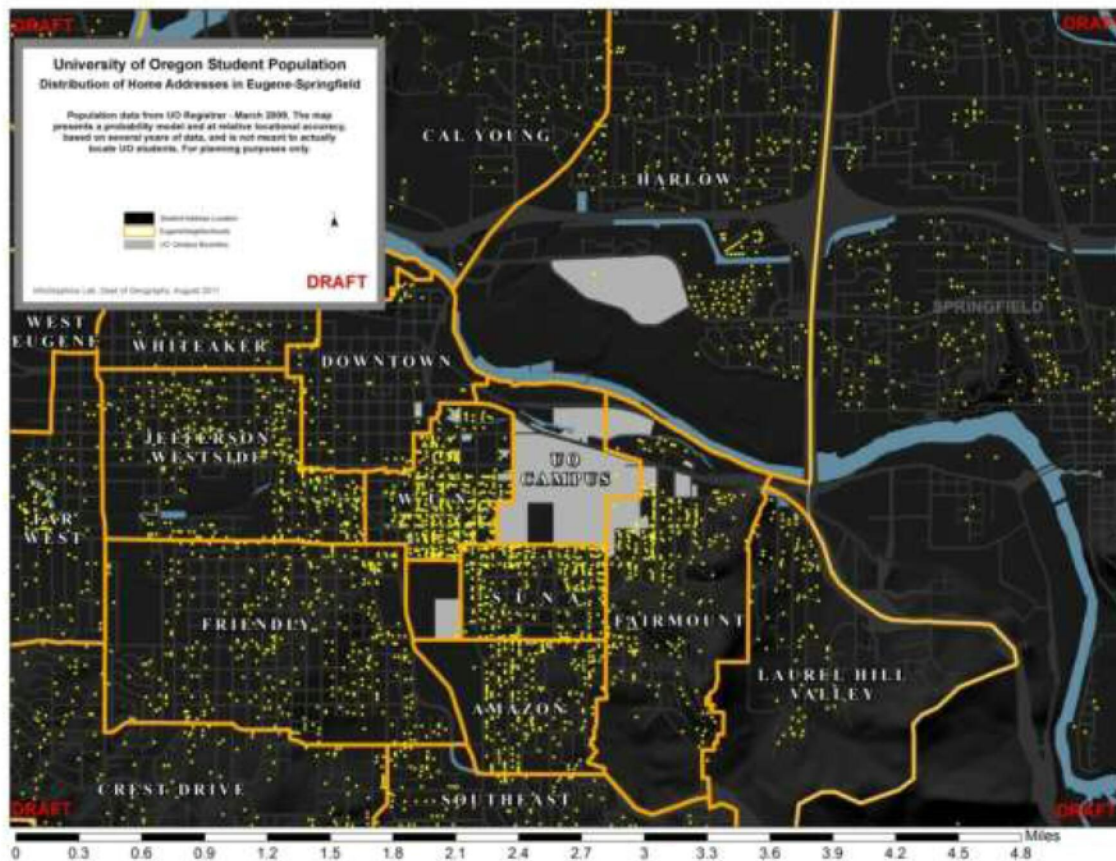
There is also interest in a group of stakeholders continuing to meet to address livability issues and track progress on implementing proposed strategies. It is likely that some form of the current Working Group will continue meeting less frequently to address this need.

SECTION III: CURRENT CONDITIONS

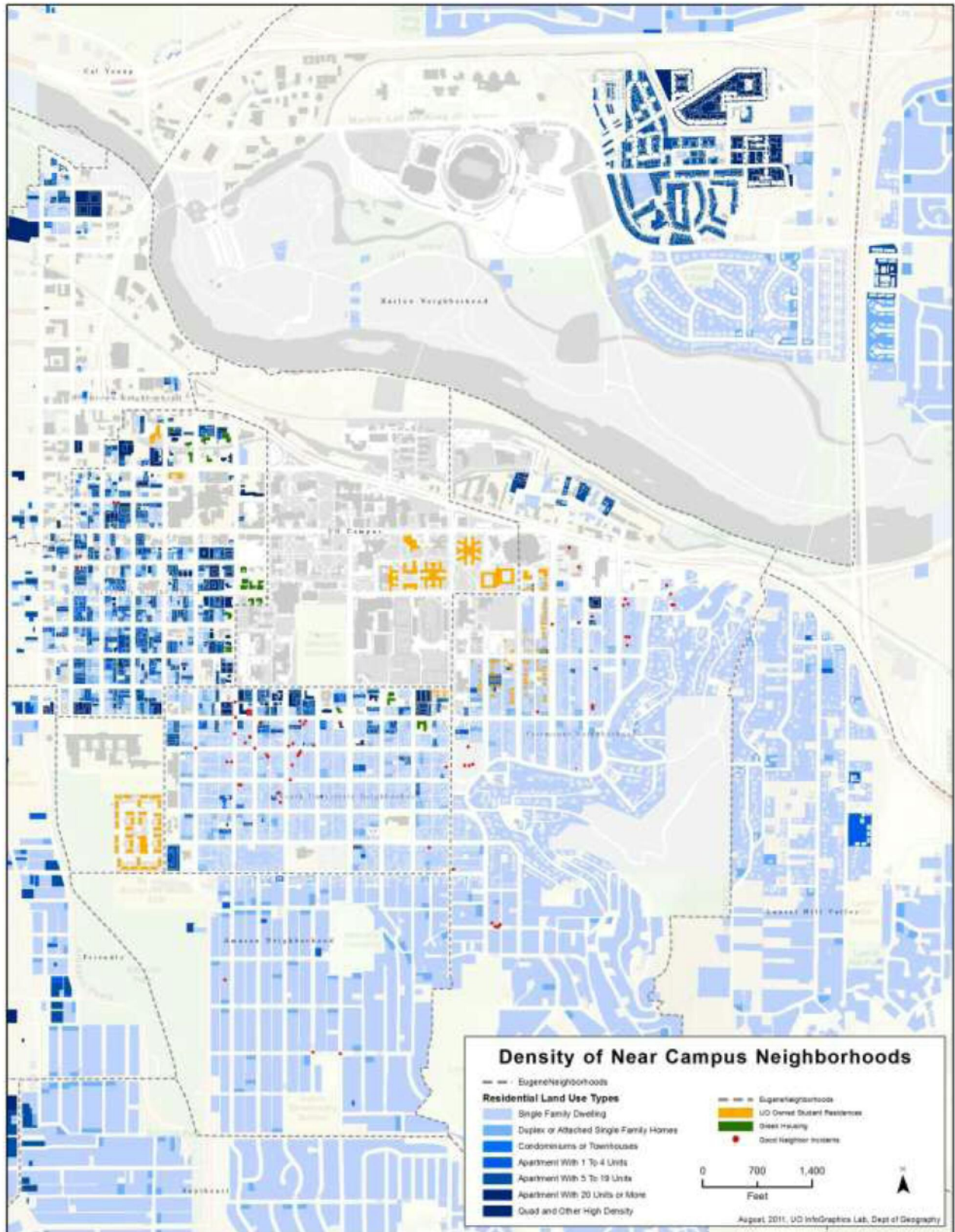
The campus area neighborhoods vary in terms of population demographics, housing tenure and type and levels of criminal activity (see Appendix B, Neighborhood Characteristics: Population, Housing Land Use and Crime and C, Noise, Disorderly Conduct and Alcohol-related Violations). West University is far more densely populated, contains significantly more students young residents and rental housing (99 percent of all housing units), and experiences far more crime than the other neighborhoods (In 2010, the West University area accounted for over 15 percent of all crimes in Eugene and 3.5 times the number of crimes in the other three neighborhoods combined). Owner-occupied homes account for less than half the housing stock in the Amazon neighborhood and 8 out of 10 homes are now rentals in South University. Fairmount is the only neighborhood with a majority of its housing stock still in owner occupancy. Not surprisingly, multi-family is by far the dominate land use type in the campus area, although the type and distribution varies among neighborhoods. The following series of maps provide a graphic representation of distribution of students, housing density and crime hot spots in the campus area neighborhoods.

Note: “Campus area neighborhoods” includes West University, South University, Amazon, Fairmount and Jefferson Westside. Harlow Neighbors has large concentrations of student residents but the neighborhood does not experience livability impacts as acutely as other areas and the group declined to participate. The data analysis in appendices B and C focuses on the four neighborhoods nearest the university: West University, South University, Amazon and Fairmount.

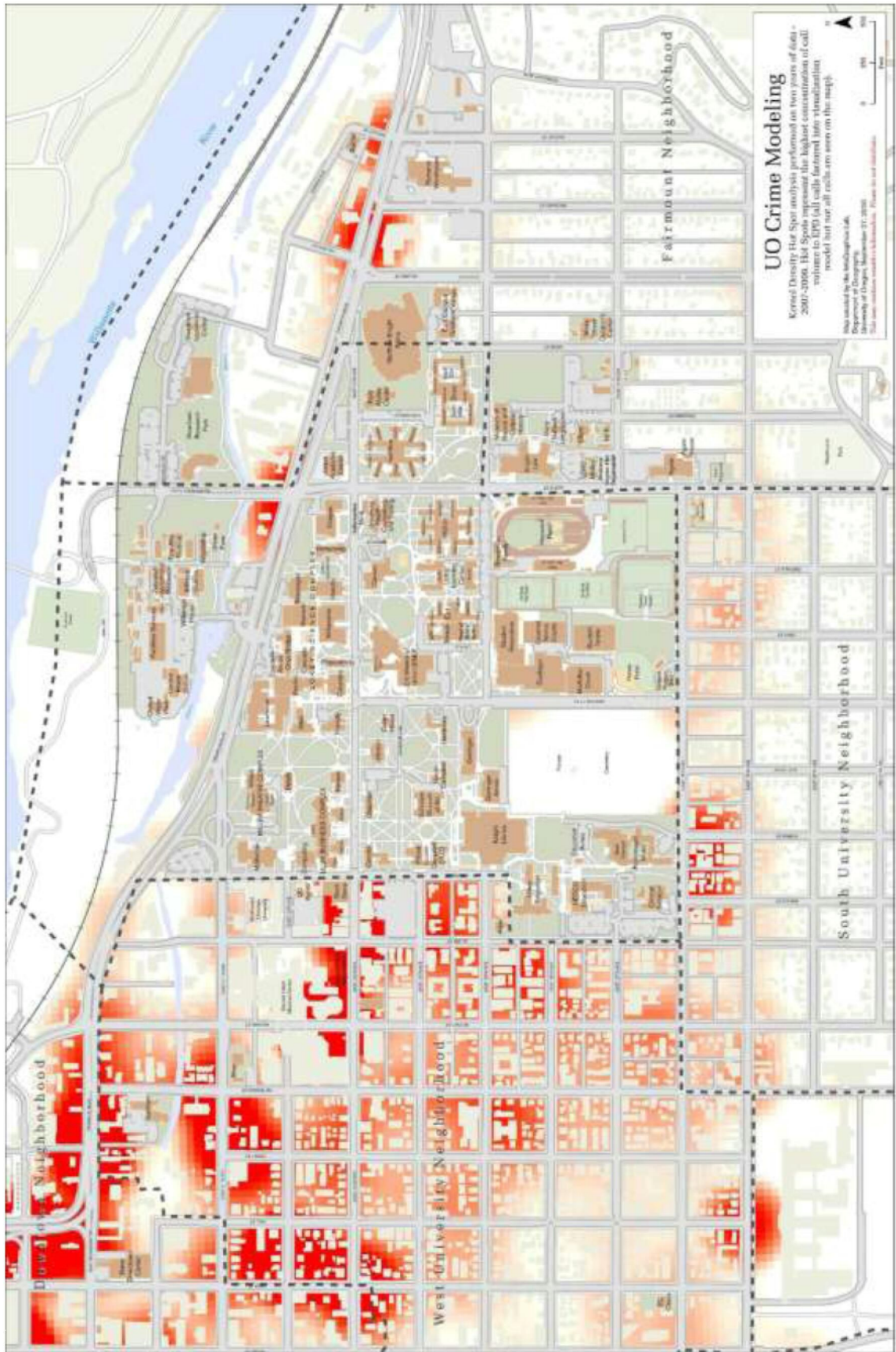
Map 1. Distribution of Student Addresses



Map 2. Density of Near Campus Neighborhoods



Map 3. Crime Hot Spots



Bad behaviors associated with noise and alcohol are of major concern to neighborhood residents. An analysis of data on arrests for noise, disorderly conduct and alcohol related violations for the period of 2006-2010 provides some insight into how conditions are trending (see Appendix C). In general, the numbers of these violations have remained relatively steady in Amazon and Fairmount neighborhoods. South University has seen a steady rise of these types of arrests during this period and recorded nearly 2.5 times the number of violations in 2010 than five years earlier. While the total number of violations is significantly higher in any given year in the West University area, the same trend of increasing numbers of violations holds true.

A Catalogue of Negative Behaviors and Impacts document was compiled to categorize and explain some of the negative behaviors and impacts of living in proximity to the university (see Appendix A). Behaviors and impacts that are addressed include those related to property, personal and behavior crimes, and zoning/land use issues. The Catalogue gives a thorough description of the issue of concern and provides firsthand accounts from residents of their experiences. Short of spending time in the neighborhood on a Friday or Saturday night, the document gives a good sense of what residents experience on a regular basis.

Each neighborhood experiences all the catalogued negative behaviors and impacts to some degree. While negative incidents are significantly more common and intense in the West University area and the situation has become more pronounced in SUNA in recent years, residents of Amazon and Fairmount are also experiencing real impacts to the peaceful and safe enjoyment of their neighborhoods. The following information was provided by neighborhood association representatives to describe their neighborhood's experience with threats to livability:

West University Neighbors

- The residential sector is populated mostly by renters, with few "owner occupants." The largest percentage of inhabitants can be described as transient, youthful and students.
- The bulk of the property owners and occupants are those that support the benefits of medium and high density residential living.
- The neighborhood has more than its share of problems typical with late night parties, low-level antisocial behavior, noise and trash as standard complaints.
- Additional problem areas include increased gang related activity, homelessness, assaults, burglaries and unsafe operation of vehicles (i.e., speeding).

Amazon Neighbors

- Frequent, blatant violation of the land use laws, particularly in regard to secondary and accessory dwellings and renting to more than five unrelated individuals with little or no financial consequence.
- Because of the "overbuild" of bedrooms within this R1 zoned neighborhood, purchasing a house keeping these properties in a cycle of investment is more expensive than home ownership or long-term tenancy.
- Behavioral problems are on the rise, including noise, speeding, parking on lawns, vandalism, litter, garbage, as well as some poor oversight/neglect of properties by investors and homeowners.
- Inconsistent messaging and enforcement from the neighbors, landlords, City code enforcement, and police contribute to the problem. This leads to long-term neighbors becoming frustrated by having to either tolerate the bad behaviors or assume the burden of educating new residents on neighborhood expectations for appropriate behavior. Longer-term residents grow weary of the situation, which results in frequent turn-over and flight from the neighborhood.

South University Neighborhood Association

- During the school year (and increasingly during the summer), young people spend Thursday, Friday and Saturday nights in loud and disruptive parties.

Neighborhood Livability Working Group

- Parties in apartments and houses in the R3 and R4 areas of 18th and 19th avenues spill out onto the street so that 19th Avenue often appears like a carnival. In the last two years, 19th Avenue has simply become unlivable for working adults and their families.
- The R1 area south of 19th has a high proportion of rental houses. The students here regularly test their freedoms with loud parties.
- Every week the neighborhood suffers vandalism of private and public property, littering, public urination and public sexual activity into the early hours of the morning.
- Roving bands of students, often disgorged by party buses, disturb the night with their yelling and it is not unusual to be awakened in the middle of the night by a young person pounding on the door too inebriated to realize they are at the wrong house.

SECTION IV: REVIEW PAST EFFORTS TO ADDRESS LIVABILITY

2003 West University Task Force - Progress Report on Proposed Strategies

This is not the first time the City and community have grappled with these problems within a formal process. In response to the riot that occurred in September 2002, Mayor Torrey and President Frohnmayer formed the West University Task Force to develop solutions to the safety and livability issues of the area. Similar to the NLWG, the task force comprised a mix of relevant stakeholders and produced a series of short- and long- term strategies. However, the work of the task force was limited to the West University neighborhood. An update on progress implementing the recommendations was provided in 2003 and staff conducted a more recent update for this report. Understanding the results of previous work on this issue was important to informing this work and helping craft new, effective strategies. It is worth noting that several of the task force strategies are similar to current strategies being considered (identified by italics). The following table provides information on the task force strategies and progress in implementing them:

Strategy	2003 Update (Memo to City Council)	2011 Update
Long-Term Strategies		
<p>Housing Standards - Consider implementing basic habitability and safety standards that would also address exterior maintenance as a mechanism for residents or property management companies to compel negligent property owners to improve/maintain properties.</p>		<p>The Rental Housing Code was adopted in 2005 and addresses six basic minimum standards: structural integrity; plumbing and heating; weatherproofing; security; and smoke detectors. More recently the language expanded to address visible mold caused from faulty plumbing or insufficient weatherproofing. The code is specific to address interior habitability standards. While the City does have language in Chapter 8 that speaks to "maintenance," it is specific to safety, not aesthetics.</p>
<p>Alley improvements - Explore options for alley paving and other improvements.</p>		<p>All 23 unimproved alleys in the West University Neighborhood were upgraded to 14-foot wide concrete alleys with storm water catch basins in 2005. Improvements were funded with \$2 million generated from one large local improvement district.</p>

Strategy	2003 Update	2011 Update
<p>More and/or Improved Lighting – Provide additional lighting fixtures in the area, particularly along 14th Avenue, to improve visibility and perception of safety for pedestrians and bicyclists.</p>		<p>In 2005, City installed approximately six street lights at various locations on 14th Avenue between Mill and Kincaid streets. \$42,000 in CDBG funds were used for the project. The project also worked with adjoining property owners to make a number of changes to lighting and vegetation on private property to limit dark spots and provide improved visibility.</p>
<p>Consistent and Enhanced Police Presence – Provide a wide range of policing strategies from a dedicated police patrol to focused police presence.</p>	<p>A foot patrol officer was added to the neighborhood in August 2003 with partial funding from the UO.</p>	<p>The foot patrol officer position is still in place and likely to continue.</p>
<p>Promote Longer Term Residency – Extend the Multiple Unit Property Tax Exemption (MUPTe) boundary to include West University and consider other options, such as the low income rehabilitation loan program, to assist property owners with needed housing improvements.</p>		<p>City Council approved expanding the MUPTe boundary to include the West University neighborhood in April 2004. A total of 10 MUPTe projects have been built in the neighborhood involving 133 units (21 one-bedroom, 36 two-bedroom, 28 three-bedroom, 34 four-bedroom, 14 five-bedroom). Two additional projects involving 75 units are planned.</p>
<p>Outgoing Freshman Orientation – Provide an orientation for freshman at year’s end about basic tenant rights and responsibilities, campus behavior issues and legal culpability to provide a strong foundation for newly independent residents.</p>		<p>The UO does not have a mandatory outgoing freshman orientation in place. However, a number of initiatives have been implemented relate to this concept:</p> <ul style="list-style-type: none"> • Off Campus Housing Fair • CommUniversity Resource Assistant Program • Pond and Beyond Off Campus Newsletter • Off Campus Living Forum

Strategy	2003 Update	2011 Update
<p>Neighborhood Association – Actively encourage renewed participation in a neighborhood association to continue neighborhood building and resident involvement in area improvements.</p>	<p>West University Neighbors were reactivated in 2003.</p>	
<p>Modify Student Conduct Code – Consider modifying the student conduct code to include punitive measures against students involved with serious criminal conduct, such as rioting, off-campus.</p>	<p>The UO is reviewing its student conduct code and off-campus jurisdiction for serious criminal conduct is one of many issues being examined. Codes from all over the country are being reviewed to see how off-campus behavior is handled.</p>	
<p>Patrols by Non-Police – This could include student groups handing out literature to residents at the beginning of each term on how to have a safe party or establishing neighborhood watch programs to assist in monitoring activity in the neighborhood and contacting police before parties get out of control. Intervention with party hosts has potential risks and would need careful consideration.</p>		<p>The annual UO Community Welcome involves groups of university staff, students, City staff and neighbors canvassing the campus area and greeting students and distributing literature that includes information on behavioral expectations including how to throw a safe party.</p>
<p>City Nuisance Complaint System – Review current nuisance complaint system to see if it can be streamlined for ease of access, and enforcement options expanded and/or strengthened to improve its effectiveness.</p>		<p>The City’s nuisance program is complaint driven. Staff is typically able to respond to the complainant within 24 to 48 hours. Depending on the priority level an Order will usually go out within five days of receipt of the complaint. A proactive based enforcement program would require more resources and a well-developed plan on how to address concerns of selective enforcement.</p>

Strategy	2003 Update	2011 Update
Short-Term Strategies		
<p>Locate and Notify Property Owners and Landlords – Develop a system that notifies landlords/property owners that police have responded to one of their rental properties due to loud noise or other party-related activities.</p>		<p>The Police Department’s Rental Property Program notifies participating property owners whenever a police incident is initiated for any type call at a specific address. The system has 300 property owner contacts in the database, any one of which may represent multiple properties. On average, 475 notifications per month are generated.</p>
<p>Police Saturation and/or Party Patrols – Provide a dedicated team of officers that focus on patrolling the West University neighborhood during the school year.</p>	<p>Due to staffing shortages, the police department is unable to assign a team of officers to the neighborhood on regular assignment. An ad-hoc party patrol team, involving six overtime assignments, is offered each Friday and Saturday night during the fall term.</p>	<p>There is no change in status for this item since the 2003 update.</p>
<p>Keg List Checks and Knock and Talks - Continue the partnership between OLCC and the police department in obtaining the list of residences where kegs of beer will be consumed and then visiting those residences to convey party host’s responsibilities.</p>		<p>This practice has been ongoing for several years and will continue.</p>
<p>Street Light Maintenance – Better maintenance of existing light fixtures would improve ambient lighting.</p>	<p>Public Works has placed this on its work list.</p>	
<p>Fire Code Enforcement – Fire Marshall periodically participates in ride-alongs with the police department to enable fire code enforcement.</p>		<p>Ride-alongs are considered problematic as time needed by Fire Marshall staff at any particular address could take longer than police department is able to commit.</p>

Strategy	2003 Update	2011 Update
Neighborhood Grants – Pursue neighborhood grants for environmental improvements to the neighborhood.		The City has had a neighborhood matching grant program since 2000. A \$14,270 grant was provided for improvements to the West University Park in 2007.
Neighborhood Cleanup/Community Day – Establish a neighborhood clean-up or community day to encourage community building and investment in the area.		The UO organizes a number of annual service projects in the campus area neighborhoods including park adoption/cleanups, tree plantings, and litter pick up.
Resource Contact List – Compile a list of important contacts for residents, landlords and businesses to inform parties of their rights and channels of recourse.		Neighborhood Services produces a City directory and frequently called numbers list that is distributed to all neighborhood associations. The Office of the Dean of Students produces online and hard copy versions of the “Living Off Campus Guide”, which contains resource contact information.
Provide Educational Information with Kegs – Distribute pamphlets through beer distributors that describe rights and responsibilities as they pertain to hosting a party.	No progress to report.	No progress to report.
Neighborhood Forum – Hold a forum to gauge interest in forming a neighborhood association and engage more residents in the work of the task force.		At the initiative of the South University Neighborhood Association, a Livability Summit was hosted by the UO in March 2010 involving a cross section of stakeholders concerned with the impacts to livability in the campus area neighborhoods. The Neighborhood Livability Working Group was formed in response to this forum.

The Neighborhood Livability Working Group has included similar strategies to those identified in italics.

SECTION V: CURRENT EFFORTS TO ADDRESS LIVABILITY

This section provides a summary of stakeholders' current efforts to address campus area livability. All parties (City, University of Oregon, neighborhoods and students) are already implementing a number of actions to maintain the quality of life in this area. While landlords and property owners do not have specific programs listed that they are leading, most are committed to ensuring responsible behavior of their tenants, support and participate in current efforts and maintain management practices to ensure their properties contribute positively to the neighborhoods.

City Led

Eugene Police Department (EPD) Rental Property Program: This free program offered by EPD generates an automatic email to participants any time a police incident is initiated at one of their properties, whether or not EPD was able to respond to the complaint. Since the beginning of last school year, the property owner of each location for which EPD received a party or loud noise complaint was contacted and an attempt was made to recruit them into the program. Response to this program has been overwhelmingly positive. Landlords are kept informed regarding activity at their properties, and tenants are learning that each time they have a loud party reported to EPD, their landlord is finding out!

EPD "Party Patrol": EPD deploys a group of officers coordinated by a supervisor to target the behavior crimes and violations in the West University Neighborhood that has been known to lead to riots and other disruption of the neighborhood. Because this service requires staffing beyond the levels needed for answering the "normal" call load of the City, the officers assigned to the West University are hired on overtime. The cost per one night of the deployment is approximately \$2,726, or \$5,252 for both weekend nights. Deployment of this team is generally concentrated in the Fall months, and then again in the Spring when the weather is conducive to outside activities. On average, EPD deploys officers in West University 12 to 16 weekends per year. The yearly costs of a periodic enforcement in the area runs from \$100,000 to \$120,000, including a large scale operation for Halloween weekend.

It should be noted that these enforcement efforts have been referred to in the past as "Party Patrol." This name for the task group is deceptive as the emphasis has shifted from responding to disorderly parties, to targeting the alcohol and behavioral issues that have led ultimately to riots.

EPD Crime Prevention Program: The EPD Crime Prevention Unit (CPU) has focused a great deal of effort in the near-campus neighborhoods as well as heavily student-populated neighborhoods such as Commons & Kinsrow over the last couple of years. Two-to-five-day crime prevention outreach events were held during move-in week in September, prior to winter break in December, and prior to spring break in March. The CPU has staffed a booth outside the UO bookstore, gone door-to-door in the neighborhoods handing out crime prevention literature and answering questions about how to safeguard property, sent emails to UO and NCU students via the schools and landlord distribution lists, given crime prevention trainings to landlords, and used local media to get their crime prevention message to community members. The Crime Prevention Specialist for the campus area regularly patrols the neighborhoods, looking for suspicious behavior and alerting neighbors to circumstances which could make them easy victims.

University of Oregon (UO) Led

Community Welcome event and communications: During the first week of classes in September, City, neighborhood, and university leaders canvass campus neighborhoods to welcome students back for the year and encourage them to be respectful neighbors. Leaders share materials provided by the UO and the city concerning neighbor relations, throwing a responsible party, the rental housing code, crime prevention and additional services.

In 2010, over 1,000 households in West University, South University, and Fairmount neighborhoods were reached and more than 75 leaders participated.

Good Neighbor Complaint Process and Staff Team: In fall 2009 the UO established the goodneighbor@uoregon.edu email for neighbors to report incidents of inappropriate behavior in campus neighborhoods that may involve UO students. Neighbors are encouraged to contact EPD during the incident and use the good neighbor email as follow up after the incident. A UO staff team, with representatives from Government and Community Relations, the Office of the Dean of Students, the Department of Public Safety, and the InfoGraphics Lab, meets weekly to develop custom strategies for these reported incidents as well as other neighborhood livability issues. Strategies have included contact with social or athletic clubs and teams with which students may be associated, personal visits to chronic problem addresses, sending of the Joint Letter (explained later in this document), and offers of mediation and facilitated conversations.

Campus Community Relations Task Force meetings: The Dean of Students and Director of Community Relations facilitate a meeting to discuss upcoming events and issues with neighborhood leaders, students, and UO and City staff once each academic term (3 times a year).

Campus Event Programming: During certain times of the year, when an especially large amount of celebrating is expected, a variety of events are scheduled on campus designed to attract students to stay on campus or come to campus as an alternative to partying in off-campus neighborhoods. Examples include late night programming during Halloween weekend and a large watch party during the football BCS bowl championship. Plans are in the works for enhanced programming the weekend before school starts fall 2011.

Substance Abuse Prevention/Reduction Strategies: In July 2011, the UO Office of the Dean of Students hired a substance abuse prevention director. A portion of this position portfolio will include issues of alcohol-related issues off campus. In addition, this fall the university is implementing *AlcoholEdu for College*, an evidenced-based alcohol education program for all incoming first year and transfer students under the age of 21. The tool is a confidential, personalized on-line education intervention program that links choices about drinking to academic and personal success, helps students practice healthier and safer decision-making, resets unrealistic expectations about the effects of alcohol, and motivates behavior change. Ultimately, *AlcoholEdu for College* seeks to engage students in a learning experience that creates a healthier community.

CommUniversity Assistant Program: The Office of the Dean of Students oversees the CommUniversity Assistant Program to provide student services to students living off campus and improve the student-populated neighborhoods adjacent to the campus. The program, housed in the Erb Memorial Union, is coordinated by a graduate teaching fellow with support from student leaders (CommUniversity Assistants) serving as ambassadors living in the off-campus neighborhoods. Approximately five students each year attend neighborhood association meetings; help organize the Off Campus Housing Fair, the Day of Service in Campus Neighborhoods, and the Green Goodbye Move Out event; and work with neighborhoods in additional ways as needed. CommUniversity Assistants provide information about community living, safety, rights and responsibilities, and issues specific to their neighborhood. They also assist in finding solutions to address issues, and support students in becoming engaged members of their neighborhoods.

Pond and Beyond off-campus student newsletter: The UO Office of the Dean of Students produces a monthly online newsletter that is distributed by email to all 20,000 students living off campus. The publication includes neighborhood livability information.

Off-Campus Housing Fair: The Office of the Dean of Students and the CommUniversity Assistant Program coordinates this annual one-day event that brings property managers and owners and housing-related resources

Neighborhood Livability Working Group

onto campus. The event helps students find housing options and become more knowledgeable, responsible and engaged neighbors and tenants. Neighborhood, city and nonprofit partners will provide resources and workshops to support students as they transition into off-campus community living. City of Eugene Neighborhood Services, Rental Housing Program, Transportation Options, EPD and Fire and EMS are all partners in this effort. Student attendance has been much higher than predicted at the first two events, with estimates around 1,500 – 2,000.

Move Out Event (A Green Goodbye): CommUniversity Assistants coordinate an event at the end of the school year as part of an effort to reduce landfill waste from abandoned household items and furniture as students vacate their school-year residences in neighborhoods surrounding the community. The program promotes the safe, sustainable and accessible exchange of used furniture and household items in campus neighborhoods while educating students about reducing, reusing, and recycling waste. The objectives of the program are to improve community relations with the neighborhoods surrounding the university by reducing negative student move-out impacts within the neighborhoods; reduce landfill waste from students moving out; encourage ecologically responsible behavior among University of Oregon students; and promote student /community volunteerism. This small scale event has been moderately successful. Plans are underway to re-envision this event and partner with UO recycling and city sustainability colleagues for a more effective program.

Neighbor Led

Neighborhood Livability Summit: On March 17, 2010, a group of about 45 people met in the Long House at the University of Oregon to discuss the growing problems of student behavior in the near campus neighborhoods. The meeting was organized by the South University Neighbors Association and included participants from the West University and Fairmount neighborhoods, as well as officials from the City of Eugene, Eugene Police Department, University of Oregon and various property management companies. The participants discussed the problems and possible general solutions and recommended further work. The meeting gave rise to the Neighborhood Livability Working Group, which has been meeting regularly and has prepared this Progress Report.

South University Neighbors Association (SUNA) Livability Committee: For the past two years, SUNA Livability Committee has met to formulate strategies for dealing with student behavioral disruptions. The committee runs an e-mail list which informs residents of behavioral incidents and disseminates information to students regarding fines for various behavior offenses.

Amazon Neighbors initiatives: On an informal basis, neighbors organize litter pick up and graffiti removal and provide door to door written information about these issues. Individual neighbors use the City's nuisance enforcement program. Groups of neighbors also have formal and informal neighborhood watch groups.

West University Neighbors (WUN) initiatives: Neighbors reach out to invite students and representatives from White Bird and EPD to monthly meetings to discuss issues of mutual interest. Multiple Unit Property Tax Exemption (MUPTE) applications are discussed and voted on by WUN participants on a regular basis. Students have served on the WUN board for at least the last three years, and student Jackson Hite chaired the association for a year. The neighbors were instrumental in the development of West University Park, a frequent gathering place for neighborhood association activities that promote neighborhood cohesiveness.

Fairmount Neighbors Association (FNA) initiatives: The impacts of increased multi-unit housing development in the Walnut Mixed Use area, proposed residential zoning changes and increased student occupation of single family homes has caused the Fairmount Neighbors Board to identify neighborhood livability as a priority for the coming year. Neighbors also continue to be active participants in the monitoring of impacts related to the

operation of Matthew Knight Arena. Neighborhood leaders communicate regularly and participate in multiple meetings and discussions with university and city staff on these topics.

Student Led

Fraternity and Sorority Life off-campus living forum: In Spring 2011, the UO Pan Hellenic and Inter-Fraternity Council leaders organized an off-campus living forum. Since only a small portion of UO's 2,200 fraternity and sorority members live in chapter houses, student leaders saw the need to educate their members on off-campus issues. The forum was attended by over 200 members and included presentations about rental rights and responsibilities, and good neighbor behavior.

Combined Efforts

Joint letter from City and UO leaders: Sometimes incidents of illegal behavior in near campus neighborhoods are significant enough that they generate enforcement action from the Eugene Police Department. When these complaints are shared via the goodneighbor@uoregon.edu email, a "joint letter" describing neighborhood livability values and signed by EPD Chief Pete Kerns, UO Department of Public Safety Chief Doug Tripp, UO Assistant Vice President and Dean of Students Paul Shang, and Eugene Neighborhood Services Manager Michael Kinnison is sent to the residents of the address and the recorded property owner.

International Town and Gown Association (ITGA)/Conference participation: UO and the City of Eugene staff are members of and participate in this organization that includes a focus on campus neighborhood issues. This past June five UO staff and three city staff attended the ITGA Conference in Boulder, Colorado.

SECTION VI: POTENTIAL NEW STRATEGIES TO IMPROVE LIVABILITY

The Working Group has identified 14 potential strategies to improve livability. The list includes a variety of approaches that rely on a mix of education, incentives, regulation, enforcement and local initiative to encourage good neighbor behavior, prevent and reduce criminal activity and encourage home ownership. The following is a list of strategies for consideration:

Strategy	Responsible Lead	Page Reference
Enforcement and Sanctions		
Develop a Eugene Social Host Ordinance	City of Eugene	19
Increase Fines for Alcohol and Noise Related Offenses	City of Eugene	21
Enhance Police Resources	City of Eugene	22
Regulate Party Bus Impacts	City of Eugene	23
UO Police Department (with jurisdiction in near campus neighborhoods)	University of Oregon	25
Modify University of Oregon Student Code of Conduct	University of Oregon	26
Education and Prevention		
Crime Prevention Through Environmental Design	City of Eugene	27
Countermeasures for Traffic Sign Vandalism	City of Eugene	29
Safe Party Initiative (“Balance the Party”)	University of Oregon	31
Good Neighbor Strategy	Neighborhood volunteers/UO	32
Encourage Owner Occupancy and Responsible Management		
Establish a Home Ownership and Investment Program	City of Eugene/UO	34
Graffiti Garbage and Litter Abatement	Neighborhood volunteers	36
Planning and Land Use		
Evaluate continued need for MUPTC in the campus area	City of Eugene	37
Neighborhood-based Planning	City of Eugene	39

While many of the strategies were not considered controversial and have widespread support from all stakeholder groups, a number of them have raised concerns from members of the Working Group. Instead of seeking consensus on each strategy, the Working Group agreed to present them with outstanding issues, and clearly identified concerns (see Issues to Consider section for each strategy). Two strategies considered by the Working Group are not included on the list (Modify/Expand the Rental Housing Program and Require Onsite Managers at Rental Properties) due to strong stakeholder opposition. The list may be modified as the Working Group continues to discuss and consider stakeholder concerns.

The Working Group did not go through a formal prioritization process for the strategies. An attempt was made to assess members’ perspective on the anticipated effectiveness of each strategy (see Appendix D). The results provide some insight into which ideas the members think are the “cream” so to speak. However, not all of the Working Group members participated in this process and results may change as the group continues to learn more about each proposal. The two strategies that rose to the top and were unanimously believed would be highly effective at addressing impacts to overall livability (noise, public drunkenness, vandalism, etc.) and personal safety were Enhance Police Resources and expanded jurisdictional authority of an Oregon Police Department in near campus neighborhoods.

Develop a Eugene Social Host Ordinance

Problem Description

For many years, neighborhoods near the University of Oregon campus have experienced the negative effects of large parties. These parties generally result in underage drinking, overdose, disorderly behavior, and damage to public and private property, diminishing quality of life for the residents and at the same time consuming tremendous resources from a number of City departments.

The traditional approach to resolving this problem has been increased police response followed by an aggressive enforcement action against individual party attendees for violations such as minor in possession. This costly approach has been ineffective in addressing this problem and forces many of the City of Eugene's services to shift their attention and resources toward this single geographical area.

Strategy Description

The experience of other Town and Gown communities has shown that a Social Host Ordinance has been an effective tool in the deterrence of large parties in near campus neighborhoods. Social host laws hold hosts (including tenants, landowners and landlords) liable for costs associated with responding to disruptive parties that typically include underage drinking. For example, the City of St. Cloud, Minnesota enacted a Social Host ordinance in conjunction with court mandated alcohol education and a restorative justice model provided by the municipal court and local university. Incidents of high-risk drinking among college students dropped from 18 points above the national average to two points below the national average in a four year period.

This strategy calls for replacing the existing First Response Ordinance with a Eugene Social Host Ordinance. Members of the Police Department will be responsible for drafting the Social Host Ordinance and working with City Council to get it passed. The following are elements drawn from model ordinances in other communities to provide a sense of what a local ordinance might look like:

- Defines a qualifying event as a gathering of three or more people on public or private property where the violation/crime of Prohibited Noise, Minors in Possession, Furnishing or Allowing Minors to Consume Alcohol, or any illegal drug use is occurring.
- Defines the "host" as the person responsible for planning and executing the event, whether or not they are the legal resident.
- Carries a fine of \$500 for the first offense, with a graduated fine and police/fire recovery costs (cap to be determined) for subsequent offenses within a four year period.
- Provides for property owner notification of each offense and fines and recovery of response costs for chronic offenders (i.e., property owners are put on notice of potential liability before penalties issued). Unpaid fines may result in a lien being placed on the property.
- Subsequent offenses by an individual are subject to the graduated fine and recovery fees regardless of address location (i.e., changing addresses is not a strategy to avoid penalties).

Related Goals/Policies

West University Task Force recommendations (June 2003):

- Consistent and enhanced police presence – includes a wide range of proactive policing strategies from a dedicated police patrol to focused police presence.
- Police saturation and/or party patrols – Increased police presence in the area, particularly on nights and weekends, is a proven deterrent to disorderly behavior and improves response time to complaints regarding large parties.

Costs and Potential Resources

Costs to implement a Social Host Ordinance are anticipated to be low as no additional police patrol resources (beyond current party patrol) are required for this strategy.

Issues to Consider

- Options for administering the ordinance include the West University Public Safety Station manager or alignment with the City's existing nuisance abatement program within the Building and Permit Services Division. The latter may be a good fit as recovery fines can be handled as civil, rather than criminal, penalties.
- The following stakeholder perspectives represent individual member concerns regarding this strategy:
 - We should focus on enforcing existing codes and ordinances first and provide clear and consistent enforcement guidelines for police and the public.
 - How can a landlord be held liable for tenant behaviors they were not aware of? A landlord should not be considered a "social host" any more than the community college, university, city or state.
 - We need to provide clear allowances for landlords that have made good faith efforts to address tenant behaviors.
 - We need to quantify that we have a chronic problem before enacting an ordinance. How many noise or MIP violations have occurred at the same house?
 - We need to make sure that existing enforcement efforts are making those responsible for the problem pay before turning to absentee owners.
 - The enforcement and sanctions of this strategy need a lot more refinement. Just like tenants, many landlords provide quality service to the community and any new laws should specifically define the negative behavior of the responsible party that we are wishing to mitigate.

Measuring Effectiveness

The effectiveness of this strategy will be measured by the number of loud party complaints received, and responses to alcohol-related medical calls.

Increase Fines for Alcohol and Noise Related Offenses

Problem Description

Many alcohol and Noise related offenses, such as Minor in Possession of Alcohol, Selling or Furnishing Alcohol to Certain Persons Prohibited, Minors - Falsely Representing Age and Noise Disturbance, are prevalent in and around the campus area. The current amount for these fines does not appear to be an effective deterrent nor does it encourage students to modify their behavior and act more responsibly. In addition, the base fines are considerably lower than other agencies and that presents challenges when the Police Department collaborates with other agencies on law enforcement operations.

Strategy Description

Review and recommend changes to Municipal Court's Base Fine Schedule for alcohol and noise related offenses. The following fines should be reviewed:

- Minor in Possession of alcohol (EC 4.115(1))
The current base fine amount for this violation is \$250 with a maximum fine of \$1,000.
- Selling or Furnishing Alcohol to Certain Persons Prohibited (EC 4.110 (1&2))
The current base fine amount for this violation is \$375 with a maximum fine of \$5,000.
- Noise Disturbance – Prohibited (EC 4.080)
The current base fine amount for this violation is \$375 with a maximum fine of \$500.
- Noise Disturbance – Repeat and Failure to Cease (EC 4.081)
The current base fine amount for this violation is \$775 with a maximum fine of \$1,500.

Related Goals/Policies

Eugene Municipal Court Base Fine Schedule

Costs and Potential Resources

- Costs to increase the Base Fine Schedule are negligible and should not present any barriers.
- Alcohol and noise related offenses do not represent a large portion of the City's revenue and it is unlikely that there will be significant funds to help offset other program costs.

Issues to Consider

- Base fine schedule changes must be approved by the Eugene Municipal Court Presiding Judge. The Presiding Judge is always conscience of an individual's ability to pay a fine and only reluctantly increases fines if the change could result in a financial deterrent for a person.
- Base Fines are established to modify behavior and not intended to generate revenue.

Measuring Effectiveness

Statistical data is readily available from the court. The number of alcohol related fines imposed could be tracked and compared to prior years.

Enhance Police Resources

Problem Description

The living habits of college age youth make them vulnerable targets for criminals. Crimes against property are common in the campus area neighborhoods, with the West University Neighborhood experiencing far more of this activity than other areas. Disturbingly, incidents of physical and sexual assault are also on the rise. In addition, loud parties attended by binge drinking youth at specific locations, as well as roving bands of inebriated young people coming to and from parties, trespass on private property, and commit acts of vandalism and other illegal acts that call for a sustained law enforcement response to maintain a semblance of safety for all residents. Insufficient resources require that the Police Department prioritize how it responds to calls of service. Understandably, the department is unable to respond effectively to many less serious crimes that comprise a large part of the criminal activity in campus area neighborhoods. It has become necessary to pay staff overtime to provide sporadic coverage in the area, which is a practice that is not entirely effective or sustainable. The experience of other town and gown communities has shown that a strong law enforcement presence is a key component of an effective program that addresses criminal hotspots around campuses and the community impacts from a culture of binge drinking and partying. An increased police presence in the area would deter criminal behavior and address some of the nuisance behaviors that make residents feel unsafe.

Strategy Description

- Secure funding for the equivalent of five additional officers and one sergeant to maintain an effective law enforcement presence in the campus area neighborhoods.
- Achieve efficiencies by targeting peak periods of activity and investing in a proactive media campaign that promotes behaviors that reduce residents' vulnerability and puts them on notice that existing laws will be strictly enforced. Other communities have found that aggressive, well-publicized enforcement can reduce the number of incidents that require a response over time.
- If this approach is to be implemented, the processes will need to be set in motion to secure the necessary funding for the new team of officers. Once funding has been secured, the timeline necessary to hire the additional officers will take between 12 and 18 months.

Related Goals/Policies

West University Task Force recommendations (June 2003):

Consistent/Enhanced Police Presence – Increased police presence in the neighborhood would deter criminal behavior and address some of the nuisance behaviors that make residents feel unsafe.

Costs and Potential Resources

The costs for a team of officers will be approximately \$630,000 per year. In addition to the ongoing yearly costs, the establishment of this team will require approximately \$250,000 in one-time cost, which covers three vehicles and outfits the new officers with equipment. The cost of creating a new patrol team for this purpose will be the primary barrier to this strategy.

Issues to Consider

One concern is that the creation of this patrol team becomes the end-all answer for the problems faced in this area. It is essential that the problem continues to be pursued as a community-issue, not simply as a law enforcement issue.

Measuring Effectiveness

The primary measure of the effectiveness of the new team will be the overall crime rate of the area, and police calls for service.

Regulate Party Bus Impacts

Problem Description

Party buses offer young adults (and others) a fun way to travel about town and between destinations, often with amenities such as full bars and entertainment systems. On the one hand, these services provide relatively safe transportation for those who could be under the influence of alcohol. Party bus operators also work to prevent underage drinking, adhere to traffic safety standards, and prevent fights. They are used in a variety of situations, from transporting friends to reunions to taking a group to a football game and celebrating birthdays. However, some services impact neighborhood livability by collecting and discharging intoxicated passengers in residential areas and traveling through these areas with disruptive sounds and lights. Party buses advertise as having “huge” sound systems, lights including strobes and lasers, and dance poles.

Strategy Description

- Contact party bus operators to learn more about company practices and commitments to minimizing negative impacts in residential areas. Note: Neighbors indicate that they have tried this approach to minimize negative impacts without success.
- Explore potential regulatory approaches, such as addition of simple standards to Eugene Code to control passenger discharge and restrict noise and lights in residential areas.

Costs and Potential Resources

- Primary cost is staff time to engage party bus operators in dialogue and develop regulatory options. This could be done within existing resources, but might have a six- to 12-month timeframe given other work program priorities. Coordination with Planning and Development, Building and Permit Services, is required.
- If a regulatory route is chosen, some resistance is expected – primarily from operators but possibly from some patrons as well. It could be important to describe impacts and demonstrate that possible solutions will not impair the ability to continue providing the service.

Issues to Consider

- Eugene, with the City of Springfield, licenses public passenger vehicle companies and certifies drivers – services “for hire” such as shuttles and taxis. Party buses do not fall into this category. Because they transport seven or more with the fare based on a group rate rather than on an individual basis, they are considered a charter vehicle. Like airport/motel shuttles, and courtesy car and tour bus services, party buses do not fall under existing licensing requirements. They also do not fall under the City’s Uniform Business Practices which, while forgoing licensing, can set basic standards. Limousines, for instance, must register services and provide a uniformed driver and luxury amenities under the Uniform Business Practices.
- Any regulatory approach must be carefully tailored to align with existing local and state requirements, avoid unintended consequences for desirable business practices, and minimize costs to the City of Eugene and for businesses and their patrons.

Next Steps

- Outreach to party bus operators would fall to Neighborhood Services staff, in collaboration with neighborhood associations. This would include a request to neighbors to collect information on fall 2011 impacts, with phone calls, interviews and/or meetings occurring February-April 2012.
- Building and Permit Services staff would be asked to investigate regulatory options in consultation with the City Attorney, Neighborhood Services and bus operators. This would occur in winter/spring 2012.

Measuring Effectiveness

Neighbor collection of impact information would be required, although it is not expected that statistically valid or “hard analytics” would be available.

University of Oregon Police Department - Jurisdiction in near campus neighborhoods

Problem Description

Jurisdiction of illegal behavior related to quality of life issues in campus neighborhoods currently falls solely to the Eugene Police Department (EPD). The limited staff and financial resources of EPD can make this responsibility a low priority at times, especially when higher level crimes are being committed in other parts of the city.

Strategy Description

Most universities the size of the UO have fully sworn police departments on campus with the same authority as their municipal counterparts. The process of gaining the authority for and establishing a UO Police Department (UOPD) is underway. Some communities have created districts outside of campus boundaries that allow university police to actively patrol and enforce laws in surrounding campus neighborhoods. The creation of a University Public Safety District is recommended to increase the number of law enforcement personnel available to address illegal behavior in campus neighborhoods and provide more capacity for EPD to deal with other situations throughout the community.

This is a multi-year process with the following steps:

- Senate Bill 405 was passed in the 2011 Oregon Legislative session authorizing Oregon public universities to establish fully sworn police departments.
- Receive permission from the Oregon State Board of Higher Education to become a fully sworn police department. This step is in process.
- Once permission is received, begin the process of hiring and training fully sworn police officers (approximately 5-7 years). UOPD officers will be trained to focus on student behavior issues in general. During this time period, some officers will serve in fully sworn capacities while others will continue to serve in public safety officer and non-sworn security officer roles.
- University leadership will determine the extent to which the UOPD will patrol and enforce off campus. An intergovernmental agreement or memorandum of understanding between EPD and UOPD would need to be established, which would include agreements about off campus patrols and enforcement.

Related Goals/Policies

- UO Safe Campus Initiative
- West University Task Force recommendations (June 2003):
Consistent/Enhanced Police Presence – Increased police presence in the neighborhood would deter criminal behavior and address some of the nuisance behaviors that make residents feel unsafe.

Costs and Potential Resources

The cost to UO as the department transitions to a fully sworn police department is being budgeted for and is not significant. The number of department employees will not change significantly. Training for officers will be funded in the same manner as all other police officers in the state. Costs of jointly patrolling and enforcing a University Public Safety District with EPD are unknown, pending what an IGA or MOU would encompass.

Issues to Consider

- Barriers to the establishment of a campus police department include limited student opposition based on perceived cost and if or what weapons officers would be allowed to carry. The issue of weapons is also a concern of some community members.
- Barriers to UOPD officers having authority off campus include issues of department capacity, university leadership decision as to the appropriateness of such activity and results of agreements established with the EPD.

Measuring Effectiveness:

After a UOPD is established and off campus jurisdiction is granted, a variety of crime and contact statistics will be employed to measure effectiveness.

Modify University of Oregon Student Code of Conduct

Problem Description

The UO Code of Conduct covers inappropriate and illegal behavior by students on campus. When students are involved in illegal behavior off campus, the Code of Conduct applies only if the student is connected to an incident involving physical violence. Under very limited circumstances, the current Student Conduct Code does extend off campus but not to the degree necessary to address the noise, property upkeep, and other good neighbor related concerns of those who live around students. Many universities of similar size and community composition have codes of conduct that include off campus behavior.

Strategy Description

The implemented strategy would require the university to include students who have received municipal citations for a variety of neighborhood livability infractions (open container, furnishing alcohol to a minor, noise ordinance violations, etc.) to go through the UO code of conduct process as well as the municipal court process.

Modifying the UO Code of Conduct is a multi-year process. The Student Conduct and Community Standards Committee must agree to changes and then recommend them to the University of Oregon Senate for its approval. University leadership would need to agree to the change and a significant campaign would need to take place to convince those involved in this process that this change is warranted.

Related Goals/Policies

West University Task Force Report, 2003

Modify Student Code of Conduct – Consider modifying the student conduct code to include punitive measures against students involved with serious criminal conduct, such as rioting, off campus.

Costs and Potential Resources

- The UO has a very small unit of staff (one full time staff, one – two work study students/interns) administering all aspects of the Code of Conduct. In contrast, the University of Colorado, which includes off campus incidents in the Code of Conduct, employs 12 staff just to deal with off campus issues. It is estimated that the UO would need to add a minimum of two more full-time staff and another support staff. Estimated cost for personnel would be at least \$200,000/year.
- Linking the Code of Conduct to off campus behavior is considered a best practice by many universities the size of the University of Oregon. The experience of these institutions could serve as a resource for the University of Oregon.

Issues to Consider

- The politics of adding off campus incidents to the Code of Conduct are complex. There is little support from students or faculty for this initiative, and the process for approving this strategy includes both constituents.
- Lack of current municipal police resources focused on neighborhood livability issues mean that only a small number of students are cited for such infractions therefore, not that many students would go through the Code of Conduct process. This might change if the Department of Public Safety starts enforcing off campus.
- The Police Department and Municipal Court would need to add procedures to identify offenders as university students.

Measuring Effectiveness

The recidivism of students in the municipal court process and Code of Conduct process could be measured. What would be harder to quantify would be the number of students dissuaded from engaging in illegal behaviors in the first place.

Crime Prevention through Environmental Design (CPTED)

Problem Description

Burglaries, car break-ins, and late night disruptive behavior are three of the chronic problems in the university area neighborhoods. Significant contributing factors include:

- The high percentage of renters who often fail to secure their homes, cars or other property adequately.
- The high percentage of young adult residents, including those who party late into the night and demonstrate a lack of consideration for neighbors.
- A high percentage of temporary residents who lack a stake in the neighborhood or an awareness of who belongs in the neighborhood.
- A significant amount of substandard rental housing, with inadequate locks on windows and doors.
- Predictably empty housing during school breaks, which makes for easy burglary targets.
- More recently, violent behavior, possibly gang affiliated, primarily late in the evening.

Each of these would be affected in different ways by different strategies. Basic Crime Prevention Through Environmental Design (CPTED) measures might help, but mostly as applied to individual homes and cars. Advanced CPTED measures focus on building social connectivity and are more applicable to neighborhood or community changes.

Strategy Description

- Identify information and effective delivery methods that need to be conveyed to potential victims of crime. The evidence that we need this is that crimes keep occurring that might have been preventable if basic crime prevention measures had been implemented.
- Identify information and effective delivery methods that need to be conveyed to potential late night partiers. The evidence that we need this is that nuisance partying keeps occurring that might have been preventable if offenders had been convinced to behave in a more courteous fashion, either out of respect or out of fear of consequences.
- Identify areas that lack a central social gathering space within each neighborhood, or where they do exist identify ways to boost their viability for bringing residents together. The more residents meet each other, the more likely they are to demonstrate mutual respect and look out for each other's welfare.
- Look for ways to encourage and empower residents to report suspicious activity, as well as criminal activity.
- Determine ways to reach and convince more landlords to raise the CPTED and hardware security standards for their units. We've had limited success in soliciting requests for security inspections and advice.
- Determine ways to reach and convince more students to take security measures when they leave their homes unsupervised, as well as when their homes are left open to unscreened visitors (such as when one roommate throws a party).
- Identify locations where criminals can hide or where criminal behavior is hard to see. This might lead to suggested changes in physical design of a space, location of dumpsters, level and type of lighting, placement of windows or cameras, or design of fences, and could involve public or private property.
- Evaluate existing codes related to lighting, screening, etc., that may be contributing to the creation of unsafe spaces, and recommend changes.

Related Goals/Policies

- Growth Management Policy 9: Mitigate the impacts of new and/or higher density housing, infill, and redevelopment on neighborhoods through design standards, open space and housing maintenance programs, and continuing historic preservation and neighborhood planning programs.
- West University Task Force recommendations (June 2003):
More and/or improved lighting – provide additional lighting fixtures in the area on both public and private property.

Costs and Potential Resources

- Costs for a CPTED evaluation are low, requiring only staff hours to complete.
- Costs to the City for implementation of CPTED recommendations would be low, as a large portion of the necessary changes would be on private property. Potential costs incurred by the City of Eugene could be low to medium depending on the outcome of the evaluation.

Issues to Consider

Potential barriers should be low, as most environmental fixes to private and public property should be relatively low-cost. There is the potential for push-back from property owners unwilling to participate.

Measuring Effectiveness

Effectiveness of this strategy can be measured over time through the analysis of crime statistics for the neighborhoods, such as the number of burglaries that occurred through open doors and windows or the number of “suspicious conditions, vehicles or people” calls received.

Countermeasures for Traffic Sign Vandalism

Problem Description

Traffic sign vandalism has become a problem across the country and poses significant costs to local governments responsible for maintaining them. The problem is typically more acute in neighborhoods adjacent to colleges or universities as signs are seen as an attractive part of young adult décor. Costs are not limited to those associated with maintenance and replacement of signs, posts and hardware. While none have been documented in Eugene, accidents caused by traffic sign vandalism have occurred in other communities. Once local entities determine the need for a traffic sign, they have a duty to install and maintain it in a reasonably safe condition.

Strategy Description

Other communities' experience has shown that no one action provides a solution to this problem. It is proposed that the following countermeasures be evaluated for their potential to have a positive impact on the problem in the campus area neighborhoods and that those cost-effective elements deemed appropriate to our local context be implemented as resources allow:

- Consider expanding the use of products and installation techniques that minimize opportunity or make it more difficult to vandalize a sign. Measures may include increasing sign heights and use of double signs, battens, double supports, theft resistant hardware and anti-twist devices. [The City switched to a more vandal-resistant cantilever bracket for street signs about five years ago and staff is evaluating the use of metal versus wood posts.]
- Consider changes to local laws to enhance enforcement and prosecution efforts (i.e., increasing penalties and fines for sign vandalism.)
- Change public perception about the costs and potential dangers of sign vandalism through aggressive media campaigns.
- Consider the use of community volunteers to provide supplemental street name stenciling on sign posts or curbs.

Costs and Potential Resources

- Additional funding would be needed to shift to more vandal-resistant materials and installation methods.
- Additional staffing would be needed if the objective was to address the backlog of missing street signs.
- There is likely to be resistance to providing additional resources towards enforcement and prosecution given competing priorities and the cost-effectiveness of sign replacement.
- Costs for a media campaign or recruitment and use of volunteers are considered low. There may be an opportunity to expand the concept of neighborhood graffiti and litter patrols to include street name stenciling on posts and curbs.

Issues to Consider

- The city maintains an inventory of all signs (+ 30,000, including 9,810 street name signs). An annual night time inspection is done to verify existing non-street name signs are in good repair. Any sign not in good condition is replaced. Signs that are dirty or tagged may be cleaned rather than replaced. Currently 2.5 FTE are budgeted for sign maintenance. The annual program cost is \$341,268.
- In addition to the annual inspection, the City keeps records of all reports of missing, damaged or worn out signs and the actions taken.
- Existing practice is to replace those signs which most directly impact public safety, like stop or yield signs, as soon as reports they are missing are made. Staff is available or on call for those most critical signs 24/7. Other signs are prioritized and replaced or repaired as staff and resources allow with required regulatory signs taking precedence over directional, advisory and street name signs.
- Sign replacement work is somewhat seasonal. In the summer, the sign crew focuses on striping and pavement markings. In March of 2010, 801 signs were cleaned, repaired or replaced. In August of 2010, only 128 were done.

- Replacing traffic signs may be more cost-effective than relying on enhanced enforcement and prosecution for vandalism or theft. Depending on the type of sign, total replacement cost, including staff time, ranges between \$75 and \$100.

Measuring Effectiveness

The number of signs repaired or replaced due to vandalism as countermeasures are implemented will give a sense of the effectiveness of this approach over time.

Safe Party Initiative (“Balance the Party”)

Problem Description

Parties and activity associated with athletic events held in near campus neighborhoods can result in high-risk drinking, noise, violence, property damage, drunk driving, and other reckless behaviors that affect neighborhood livability and the safety of students and neighbors.

Strategy Description:

The University of Oregon proposes an educational safe party initiative named “Balance the Party.” The strategy aims to create safer party environments by building a closer sense of community between students and neighbors, promoting safety at parties and athletics events (football games), and increasing enforcement of alcohol-related laws and policies. Intervention components may include:

- Electronic and media communications to educate students on being responsible party hosts and understanding related liability and laws as well as strategies for reducing high-risk drinking and violence.
- Student led peer trainings about responsible partying.
- Neighborhood volunteer assistance in setting expectations about responsible partying through educational networks and hosting of alcohol-free block party events.
- Collaboration with the Oregon Liquor Control Commission and law enforcement to assess sale of alcohol at nearby campus outlets to determine trends and distribute responsible party information at points of sale.
- Education and information about new conduct and tailgating policies near Autzen stadium would be distributed, and educational efforts would be implemented regarding high-risk in the greater community on game days.

Related Goals/Policies

- West University Task Force recommendations (June 2003):
Keg lists and knock and talks – OLCC and police department visit residences where kegs of beer will be consumed to convey party hosts’ responsibilities.
Provide educational information with kegs – distribute a pamphlet to purchasers of kegs describing people’s rights and responsibilities as they pertain to hosting a party.
- UO Healthy Campus Initiative

Costs and Potential Resources

- Costs of the initiative to the UO would include the development of educational materials and staff time (\$50,000) and program costs for related events and outreach with students and neighbors (\$10 -20,000).
- The UO would search for grant funding to cover costs for implementation.
- Staff costs regarding OLCC/law enforcement support may also be incurred.

Issues to Consider

Barriers could include availability of staff time to dedicate to this project, cooperation of OLCC, law enforcement, UO Athletics, neighbors, and student buy-in.

Measuring Effectiveness

Effectiveness could be measured by conducting student surveys, studying trends regarding alcohol sold at outlets/restaurants/bars, etc. As with most strategies, pinpointing the effectiveness of one particular strategy over others also implemented may be difficult.

Good Neighbor Strategy

Problem Description

There are often distinct differences in expectations around acceptable behaviors between long- and short-term residents in campus area neighborhoods, particularly those still dominated by single family homes. The former may hope that each new batch of neighbors will be quiet and respectful, while the latter may see their new independence and proximity to campus as a license to party with abandon. The likelihood for respect and peaceful coexistence is enhanced if social connections can be built between these different types of neighbors through face to face interactions and sharing of perspective, expectations and information.

The UO currently coordinates the collection of university and city materials that encourage student and long term neighbors to develop positive relationships, tips for partying legally, renter rights and responsibilities, and how to avoid being a victim of crime. These materials are distributed at the annual Community Welcome and the Off Campus Housing Fair events, distributed to neighborhood leaders via Neighborhood Services packets and at meetings and are available online via the Office of Government and Community Relations and Office of the Dean of Students websites.

These materials don't always make it into the hands of neighbors or necessarily reflect the view or needs of all neighbors. There is not universal agreement on content and distribution remains a challenge. Neighbors have suggested a number of ways to enhance these efforts.

Strategy Description

- Assess information available that promotes good neighbor behavior and understanding of applicable laws and ordinances. Use this information to develop downloadable PDFs to:
 - Use as handouts or scripts when meeting renters in the neighborhood.
 - Develop a version for students living in dense conditions so that they know their rights in respect to noise violations and strategies for talking to neighbors as well as contacting landlords and/or the police.
 - Provide an information fact sheet that includes city code that is good to know for off-campus students and encourage students to meet their neighbors for safety and neighborly reasons. Make this information available on each neighborhood association webpage for use by neighborhood groups, police, city councilors or others.
- Promote information exchange between neighbors, including phone numbers and the neighborhoods' experience with past renters at residences that have been a source of problems.
- Leave information at address locations that are the source of a complaint for behavior problems, regardless of whether or not citations are issued, that includes relevant ordinance(s) and fines.
- Solicit help of landlords in getting neighbors together to build relationships and inform new residents of the noise ordinance, garbage service, home care responsibility, etc.
- Publish an article in the Rental Owners Association newsletter about the "meet & greet" approach to promoting respect and harmony in the neighborhood.
- Collaborate with the university and students in producing a video that promotes good neighbor behavior and understanding.

Costs and Potential Resources

- While requiring significant investment in time, primarily of landlords and neighborhood volunteers, this strategy is low cost and has the potential to be an effective, efficient means of creating a livable neighborhood.
- Neighborhood association meetings, newsletters and web pages provide opportunities to assist with promotion. The Rental Owners Association is also a resource to help promote this approach.

Issues to Consider

- Ineffective and inconsistent enforcement of City code discourages neighbors from wanting to invest the time in promoting good neighbor behavior. For this approach to be sustained, long-term residents need to feel that the City is doing its part to encourage livability.
- This strategy is most likely to be effective in less dense, mixed neighborhoods where different types of neighbors coexist. It may not be as effective for large apartment complexes where standards for good neighbor behavior may be different and problems are less likely to get reported. In addition, areas where single family homes abut multi-family complexes might need to rely more heavily upon other strategies including vigorous enforcement of city code.

Measuring Effectiveness

Quantifying the effectiveness of this strategy is difficult. While it may be impossible to show a direct correlation between these efforts and improved neighborhood livability, evidence in the form of a reduction in calls for service related to noise and alcohol complaints and other personal, property and behavioral crimes could be an indication of its effectiveness.

Establish a Home Ownership and Investment Program

Problem Description

In campus area neighborhoods there is a strong incentive to convert single-family, owner-occupied homes to rental properties. While a mix of single and multi-family homes and long-term and transient residents can add vitality to an area, the livability and stability of a neighborhood can deteriorate as the proportion of rental property grows and is followed by disinvestment or disinterest by committed property owners. Once the cycle starts, it can gain momentum and be difficult to arrest as long-term residents grow tired of the worsening conditions and put their homes up for sale.

Strategy Description

To combat this problem, a number of communities around the country have initiated programs to promote home ownership and investment in the neighborhoods adjacent to their campuses. A common goal is elevating the appeal of the university to recruit talented faculty, staff and students by offering them affordable, stable, safe and convenient neighborhoods in which to live. The following provides a summary of common elements of home ownership programs:

- Resources for purchasing assistance (forgivable or low-to-no interest loans for down payment assistance or closing costs, preferred lenders with discounted fees and mortgage rates, home ownership counseling, etc.), maintenance (low interest loans for interior and exterior improvements) and for maintaining owner occupancy (financial incentives to provide first right of refusal option to the program partnership to purchase a home for resale to another owner occupant).
- Collaborations between universities and community partners to create development corporations that actively acquire, rehabilitate, and sell exclusively to first-time homebuyers within the targeted areas.
- Program eligibility extended to all university employees after a probationary period. Some programs have income eligibility requirements. Loans are often forgiven if the recipient resides in the home for a designated period of time.
- Strong university leadership and key partnerships with municipalities, financial institutions and non-profit organizations (community development corporations).

Related Goals/Policies

- Growth Management Policy 4: Improve the appearance of buildings and landscapes.
- Metro Plan Policy A.25:
Conserve the metropolitan area's supply of existing affordable housing and increase the stability and quality of older residential neighborhoods through measures such as revitalization; code enforcement; appropriate zoning; rehabilitation programs; relocation of existing structures; traffic calming; parking requirements; or public safety considerations.
- West University Refinement Plan – Land Use, Housing and Commerce
Policy #10: The City and the neighborhood groups will encourage and promote owner occupancy in the plan area.
Proposal #16: Ownership should be promoted through creative ownership mechanisms such as cooperatives, a home purchase program for renters, and condominiums.
- West University Task Force recommendations (June 2003):
Promote Longer-Term Residency – provide economic incentives for improving the quality of housing stock to attract long-term residents, create a different mixture of neighbors and a greater sense of stability and investment in the neighborhood.

Costs and Potential Resources

- A home ownership program requires a significant sustained resource investment. For example, the UniverCity Neighborhood Partnership, involving Iowa City and the University of Iowa, began in 2009 with a \$1 million state grant and a \$200,000 investment from the university.

- This approach is being used effectively by many universities, including University of Iowa, Ohio State University, the University of Wisconsin-Milwaukee, the University of Minnesota and the University of Pennsylvania. The experience in these communities could serve as a model for Eugene.

Issues to Consider

Potential barriers to implementation of this strategy include securing the necessary leadership commitments and the significant resources needed (money and staffing).

Measuring Effectiveness

Quantifying progress could easily be tracked in terms of the number of homes acquired or rehabilitated. Changes in owner occupancy rates over time would provide insight into this strategy's overall impact on the problem.

Graffiti, Garbage and Litter Abatement

Problem Description

The condition of a neighborhood and its surrounding streets, parks, etc. shows residents the level of care and monitoring that goes on. Disrespectful and/or criminal behavior is more likely to occur in a neighborhood where garbage and broken bottles are neglected, over-flowing dumpsters are ubiquitous, vandalism is unrepaired, and graffiti is common.

Strategy Description

- Organize volunteer Litter/Graffiti Patrols through school, civic, religious, or neighborhood groups. Groups pick up stray litter, provide door knocker information to problematic houses, and contact the property owner or email the city for enforcement of graffiti and land use nuisances.
- While graffiti abatement is currently the responsibility of the property owner (this includes individuals, city, and utilities) consideration should be given to the City contracting to have graffiti removed in a timely and consistent manner on both private and public land.

Related Goals/Policies

This initiative would support the Police Department's graffiti documentation and removal efforts. It is also consistent with code provisions related to zoning and nuisance violations.

Costs and Potential Resources

- Costs for implementing this strategy are low as they rely primarily on volunteers to do the work. However, funding to support a private contractor for graffiti removal would add additional costs to the strategy.
- Garbage haulers may provide discounted rates for dumpsters and hauling fees for neighborhood cleanups.
- Amazon Neighbors Graffiti/Litter Patrol could serve as a model to other neighborhoods or groups interested in this approach. The work of this group was shown to be effective with only a few people regularly involved over the span of a year. The level of garbage decreased in general as the culture changed, and the prompt and thorough removal of graffiti curbed additional tagging.
- The University of Oregon, public schools, neighborhoods and other service groups are potential sources of volunteers.
- The City's Neighborhood Matching Grant program could provide seed money to support a local volunteer effort.
- Coordinate neighborhood cleanup efforts with the University of Oregon's end of the school year Move-out Recycling Event.
- Use existing events, such as the Police Department's Prevention Convention to recruit volunteers, provide education and graffiti reporting resources.

Issues to Consider

- A significant barrier is the common perspective that litter and garbage are someone else's responsibility (i.e. the garbage company, the property manager, the criminal doing community service).
- Neighborhood garbage/litter removal efforts can be overwhelmed by the large amounts of garbage generated by students moving out at the end of the semester. There simply is not enough dumpster capacity to handle the load.

Measuring Effectiveness

The number of graffiti and zoning and nuisance violations reported over time in those neighborhoods with active Litter/Graffiti Patrols.

Evaluate continued need for MUPTe in the campus area neighborhoods

Problem Description

A contributing factor to the negative behaviors and impacts experienced in the campus area neighborhoods is the sheer number of young adults living in proximity to one another. These neighborhoods also serve as a draw for other youth from the rest of our community and from neighboring communities who are looking to party. For years, development in this area has responded to demand and favored multi-family apartment living designed to serve this demographic.

In 2003, the West University Task Force recommended that the Multiple Unit Property Tax Exemption (MUPTe) program be expanded to include the West University area in hopes that it would improve the quality of the housing stock and attract both long-term residents and a healthy mix of neighbors. The boundary was revised in 2004 to extend east of High to Kincaid and south from 17th Avenue. Since that time seven projects with a total of 133 units (409 bedrooms) have been completed within the expanded area. Two additional projects totaling 75 units (133 bedrooms) have been approved but not yet completed. Demographic trends in this area indicate that MUPTe did little to encourage longer-term residency or different age cohorts to move into the neighborhood.

Strategy Description

Review the role MUPTe may have had in the campus area with consideration of the role the program has had in contributing to various impacts to neighborhood livability.

Related Goals/Policies

- Growth Management Policy 6: Increase density of new housing development while maintaining the character and livability of individual neighborhoods.
- Growth Management Policy 9: Mitigate the impacts of new and/or higher density housing, infill, and redevelopment on neighborhoods through design standards, open space and housing maintenance programs, and continuing historic preservation and neighborhood planning programs.
- Metro Plan Policy A.25:
Conserve the metropolitan area's supply of existing affordable housing and increase the stability and quality of older residential neighborhoods through measures such as revitalization, code enforcement, appropriate zoning, rehabilitation programs, relocation of existing structures, traffic calming, parking requirements, or public safety considerations.
- West University Refinement Plan – Land Use, Housing and Commerce
Policy #10: The City and the neighborhood groups will encourage and promote owner occupancy in the plan area.
Policy #11: The City and the neighborhood shall study ways to encourage a variety or mix of structure types providing both owner and rental opportunities and appealing to a diverse population.
- West University Task Force recommendations (June 2003):
Promote Longer-Term Residency - provide economic incentives for improving the quality of housing stock to attract long-term residents, create a different mixture of neighbors, and a greater sense of stability and investment in the neighborhood.
- Envision Eugene Pillar: Protect, Repair and Enhance Neighborhood Livability
[Note: An evaluation of MUPET is underway in the context of Envision Eugene. Council has expressed interest in reviewing the MUPTe boundaries. Additional Council work sessions are planned in the fall to discuss priority areas for the program and future action.]

Costs and Resources

Reevaluating the MUPTe boundary is underway so this strategy is not anticipated to add costs to the City.

Issues to Consider

- Some resistance may come from those wanting to continue dense development in the West University area or those believing the tax exemption is necessary for higher quality projects.

- Currently, MUPTE requires that developers involve the neighborhood association, which provides some input into the project. In the absence of MUPTE, there may still be projects built in the neighborhoods and developers will have no obligation to involve the neighbors. Is there a way that MUPTE could be altered to help address neighborhood concerns and achieve some of the unrealized goals of the neighborhood?
- The discussion of MUPTE is much broader than the W. University area. It is one of the major tools that has been identified to implement Envision Eugene strategies, specifically addressing a desire to meet our 20-year housing needs in large part with infill focused along/around major commercial corridors. Clearly, parts of the W. University neighborhood may not fit into this “commercial corridor” definition. However, there may be some areas that should at least be analyzed for MUPTE consideration.
- The following stakeholder perspectives represent individual member concerns regarding this strategy:
 - Current design standards for MUPTE projects are insufficient to guarantee quality projects that would be attractive to long-term residents or for owner occupancy.
 - Providing extended tax breaks for MUPTE projects given current community needs is not appropriate. Consider taxing MUPTE projects based on the value of the existing improvement at the time of the application.

Measuring Effectiveness

The number of multi-family residential units constructed pre- and post- MUPTE boundary revision within the West University area. However, many other factors affect housing construction should be acknowledged, and firm conclusions about development trends may not be possible.

Neighborhood-based Planning

Problem Description

While the West University neighborhood has already transitioned to one of low owner occupancy and high density, this pattern has been spreading to the edges of adjacent neighborhoods in recent years. This situation has created the need for neighborhood-level planning that is responsive to the unique challenges now facing other campus area neighborhoods. The pattern and design of development in this area contributes to negative impacts and requires consideration of strategies related to planning and land use to address livability.

Multi-family developments are regulated by the number of units they include, which does not give a true sense of the number of individuals that will be housed together. Current projects in the vicinity of the University of Oregon include fewer studio or one bedroom units in favor of a more profitable mix of three, four, five and even six bedroom apartments. In addition, there can be distinct differences in impacts associated with traditional multi-family versus high occupancy multi-family housing that caters primarily to students. Currently, the City's land use code does not recognize these differences and treats all multi-family housing alike.

Another issue of concern is that the current land use code provides exemptions for open space requirements for projects that meet a target percentage of allowable density. This serves to remove an important amenity for high density projects that congregate large groups of people with no places to gather and socialize. This results in groups of young adults spilling out into sidewalks and streets with noise and other behaviors impacting neighbors. This emphasis on dense living also puts pressure on converting open space to driveways and parking reducing this amenity even further.

An additional design issue involves screening garbage receptacles and recycling containers and the poorly lit spaces around and between buildings. The combination of hidden spaces and low light provides areas where criminal behavior can take place out of sight.

Strategy Description

The actions listed below have been identified by neighborhood representatives as priority planning and land use strategies to improve impacts to livability. A number of them have also been identified in past or ongoing planning processes (identified in parenthesis) as important to addressing development impacts to livability.

- Complete area planning for the university-area neighborhoods that addresses the interface between the university, high density housing and surrounding neighborhoods. (Envision Eugene)
- Revise code to address the deficiency of open space in multi-family developments. (Infill Compatibility Standards)
- Change the way density for multi-family housing is calculated so that it more actually reflects the number of residents. (Infill Compatibility Standards)
- Strengthen standards regulating parking in set-backs and open space. (Infill Compatibility Standards)
- Provide different definitions for traditional multi-family and high occupancy unrelated adult housing that recognize the distinct difference of housing that caters primarily to young adult (typically university student) renters. Providing this distinction in the code could allow for development of standards that addresses the unique impacts created by high occupancy housing.
- Review existing codes related to lighting and fencing and identify areas where changes could improve security and public safety.

Related Goals/Policies

- Metro Plan Policy A.13:
Increase overall residential density in the metropolitan area by creating more opportunities for effectively designed in-fill, redevelopment, and mixed use while considering impacts of increased residential density on historic, existing and future neighborhoods.
- Metro Plan Policy A.23:

Neighborhood Livability Working Group

Reduce impacts of higher density residential and mixed-use development on surrounding uses by considering site, landscape, and architectural design standards or guidelines in local zoning and development regulations.

- Infill Compatibility Task Team recommendations
- Envision Eugene Pillar: Protect, Repair and Enhance Neighborhood Livability

Costs and Potential Resources

- A number of these strategies that will require staff analysis and potential revision of the land use code are not anticipated to add costs to the City. Costs for implementing area planning will be high and take re-prioritization of Planning Division staffing and resources. Refinement and special area plans include extensive research, analysis and public input processes adding to their cost.

Issues to Consider

- The Planning Division will be the lead on researching and implementing changes to the land use code and developing area plans. The City Council recently initiated code amendments related to Infill Compatibility Standards, and a couple of the items specifically mentioned above will be addressed through this effort (open space requirements, parking in setbacks). Area planning for the neighborhoods adjacent to the university is slated to begin immediately following local adoption of Envision Eugene. The remaining proposed actions can be addressed as part of the area planning process.
- Some resistance to these proposals may come from those wanting to continue dense development in the area under existing rules.

Measuring Effectiveness

Quantifying the effectiveness of any one land use strategy is difficult. Considering any one strategy in isolation is unlikely to prove useful. Understanding the impacts of multiple strategies over time via qualitative methods (i.e. feedback from neighborhood residents) could provide insights into how code changes and planning documents have affected livability.

APPENDICES

A. Catalogue of Negative Behaviors and Impacts -----	42
B. Neighborhood Characteristics: Population Housing, Land Use and Crime -----	50
C. Noise, Disorderly Conduct and Alcohol-related Violations by Neighborhood -----	52
D. Anticipated Effectiveness Matrix -----	57

Appendix A: Catalogue of Negative Behaviors and Impacts

Introduction:

We take as fundamental rights already protected by law, that all residents of the city and the city's neighborhoods shall be entitled to the safe and peaceful enjoyment of their residences and that their property shall be respected; that public behavior shall be consistent with these rights.

This paper is written to categorize and explain some of the negative behaviors and impacts of living in proximity to the University of Oregon and LCC where a concentration of young people are living for the first time on their own. Near off-campus neighborhoods such as West University, South University, Fairmount, and Amazon feel most acutely the effects of student residents.

The neighborhoods vary greatly in the intensity of negative incidents. Negative incidents of all kinds are more common and intense in the West University. South University has a mixed demographic and complaints by homeowners about student renters focus on parties, vandalism, and parking. In Fairmount the student population is growing and with it the attendant problems. Amazon has a large and growing population of students. In all neighborhoods there is a mix of underclassmen & graduate students.

Each year there is a large housing transition that reconstitutes the neighborhood with new student neighbors. One of the benefits that students receive by living in an area with long-term residents is a safer and quieter environment. This year the West University Neighborhood (WU) saw a crime wave over the winter break when the majority of residents were not home.

	2009	2009	2009			2008			2008
	Person	Property	Behavior	Total crime	Per Capita Crime	Population	Density Sq mi	Sq Mi.	Median Age
WU	118	1023	1123	2264	0.50	4559	9836	0.46	22
Fairmont	22	287	87	396	0.12	3188	1725	1.85	37
SUNA	17	212	106	335	0.11	3131	7136	0.44	26
Harlow	80	518	217	815	0.07	11759	2580	4.56	35
Bethel*	144	614	426	1184	0.05	22622	1951	11.60	37
Amazon	6	29	19	54	0.03	1923	3243	0.59	34
Laurel									
Hill	1	9	16	26	0.02	1104	743	1.49	32
SE*	22	107	88	217	0.02	13368	1930	6.93	40

* Two outlying neighborhoods chosen at random

2009 Data from: http://www.eugene-or.gov/portal/server.pt/gateway/PTARGS_0_2_358118_0_0_18/icapar2an.pdf

2008 Data from: <http://www.city-data.com>

A study of statistical information for 2010 shows that out of the 1,886 calls for service reported as noise violations in the entire Eugene jurisdiction 37% were in West University (WUN) or South University (SUNA) neighborhoods. This data is a conservative estimate as it does not include noise complaint calls for service entered as “beat information” due to a lack of willing complainant, specific address or clarity as to whether the activity rises to the level of a violation. There were 48 *additional* calls titled “disorderly party”, and 70% of those (33) were in WUN and SUNA. A “disorderly party” is a larger party where the complainant is reporting violence, breaking bottles, etc., and in general, the noise impacts a large number of neighbors.

In the same period 54 first response notices were issued to 21 residences that involved gatherings of 25 or more people and two or more noise or alcohol citations issued. Enforcement results in notification of property owner that violation occurred and puts person responsible for the gathering, in charge of the premises and/or the owner (only when present), on notice that they may be held liable for expenses related to a second response within 90 day time period of up to \$1,500. However, residents are creative in avoiding the fine, as it is rare that the same tenants will come to the door on the second response.

Behaviors with negative impacts addressed in this paper:

A. Property, Personal & Behavior Crimes & Issues

1. Noise-related
2. Related to Personal Safety (violent crimes, fighting, intimidation, sexual assault, robbery)
3. Related to Property (theft, vandalism, trespass, graffiti, removal of public signs)
4. Traffic (illegal parking, DUI, speeding)

B. Zoning/Land Use Issues

1. Property Upkeep (incl. not limited to: garbage removal, lawn care, home maintenance, litter)
2. Parking
3. Zoning Violations
4. Exodus of Long-Term Neighbors

A. Property, Personal & Behavioral Crimes

1. Noise-related behaviors

In general, this category covers intrusive noise that occurs at night or arises from activities that do not have a socially productive purpose.

In a close-packed urban environment residents and guests must all respect the need to minimize noise intrusions on others at all times of the day and night. However, by convention, a limited level of intrusive noise is tolerated during the day for productive activities, such as property improvements or maintenance.

The West University neighborhood and the South University neighborhood on 19th Ave. between Hilyard and University St. have the greatest density of student population designated as R-3 and R-4, so great that young people merely being on the street and active in party mode have a significant impact on the neighborhood. Here parties sometimes find a location in a house, but more often the problems of drunkenness and noise find their way on to the street. Groups of young people often rove aimlessly in search of some party, already very drunk.

In the R1-zoned areas (single family residential) of SUNA, Amazon and Fairmount neighborhoods there are many student rentals, owned often by landlords from out of town. If the ratio of single-family residences to student rentals is sufficiently high (about 2 to 1), vigilant neighbors can keep the parties under control by talking frankly with their renter neighbors and, where necessary, calling the police. However, as young people rove from the R-3/4 areas into the R-1 they often disrupt the peace with their yelling, etc.

The narrative descriptions throughout the catalog were gathered from emails, listservs, neighborhood association meetings, and from the 2009 Neighborhood Survey; while most of the examples are taken from South University Neighbors, these narratives could be reproduced by any of the near off-campus areas.

a. Loud parties at specific locations (music, shouting or other noise) disturb peace of nearby residents:

Young residents of the neighborhood often have parties. As long as they have no impact on their neighbors, they are welcomed as part of the social fabric of the neighborhood. However, they often cause disruptive noise late at night. Small, private parties often grow quickly as guests phone and text spontaneous invitations to their friends. The crowd spills out into the yard becoming increasingly agitated and disruptive.

A report of a party at Agate and 24th:

"Party with rapid surge of people arriving on foot or by automobile starting around 11 p.m. Saturday night, July 31st 2010....Partying was concentrated in the house's converted garage (full of people, with garage door open and sound carrying to outside and to neighborhood), in the main portion of residence, in the front yard, and on the back porch on north side of house-- all of this was going on at once. At the maximum size I observed, it looked like about 50-60 people. The issue was the noise the partiers generated with their voices: speaking loudly enough to hear clearly from inside my house, a lot of whooping, loud laughter, yelling to people as they arrived, yelling to people for whatever reason. The noise was sufficiently disturbing and annoying that there was no reason to try to go to sleep. I live on the opposite side of the street and three houses down. At about 1:45 a.m., there was a brief sound of a police car siren, then people came streaming out of the house running. I heard one man yelling at some other people, saying, "don't (expletive) run! They'll arrest you if you're running!""

b. Roving bands of people coming to and from parties shout in the streets, drink in public, urinate and throw litter in the neighborhood:

As a party culture gets established in a neighborhood, young people are attracted even though they may have no direct acquaintance in the neighborhood. They come for the scene. Moreover, as parties grow out of control, the host may try to bring the party to an end. The guests then wander out on to the streets carrying their noise into the R-1 parts of the neighborhood. Finally, in some areas, for example, at the corner of Alder and 19th and throughout the West University neighborhood, the density of young people and the building designs have conspired to make the street the principal area of congregating.

"On Friday night I made three calls to the EPD. The first at about 10 PM addressed a mob (about 30) of large drunk loud-mouth guys passing my house going East on 19th. As they passed they totally destroyed the safety alert barricade my neighbor had placed on his sidewalk to keep people from crossing newly poured sections. My second call about 11PM was about tenants at the Indigo who were all out on their ground-level patios spurring on all the drunks staggering up and down 19th."

" I am noticing many more cars parking on our street and on Kincaid with groups of kids walking towards Hilyard and/or 19th pretty much every weekend."

"No news, but a bit of comic relief (of a sort). I came out of my house one evening to find about 14 kids on the sidewalk and one student about ten feet onto my property, peeing on the bushes. I had been coming out to walk the dog, so I was surprised by the whole scene (though it's not uncommon). I have to confess, my challenge to the young man was a bit intemperate, and he responded with "what's your problem?" I said, "you're on my property and peeing on my bush, that's my problem!" The kid said, "that's no reason to be disrespecting me!" I told him to shove off in no uncertain terms, and he said "You should talk to people with respect, that's no way to talk to anybody." Perhaps his friends recognized the absurdity of the situation, because they came (open containers in hand) and led him away, in the direction of 19th street and the parties. Just one of the many adventures that now come with the territory."

"The neighborhood is increasingly a UO party scene. UO does not seem to have any code of conduct. The use of alcohol is staggering."

2. Related to personal safety (violent crimes, fighting, intimidation, sexual assault, robbery)

There are a number of crimes and threats to personal safety. According to EPD, young people are more vulnerable to crimes against the person. In addition, many long-term or older residents are too intimidated to confront partying young people, especially drunk young men, even the day after the incidents have occurred. People are reporting that areas near campus don't feel safe. Other issues brought up by neighbors are more specifically threatening and disconcerting in addition to the real crime that is occurring (see pg. 1):

"A neighbor in Amazon reported his experience in asking several drunken male & female party-goers to be quiet while leaving the party. Three of the young men told the older neighbor off, pushed him over, and then violently kicked him while he was on the ground. Fortunately, the girls started yelling at their friends to stop and the young men stopped, jumped into their cars, and sped away."

"Just after dark I was walking home and about 10 yards ahead of me were four young men, very likely students. They didn't seem drunk, just walking along. I heard one of them say, "let's kick the shit out of this guy." I was the only guy around, so it had to be me. Again, I heard: "hey, let's kick the shit out of this guy." One of the others said "what for?" It was fairly dark, but I glared back at them. I reached my neighbor's gate, and that was that. I felt wary and agitated that the possibility of random violence was proposed. I was in no way provocative; it was just an opportunity knocks kind of thing. There will be more of this in the future I fear. Where should I park my baseball bat?"

A neighbor reported in January 2010 about a longstanding problem concerning a house of very aggressive and disruptive young men: "As most of you know there has been continued problems (noise, parking etc.) associated with certain houses. On Friday night they once again had a party with people leaving at 3:00 am loudly, slamming car doors and threatening to "Get Their Gun". I along with other neighbors called this into EPD on Friday night and because of the threat of a gun they did show up along with a large fire truck."

"I live very near many fraternities, who year after year, are known to be responsible for sexual assaults, violence and general harassment and aggression in the neighborhood. I believe the University should address these issues for safety reasons."

3. Related to Property

a. Theft & Burglary

Theft is a common problem as it is throughout Eugene, but none more so than the West University neighborhood with the highest theft rate of near-campus neighborhoods.

"Windows of vehicles parked on street are broken into on a regular basis."

"Safety is a big issue; I would love to feel more comfortable walking and biking around the campus area. I also feel that my car is never safe parked next to my house."

"Lots of petty crime and undesirables walking about, stealing bikes, etc."

"My car was broken into twice in one week as a result of thefts ... more patrols, or some sort of implied presence, to deter crime."

"There are too many crimes against property such as car window bashing and bike theft. The police respond most swiftly and in numbers to underage drinking, which I believe is a misguided priority."

b. Vandalism and Graffiti

The property damage arising from parties is different from more serious property crimes. Nevertheless, vandalism and graffiti can cause financial harm and degrade neighborhood livability. Issues include broken fences, litter, vandalized street trees, graffiti, and of course the now almost extinct street signs throughout the neighborhoods in proximity to the UO.

The condition of a neighborhood and its surrounding streets, parks, etc. shows residents the level of care and monitoring that goes on. In a neighborhood where garbage & broken bottles are neglected, vandalism is

unrepaired, and graffiti is left scrawled, disrespectful and/or criminal behavior is more likely to occur in or around these areas. Studies have shown that once the “first window” is broken, the incidence of vandalism increases. Graffiti tagging seems to be surging and is on the rise particularly in our West University neighborhood where it isn't being quickly abated and properly removed.

“I wanted to alert you all to what happened at our corner (E. 20th and Kincaid) last night. There were hoards of young people (probably students) out late last night making noise and roaming in bands around the neighborhood. One of the groups removed the stop sign (the entire post) at our corner. We only discovered this in the am today, when, after returning from an early morning class, we saw a car whiz through the intersection without stopping. I honked and then realized that there was no stop sign. Eugene City public works department was glad when I called because they had found the stop sign at Hilyard and 20th and had no idea where it came from. (This has happened before, although in the past, the sign was left lying on the ground at the site.) This is the kind of vandalism that could literally cause someone to be killed or maimed. How can we get this across to the perpetrators?”

c. Trespass

Trespass seems to be on the rise particularly in neighborhoods where a lot of returnable bottles and items of value are thrown in the trash. Trespass may start out as "looking for returnables" but end up with a bike stolen or some other vandalism occurring.

"I rode home late at night after being in studio to find 3 men standing in my driveway near my bike shed. I was too scared to say anything so instead of putting my bike away I went into the house with my bike. I didn't call the police because I was afraid these people might retaliate. They eventually went away. When I've seen individuals here before they were looking for returnables in the neighbors recycling, perhaps that's what they were doing that night."

"I was awoken at 3 a.m. by a man crying in my yard who had set up his 'camp' under my bedroom window. I called the police who came to tell the individual to leave--when I said that I wasn't willing to press charges (I didn't want the guy to go to jail or have to fill anything out), the police left and the man stayed for at least another half an hour, drinking beer and crying. It was awful and I feel unsafe."

"Drunken students are showing up everywhere, broken bottles in the streets and on the sidewalks, trash thrown in our yard, people urinating and defecating in our yard."

4. Related to Traffic & Safety (speeding, unsafe driving, DUII)

Many neighbors have indicated that speeding and failure to obey stop signs and even traffic lights is becoming more prevalent in the neighborhood. As density is increased these behaviors are more acutely felt by long-term residents who are asking for more traffic calming through police presence or physical devices in order to feel safe. People driving to or from parties or after games have always been a safety issue in the neighborhoods throughout Eugene. This is especially problematic with young people experimenting with alcohol and limits.

"With the traffic increasing because of the many new multi-level student complexes, and the way many of the students drive (running stop signs, driving too fast, etc.), taking unnecessary risks, blowing horns, etc. we need something to be done."

"Agate Street has a significant speeding problem. The speed limit is 25 and cars regularly drive 35-40mph. It is dangerous to cyclists on the street and to anyone trying to cross the street."

"Being a pedestrian and driver is becoming dangerous on our streets. Come and observe!"

"There needs to be a light at 19th and Alder for safe bicycle and pedestrian crossing."

"Ours is a residential street but used as a major N-S route for university students...some BARREL down the street making it scary for me with two toddlers. Our street is not monitored enough for speed and it is unsafe for my children to ride bikes."

B. Zoning & Land Use Issues

1. Property Upkeep

A significant number of rental houses are neglected by both the landlords and tenants unaware or uncaring of how it reflects on the neighborhood. Landlord neglect is a problem with unkempt lawns, lack of regular maintenance inside and out, and this sends a message to renters that it is okay to neglect the general neighborhood standards. Moreover, often times a nice home or new apartment complex will have trash cans sitting out with trash blowing around the yard and street for days on end. Often if a party occurs, the obvious signs in the yard - trash, cigarette butts, and bottles up and down the street and in the neighboring yards - are neglected by the neighbor who threw the party.

"It would also be nice if the U of O cleaned up our neighborhood after home football games and when students move out and leave behind lots of trash. I'm sort of tired of carrying home empty bottles of Mad Dog and other cheap alcohol when I walk my dog in the morning!"

"As far as appearance the students tend to park on lawns and do not keep up the property (the single resident homes) they rent. They leave garbage cans out on the street constantly."

"Homes converted to student housing has resulted in heavy impact of new, temporary residents oblivious to this being a neighborhood of people needing to maintain decent standards regarding noise, care of property and adjoining areas."

"Many students trash their rentals."

"Landlords could be encouraged to take more pride in their properties - new paint, garbage clean-up, landscaping, etc."

"I feel that the ongoing changes of students and the lack of expectation for the rental agencies to maintain their properties is a major concern to the neighborhood. I get tired of teaching new neighbors to not be feral."

2. Parking/Density Issues

The neighborhoods adjacent to the UO have an abundance of parking issues arising out of the increased density and continued expectation of parking for all. There is no lack of public outcry about this matter, which deal with both the zoning and transportation systems.

"Our neighborhood is expected to carry more than its fair share of increased density and parking for the U of O with very little help from the U of O or the City of Eugene."

"When I say on street parking, I want it reduced and I want more focus placed on biking including on street bike parking. Cars are the past, we need to start making smarter investments in our future. We need to discourage car use of in state and out of state students alike and promote biking and walking, fixing sidewalks as well."

"Tickets should be given to every car parked in a yard or across a sidewalk to maintain a basic aesthetic respect for place."

"Our historical home has no driveway or garage, so we are forced to park on the street. We are old, so it's becoming more difficult to walk distances with groceries and other packages. "

3. Zoning Violations

a. Code Violations for Profit

R-1 zoned areas in close proximity to the UO are being compromised by owners wanting to profit from additional units. Though Eugene Code allows for ADU's & SDU's only when the owner occupies one of the units on the lot, the Code is frequently flouted and not enforced with effective penalties. For example, some non-duplex lots have three or more buildings on the property rented separately. The R-1 areas are degraded with quasi-legal buildings which strain the current infrastructure and quality of R-1 (e.g., pricing out owner occupancy in favor of illegal infill, alley-ways not designed to handle day-to-day traffic, increased automobile traffic, increased density, decreased open-space between houses for gardening & usual R-1 spacing, solar set-back issues, incompatible design).

"I have lived in the Amazon neighborhood since 1991 and have made substantial investments in the neighborhood as a landlord (who cares for and maintains properties). There are a multitude of instances of construction in our neighborhood that have in essence turned our neighborhood into R-2 zoning with some moves into R-3. Without effective enforcement, we will continue to have permitted and non-permitted non-compliance creating an uneven zoning in our neighborhood."

"In the low-density residential, developers are building barn-sized houses clearly with the intent to circumvent the allowed maximum size of a dwelling unit, so they can rent these large structures out to six or more renters per single-family property. These buildings block out light and views for next-door properties and concentrate transient residents in a neighborhood built with infrastructure for single-family homes. The zoning code should better regulate building mass and scale; the city should assertively enforce its building code for number of unrelated people residing in a dwelling unit. In the high-density residential, developers are building apartment buildings that are larger than any existing buildings, that fill the entire lot within the property lines, and that extend skyward so close to each other that they wall off any view of the sky and the natural surroundings for residents on the other side of the street or for pedestrians. The city should amend the land use code to regulate building mass and scale so as to require stepped back upper floors (stepped back from the street), and to incentivize development that has upper stories that are not as wide as lower stories so as to allow glimpses of the sky behind the buildings."

"We also need increased enforcement of code already in the City's Land Use Code."

b. Need for transition between R-11 & Higher Density Zoning and design standards for new buildings in R-11

Many neighbors are seeing the development of housing that is profitable for the investor but not for the long-term livability of the neighborhood. Neighboring houses are affected by shoddy construction and massive height differentials.

"Zoning and design standards need to be addressed before the S. University neighborhood starts looking like W. University (another lovely historic residential neighborhood that is now being ruined by the removal of single family houses in favor of out-of-scale multi-family buildings.)"

"Hilyard should be rezoned to multi-family NOW. The homes on this street are an eyesore and nuisance to those who live near them. Multi-family here, but no further east, would provide a buffer to the R-1 nearby. Building heights should be sensible, along the lines of the MiCAP recommendations."

"High density development north of 19th has no transition zone to the single family area to the south."

"Though we support the idea of infill, building permits are issued for "single family" homes that are actually rental quads--ugly buildings that are erected as cheaply as possible and are incredibly ugly eyesores. We had always hoped that we would live out our retirement in our home, but noisy students and difficult parking may force us out."

4. Exodus of long-term residents

While there may seem to be conflict between the younger and older neighbors, overall this reality of mixed-neighborhoods is a major benefit to the public institutions. It is not the clash of young vs. old but the impact of illegal behaviors gone unchecked that creates a climate where long-term neighbors become frustrated enough to move-out because of the on-going transition and training needed to curtail illegal behaviors with little backing by student conduct codes and city resources. Long-term neighbors, regularly burdened with "parenting" and policing their young neighbors, get tired of maintaining the community standards and move out. It is the neighborhoods with higher owner/renter ratios that show less crime per capita, whereas neighborhoods that have seen owner occupied numbers reduced, have become costly burdens to the police. High crime negatively impacts the reputation of the University. Parents want neighborhoods to be as safe as possible for their children who may be living on their own for the first time.

A neighbor on the City of Eugene infill standards committee helping set standards for the city writes that "increased numbers of non-owner occupied properties in the neighborhood can have a negative and discouraging impact on owner occupants as maintenance suffers when owner-occupancy declines, neighboring properties are negatively affected by inappropriate social behaviors and the cycle perpetuates itself to the point where no one wants to live there for the long term."

"This is an awesome neighborhood with stately old homes, modest family residences, and student rentals. It is already fairly dense with all the student properties. Don't allow it to be ruined by poorly conceived and regulated infill and redevelopment. We don't want or need another West University Neighborhood!!!"

"I do not at all feel that the city of Eugene is managing the historic neighborhoods bordering the UO in a positive way. The West University neighborhood is now a student ghetto. If SUNA becomes overrun with student housing (usually poorly maintained, lack of respect for neighbors, safety and noise issues), then all of a sudden another close-in, walkable, ecofriendly, interesting neighborhood is gone. We are UO faculty and love this neighborhood, but also want a decent quality of life. If we are forced to move out to McMansion land because SUNA is all students, then we might as well go live/teach in Austin, Madison, or some other college town. It is a huge issue that the city of Eugene and the UO need to partner on. In the future, more people, not fewer, will want close-in homes, and our energy situation will require it. Let's plan for that future now by supporting smart development and management of these close-in neighborhoods. Thanks for listening."

"When my 9 year old described the rules of beer pong to me after watching a neighborhood party, I really became concerned...I generally like the mix of owners, renters, more established folks, and younger families, although things have definitely gotten worse in terms of neighborhood behavior in the last few years."

"Our neighborhood is rapidly becoming a student neighborhood just like West University neighborhood. Families and older people are leaving because the students are so disrespectful and noisy. We've lived in our home for 22 years. We don't want to leave and turn it over to students. We like a diverse neighborhood with people of all ages, but with the noise and mess they make, we're very much wanting to move."

Appendix B: Neighborhood Characteristics – Population Housing, Land Use and Crime

Total Population	Total Population		
	2000	2010	% Change
Amazon Neighbors	1,920	2,055	7.0%
Fairmount Neighbors	2,899	3,049	5.2%
South University Neighborhood	3,741	3,639	-2.7%
West University Neighbors	5,500	6,748	22.7%

Source: Neighborhood Analysis 2000, Census 2010

2010 Age	Under 18		18-24 Years		25-34 Years		35 and up	
	#	%	#	%	#	%	#	%
Amazon Neighbors	218	10.6%	725	35.3%	272	13.2%	840	40.9%
Fairmount Neighbors	474	15.5%	751	24.6%	390	12.8%	1434	47.0%
South University Neighborhood	248	6.8%	2388	65.6%	329	9.0%	674	18.5%
West University Neighbors	56	0.8%	5675	84.1%	593	8.8%	424	6.3%

Source: Neighborhood Analysis 2000, Census 2010, SF1, Table p12

2011 Residential Land Uses	Duplex	Multi-Family	Group Quarters	Single Family Residential
Amazon Neighbors	84	38	1	790
Fairmount Neighbors	49	327	78	1,007
South University Neighborhood	95	1,025	55	556
West University Neighbors	182	2,977	38	207

Source: City of Eugene GIS 8/29/11
Land use code designated for each address point

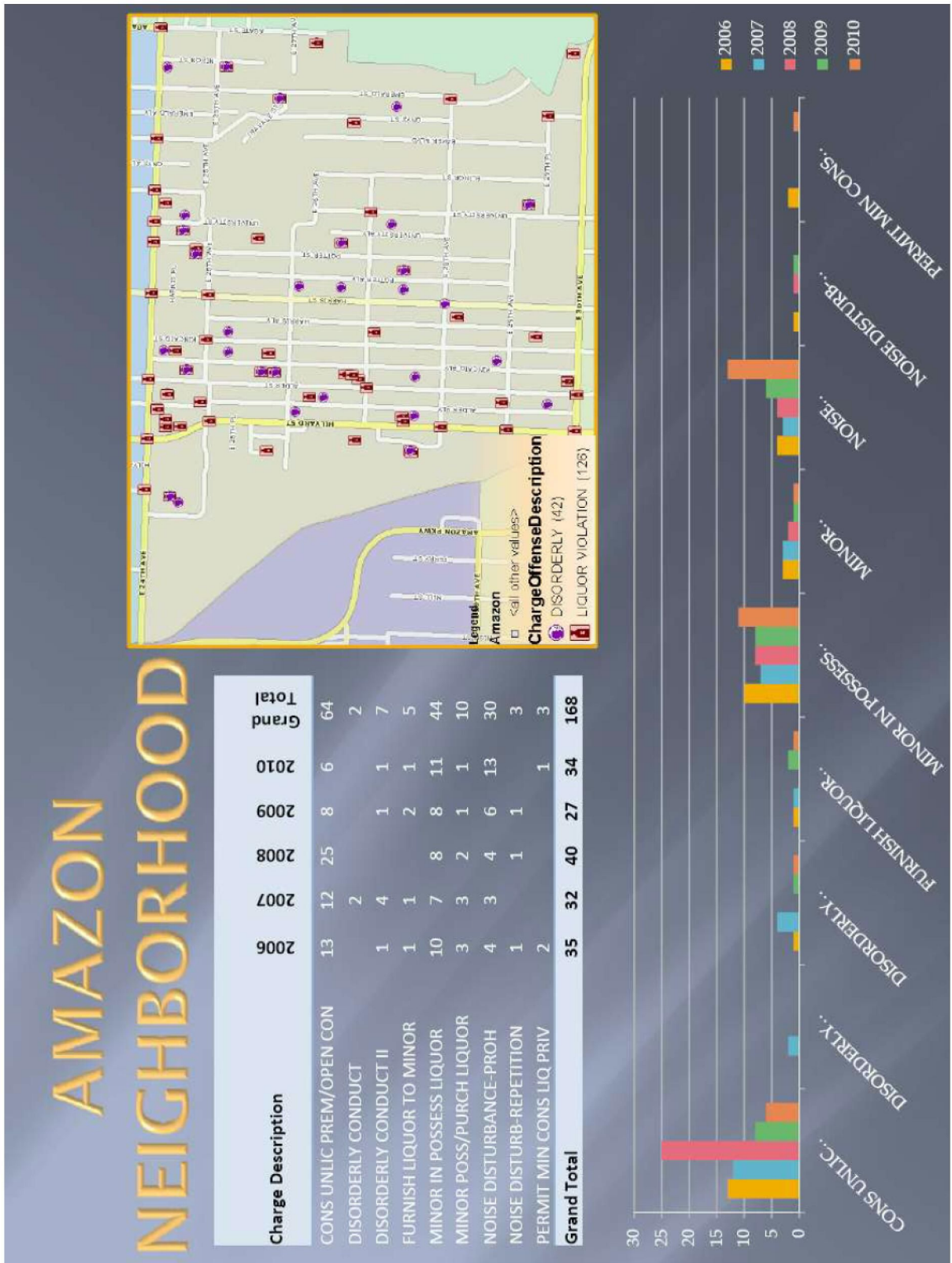
2010 Housing Units	Total	Renter Occupied		Owner Occupied	
		#	%	#	%
Amazon Neighbors	829	442	53	387	47
Fairmount Neighbors	1,268	566	45	702	55
South University Neighborhood	1,569	1,250	80	319	20
West University Neighbors	2,930	2,907	99	23	1

Source: Census 2010, SF1, Table H4

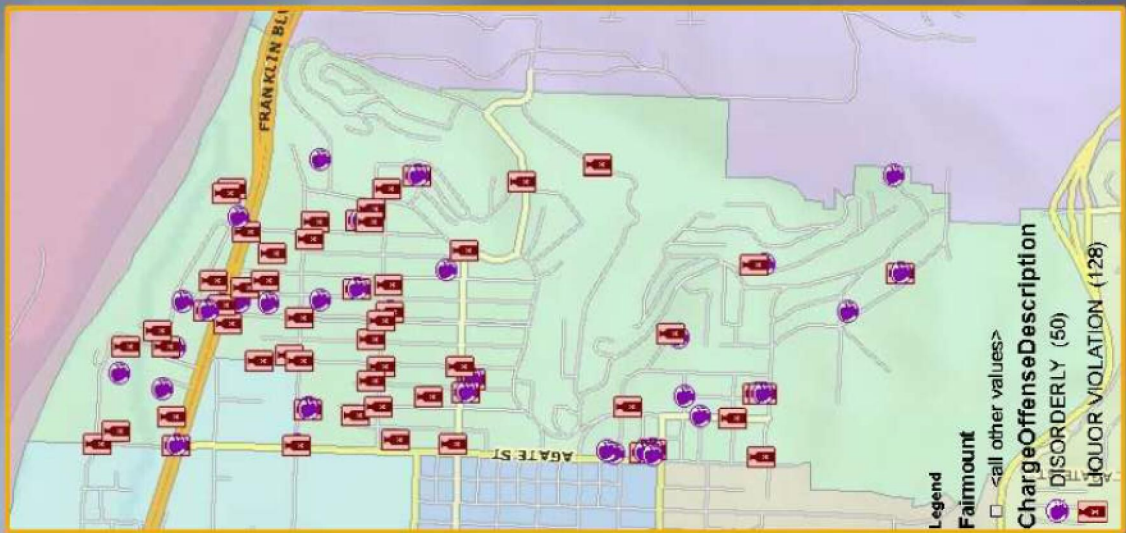
2010 Crime Cases	Total Crime		Personal Crime		Property Crime		Behavior Crime	
	#	%	#	%	#	%	#	%
Amazon Neighbors	43	0.3%	7	0.5%	24	0.3%	12	0.2%
Fairmount Neighbors	253	1.7%	24	1.7%	178	2.6%	51	0.8%
South University Neighborhood	345	2.3%	15	1.1%	159	2.3%	171	2.6%
West University Neighbors	2,289	15.2%	121	8.7%	767	11.1%	1,401	20.9%
Eugene	15,013	100.0%	1,396	100.0%	6,928	100.0%	6,689	100.0%

Source: Eugene Police Department Annual Person/Property/Behavior with Crime Subgroups for Neighborhoods 2010

Appendix C: Noise, Disorderly Conduct and Alcohol-related Violations



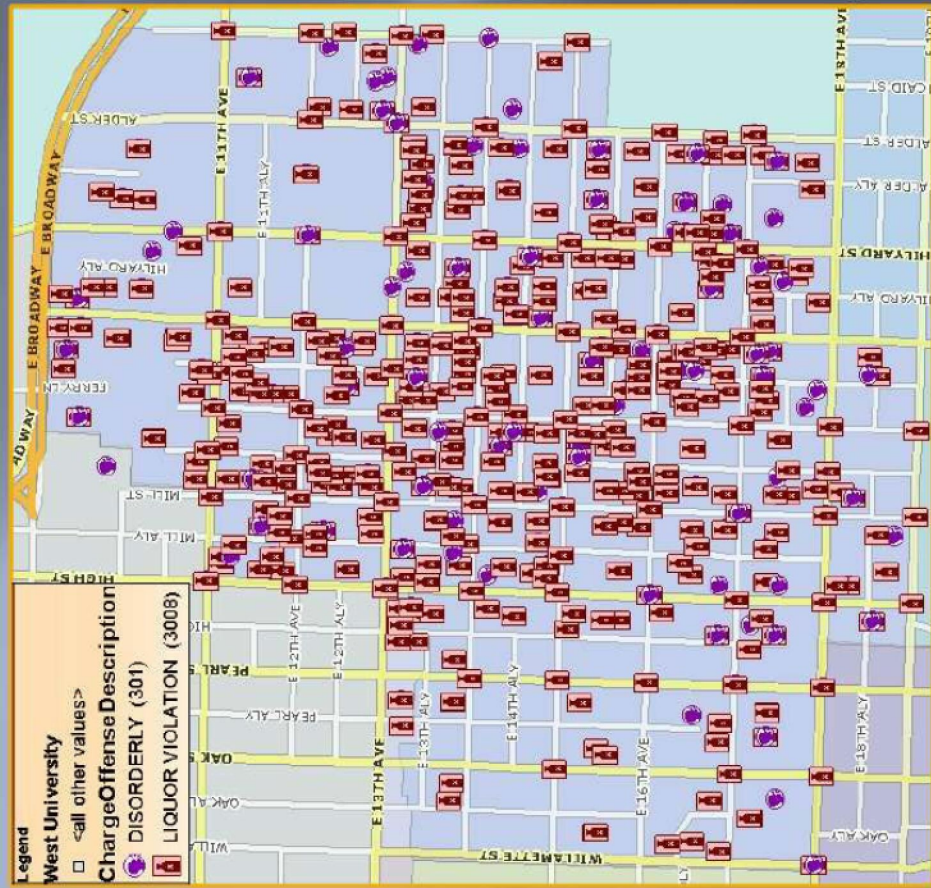
Fairmount Neighborhood



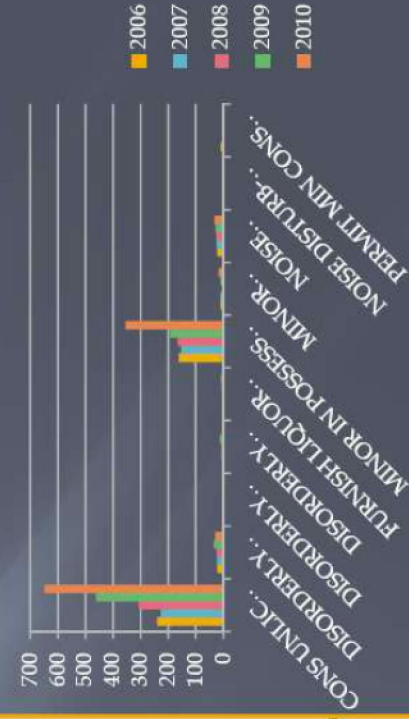
Charge Description	2006	2007	2008	2009	2010	Grand Total
ALLOW MINOR CONS LIQUOR					1	1
CONS UNLIC PREM/OPEN CON	12	12	9	11	8	52
DISORDERLY CONDUCT	2		4	1	5	12
DISORDERLY CONDUCT II	1			2	2	5
FURNISH LIQUOR TO MINOR	1	2	1	2	2	8
MINOR IN POSSESS LIQUOR	8	18	11	7	11	55
MINOR POSS/PURCH LIQUOR	1	4	3		1	9
NOISE DISTURBANCE-PROH	4	4	5	8	12	33
PERMIT MIN CONS LIQ PRIV	1				2	3
Grand Total	30	40	33	31	44	178



West University Neighborhood



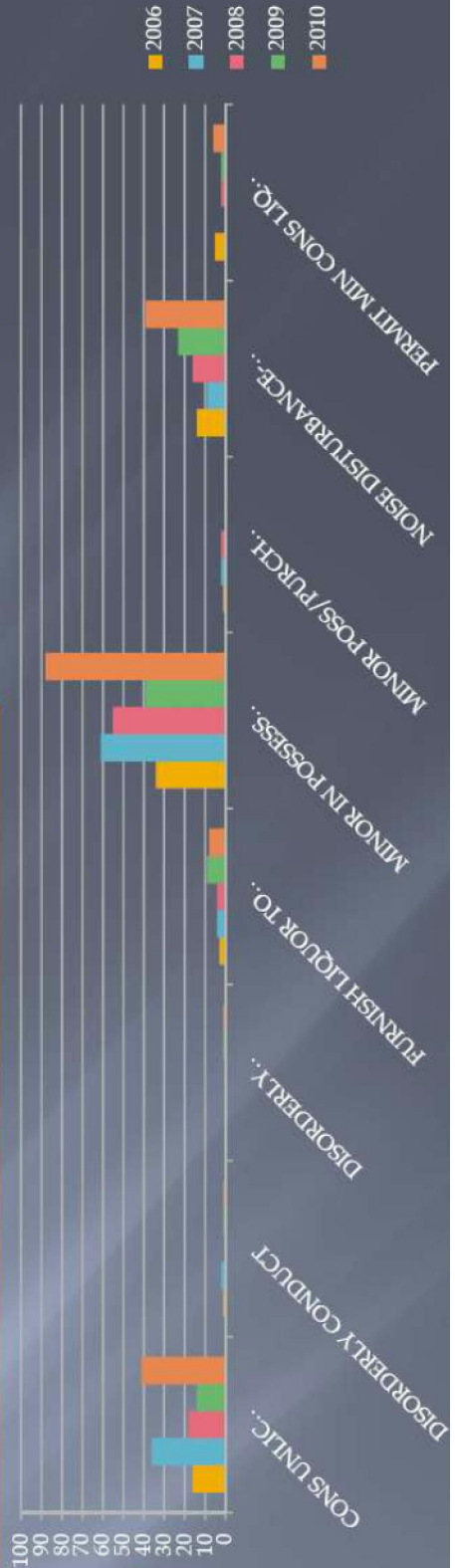
Charge Description	2006	2007	2008	2009	2010	Grand Total
CONS UNLIC PREM/OPEN CON	240	227	307	461	648	1883
DISORDERLY CONDUCT	21	23	24	34	29	131
DISORDERLY CONDUCT I				1		1
DISORDERLY CONDUCT II	4	7	7	11	4	33
FURNISH LIQUOR TO MINOR	5	3	2	7	8	25
MINOR IN POSSESS LIQUOR	161	153	165	193	354	1026
MINOR POSS/PURCH LIQUOR	10	10	5	10	16	51
NOISE DISTURBANCE-PROH	21	24	25	28	32	130
NOISE DISTURB-REPETITION	1	1	4			6
PERMIT MIN CONS LIQ PRIV	9	2	2	5	5	23
Grand Total	472	450	541	750	1096	3309



S. University Neighborhood



Charge Description	2006	2007	2008	2009	2010	Grand Total
CONS UNLIC PREM/OPEN CON	16	36	18	14	41	125
DISORDERLY CONDUCT	1	2	1	1	1	5
DISORDERLY CONDUCT II			1	1	1	2
FURNISH LIQUOR TO MINOR	3	4	4	9	8	28
MINOR IN POSSESS LIQUOR	34	61	55	39	88	277
MINOR POSS/PURCH LIQUOR	1	2	2			5
NOISE DISTURBANCE-PROH	14	9	16	23	39	101
PERMIT MIN CONS LIQ PRIV	5	2	2	2	6	15
Grand Total	74	114	97	89	184	558



Neighborhood Comparison

	ALLOW MINOR CONS LIQUOR	CONS UNLIC PREM/OPEN CON	DISORDERLY CONDUCT	DISORDERLY CONDUCT I	DISORDERLY CONDUCT II	FURNISH LIQUOR TO MINOR	MINOR IN POSSESS LIQUOR	MINOR POSS/PURCH LIQUOR	NOISE DISTURBANCE-PROH	NOISE DISTURB-REPETITION	PERMIT MIN CONS LIQ PRIV	Grand Total
2006	281	24	6	10	213	15	43	2	17	611		
Amazon	13	1	1	10	3	4	1	2	35			
Fairmount	12	2	1	8	1	4	1	1	30			
S. University	16	1	3	34	1	14	5	5	74			
W. University	240	21	4	161	10	21	1	9	472			
2007	287	27	11	239	19	40	1	2	636			
Amazon	12	2	4	7	3	3	3	2	32			
Fairmount	12	2	2	18	4	4	4	2	40			
S. University	36	2	4	61	2	9	1	2	114			
W. University	227	23	7	153	10	24	1	2	450			
2008	359	28	7	239	12	50	5	4	711			
Amazon	25	4	1	8	2	4	1	2	40			
Fairmount	9	4	1	11	3	5	3	2	33			
S. University	18	4	4	55	2	16	2	2	97			
W. University	307	24	7	165	5	25	4	2	541			
2009	494	36	1	247	11	65	1	7	897			
Amazon	8	2	1	8	1	6	1	2	27			
Fairmount	11	1	2	7	2	8	1	2	31			
Suniversity	14	1	1	39	9	23	2	2	89			
Wuniversity	461	34	11	193	10	28	5	5	750			
2010	703	35	8	464	18	96	14	14	1358			
Amazon	6	1	1	11	1	13	1	1	34			
Fairmount	8	5	2	11	1	12	2	2	44			
Suniversity	41	1	1	88	8	39	6	6	184			
Wuniversity	648	29	4	354	16	32	5	5	1096			
Grand Total	1	2124	150	1	47	66	1402	75	294	9	44	4213

Appendix D: Anticipated Effectiveness Matrix

**Neighborhood Livability Working Group
Anticipated Effectiveness Matrix**

Strategy	Anticipated Level of Effectiveness*														
	Property, Personal & Behavior Crimes & Issues					Land Use Issues					Zoning/Nuisance Violations				
	"Livability" (noise, public urination, drunkenness, vandalism, litter, property crime)			Personal Safety (violence, assault, robbery)		Traffic Safety (speeding, DU)		Development Impacts (out of character/scale, density of student-oriented housing)			Parking (illegal parking, competition for parking)		Zoning/Nuisance Violations (landscape, junk, vehicle storage, garbage, number of occupants)		
Effectiveness Scores:	1	2	3	1	2	3	1	2	3	1	2	3	1	2	3
Social Host Ordinance	16	2	1	6	11	2	2	5	12	1	2	16	1	3	14
Increase fines for alcohol and noise related offenses	14	4	1	4	8	6	5	6	8	1	1	17	3	4	11
Enhanced police resources	16	3	0	17	2	0	12	3	3	1	2	16	4	3	11
Fines for tenants	10	5	4	9	3	7	9	3	7	0	2	17	3	4	11
UO Campus Police	14	5	0	14	5	0	9	5	5	0	2	17	3	3	12
Modify student code of conduct	11	7	1	5	4	9	5	6	8	1	1	17	1	1	16
Regulate party buses	9	7	3	2	7	9	2	4	13	0	3	16	0	4	14
Good neighbor strategy	6	7	6	2	4	12	2	6	11	1	2	14	1	8	9
Crime Prevention Through Environmental Design analysis	7	10	2	5	12	2	1	6	12	2	8	9	4	6	9
Safe Party Initiative	3	10	6	1	8	8	0	9	10	0	2	17	0	4	14
Strengthen rental agreements	9	5	4	4	3	12	0	0	19	3	3	13	2	4	12
Modify/expand the Rental Housing Program	8	5	5	4	0	15	1	2	16	3	5	11	4	6	9
Encourage home ownership and upkeep	8	6	5	8	4	7	1	6	12	10	7	2	5	7	6
Graffiti and litter abatement	7	10	2	1	5	13	0	2	17	0	6	13	0	5	13
Evaluate MJUTE	6	8	5	3	2	14	1	3	15	7	9	2	5	10	4
Open space requirement in multi-family developments	6	7	6	3	7	9	0	5	14	9	7	1	2	7	9
Change calculation of density for multi-family housing	7	6	6	2	4	13	0	4	15	6	8	4	7	9	3
Define different types of multi-family housing	6	7	6	2	2	15	0	1	18	10	6	2	5	10	4
Update lighting and fencing codes	8	5	6	9	8	2	1	3	15	4	9	5	2	4	12
Standards for parking in set-backs and open space	6	5	8	3	3	13	2	3	14	6	8	5	11	7	1
Neighborhood-based planning	11	5	3	4	3	12	1	6	12	10	3	3	8	7	4
Vandal resistant street signage	7	9	3	2	7	11	10	7	2	0	3	16	4	4	11

* Anticipated Level of Effectiveness = the degree to which a strategy is likely to reduce a negative behavior or impact

For each strategy assign one of the following for each behavior or impact:

- 1 - This strategy will be highly effective, produce measurable results and should be a priority.
- 2 - Strategy will have some positive impacts but it is not a solution by itself.
- 3 - This strategy is unlikely to make any noticeable difference.

Analysis of Results

Criteria: 2/3 of those participating (min. 13 individuals) gave the strategy a "1" or "2" for at least one negative behaviors/impacts (Grey cells in the matrix).

Italics indicate strategies that also were considered a "1" or "2" for at least one negative behavior/impact in both Property, Personal & Behavior Crimes and Land Use Issues categories.

**Strategies that received the lowest level of support (13 votes) for only one behavior/impact.

Property, Personal & Behavior Crimes & Issues

Strategy	# behaviors/impacts met per criteria
Enhanced police resources	3
UO Campus Police	3
Social Host Ordinance	2
Crime Prevention Through Environmental Design analysis	2
Vandal resistant street signage	2
<i>Update lighting and fencing codes</i>	2
Fines for tenants	1
Increase fines for alcohol and noise related offenses	1
Modify Student Code of Conduct	1
Regulate party buses	1
**Good Neighbor strategy	1
**Safe Party Initiative	1
Strengthen rental agreements	1
<i>Modify/expand the Rental Housing Program</i>	1
<i>Encourage home ownership and upkeep</i>	1
<i>Graffiti and litter abatement</i>	1
<i>Evaluate MUPTe</i>	1
<i>Open space requirement in multi-family developments</i>	1
<i>Change calculation of density for multi-family housing</i>	1
<i>Define different types of multi-family housing</i>	1
<i>Neighborhood-based planning</i>	1

Land Use Issues

Strategy	# behaviors/impacts met per criteria
Change calculation of density for multi-family housing	3
Neighborhood-based planning	3
Encourage home ownership and upkeep	2
Standards for parking in set-backs and open space	2
Evaluate MUPTE	2
Define different types of multi-family housing	2
Rental dwelling license program	1
Graffiti and litter abatement	1
Open space requirement in multi-family developments	1
Update lighting and fencing codes	1

Members completing the exercise (19):

COE:

K. Osborn
K. Dixon
M. Kinnison
R. Stronach

UO:

G. Rikhoff
K. Hyatt
E. Rinne
P. Shang
S. Eyster

Property Owner/Mgr:

S. Pridhard
J. Straub
J. Anderson
G. Anslow
M. Cauthorn

Students:

S. McGraw
K. Lange

Neighbors:

M. Wilson
C. Jacobs
D. Sonnichsen

Summary of Draft Social Host Ordinance

This proposal would establish criminal and civil penalties for both the person hosting or responsible for an unruly gathering defined in Section 4.670, and the legal property owner. In order to be deemed an unruly gathering, two or more disruptive behaviors must occur on the property, or adjoining the property where a gathering occurs, defined in Section 4.670, and include violations to state and local liquor laws, assault, disorderly conduct, loud noise, public urination, and other offenses, frequently cited as problem behaviors in complaints about unruly gatherings.

As recommended in the literature search for best-practices, there are graduated penalties that affect both the host and the property owner, depending on the number of citations in the preceding 12 month period from the date of the citation.

1. For a first violation a person receives
 - a. the person responsible for hosting or organizing the unruly gathering will be issued a \$500 citation, and
 - b. the property owner will be notified of the citation.
2. For the second violation a person receives at the same address
 - a. the person responsible for hosting or organizing an unruly gathering will be issued a \$750 citation;
 - b. the person responsible for hosting or organizing an unruly gathering will receive a civil penalty to cover the response costs, which are defined in section 4.670; and
 - c. the property owner will be notified of the second citation.
3. For the third violation a person receives at the same address,
 - a. the person responsible for hosting or organizing an unruly gathering will be issued a \$1000 citation
 - b. the person responsible for hosting or organizing an unruly gathering will receive a civil penalty to cover the response costs, which are defined in section 4.670; and
 - c. the property owner will be notified of the third citation.
4. For the fourth and subsequent violations a person receives at the same address,
 - a. the person responsible for hosting or organizing an unruly gathering will be issued a \$1000 citation
 - b. the person responsible for hosting or organizing an unruly gathering will receive a civil penalty to cover the response costs, which are defined in section 4.670; and
 - c. the legal property owner will receive a civil penalty to cover the response costs, which are defined in section 4.670.

Please note that the graduated penalties follow both the property owner and the person responsible for hosting the party. This is to address problems with the current legislation, and to improve livability for the neighbors, by eliminating loop holes that unintentionally allowed for repeat disruptions. In this draft, if a person who's received a citation moves to another address and receives a subsequent citation, the cumulative total number of citations is considered in the preceding 12 months, regardless of the site address. Likewise, if a property owner receives a notice that a social host citation has been issued at the property, and there is another citation, the total number of citations at that address is considered in the preceding 12 months, regardless of the responsible person hosting the party.

There is a provision for an appeal process for the civil penalty that provides the specific steps that a property owner would need to take, to demonstrate good faith to prevent or abate the problem (Section 4.672(3)). This section was crafted with stakeholder input to respond to concerns by property owner/manager interests that they were being penalized for activities that were not under their control. It defines clear steps the property owner is expected to take to demonstrate a good faith effort to ameliorate the problems at the property.

ORDINANCE NO. _____

AN ORDINANCE CONCERNING UNRULY GATHERINGS; ADDING SECTIONS 4.670 AND 4.672 TO THE EUGENE CODE, 1971; REPEALING SECTION 4.775 OF THAT CODE; AND AMENDING SECTIONS 4.990 AND 4.996 OF THAT CODE.

The City Council of the City of Eugene finds as follows:

A. Unruly gatherings, often involving loud noise and unlawful consumption of alcohol by minors, foster a range of criminal conduct. Some of the typical offenses include obstruction of public streets, assault, menacing, harassment, disorderly conduct, criminal mischief, and littering. Unruly gatherings and associated criminal behavior disturb the peace of nearby residents, pose a danger to persons attending the gathering and to other persons in the vicinity, detract from the livability of the neighborhood, and reduce the value of nearby properties.

B. Property owners, by themselves or through their agents, have the ability to prevent unruly gatherings and to deter recurrences. Although they may not themselves commit any of the offenses at issue, owners should be held responsible, not only if they organize, host, or facilitate unruly gatherings, but also if they allow or tolerate those offenses on property that they control as owner.

NOW, THEREFORE,

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. Sections 4.670 and 4.672 of the Eugene Code, 1971, are added to provide as follows:

Morals and Public Conduct

4.670 ***Unruly Gatherings - Definitions. As used in sections 4.672, 4.990(1), and 4.996(5) and (6) of this code, the following words and phrases mean:***

***Alcoholic liquor.** An alcoholic beverage containing more than one-half of one percent of alcohol by volume.*

***Response costs.** The costs associated with responses by law enforcement, fire and other emergency response providers to unruly gatherings, including but not limited to:*

- (a) Salaries and benefits of law enforcement, fire or other emergency response personnel for the amount of time spent responding to, remaining at, or otherwise dealing with unruly gatherings, and the administrative costs attributable to such response(s);***

- (b) *The cost of any medical treatment to or for any law enforcement, fire or other emergency response personnel injured while responding to, remaining at or leaving the scene of an unruly gathering.*
- (c) *The cost of repairing any city equipment or property damaged, and the cost of the use of any such equipment, in responding to, remaining at or leaving the scene of an unruly gathering.*

Juvenile. Any person under eighteen years of age.

Minor. Any person under twenty-one years of age.

Unruly conduct. Any two or more of the following behaviors that occur on the property where the gathering occurs or which occur on public or private property adjoining the property where the gathering occurs:

- (a) *Any violation of state or city of Eugene laws relating to the sale, service, possession or consumption of alcoholic liquor;*
- (b) *Groups of more than five persons who have moved from the gathering into public streets;*
- (c) *Assault, as defined in section 4.729 of this code;*
- (d) *Menacing, as defined in section 4.730 of this code;*
- (e) *Harassment, as defined in section 4.726 of this code;*
- (f) *Intimidation, as defined in section 4.731 of this code;*
- (g) *Disorderly conduct, as defined in section 4.725 of this code;*
- (h) *Noise disturbance, as defined in sections 4.080 – 4.083 of this code;*
- (i) *Criminal mischief, as defined in sections 4.780 and 4.782 of this code;*
- (j) *Public urination or defecation, as defined in section 4.770 of this code;*
- (k) *Interfering with a police officer, as defined in section 4.907 of this code; and*
- (l) *Littering, as defined in section 6.805 of this code, by a person who attended the party or gathering.*

Unruly gathering. A party or gathering of more than five persons at the property where unruly conduct occurs, and where alcohol is served or consumed.

Owner. The person or entity listed as the owner in the Lane County property tax records.

Property.

- (a) *Any dwelling unit, including but not limited to a house, home, apartment, condominium, hotel or motel room; a duplex, triplex, apartment house or other building with multiple dwelling units;*
- (b) *A hall, meeting room, shelter or other gathering place;*
- (c) *Any real property adjacent to and under the same ownership as the structure described in sections (a) and (b) of this definition; and*
- (d) *Public right-of-way.*

Twelve-month period. The twelve months immediately preceding the most recent citation.

4.672 Unruly Gatherings – Provisions.

- (1) No person shall organize, host or facilitate an unruly gathering.**
- (2) A person who violates subsection (1) of this section shall be subject to a fine prescribed by subsection (1) of section 4.990 of this code. In addition, a person who is convicted of violating subsection (1) of this section for a second time, and for any additional time, within a twelve-month period shall pay an administrative civil penalty in the amount of response costs, regardless of whether the offense occurred at the same or a different property, as provided in section 4.996 of this code.**
- (3) If an unruly gathering occurs at the same property more than three times in a twelve-month period, the owner of the property shall be liable for response costs for the fourth and any subsequent occurrence that occurs within a twelve-month period of three other occurrences at the same property.**
- (4) After an unruly gathering occurs at a private property, and after any future occurrence of an unruly gathering at the same property, city staff will notify the owner(s) of the property. The notice shall include a copy of this ordinance and a description of the owner's potential liability for response costs under subsection (3) of this section.**
- (5) If a juvenile violates subsection (1) of this section or is the owner of the property and the juvenile is or, but for the juvenile's age would be, responsible for payment of response costs under this section, the person's parent(s) or legal guardian(s) are responsible for response costs.**
- (6) Financial liability under this section is joint and several.**
- (7) Appeals.**
 - (a) If a civil penalty is imposed upon a property owner as provided in subsection (3) of this section, and subsection (6) of section 4.996 of this code, the property owner or property manager may appeal the determination that a violation occurred or amount of the penalty to the city manager in accordance with section 2.021 of this code.**
 - (b) In an appeal under this section, when determining to what extent, if any, the owner should be responsible for response costs, the city manager shall consider evidence of the following actions on the part of the property owner to prevent or abate the nuisance, even if unsuccessful:**
 - 1. On the first occurrence of an unruly gathering, the owner or owner's agent issued a written warning that future violations may result in initiation of eviction proceedings.**
 - 2. On the second occurrence of an unruly gathering, the owner or owner's agent issued a written notice that termination of the rental agreement will be initiated for the tenant(s) responsible for any future unruly gatherings.**
 - 3. On the third occurrence of an unruly gathering, the owner or owner's agent initiated eviction proceedings against the tenant(s) responsible for the unruly gathering.**
 - 4. Prior to the fourth occurrence of an unruly gathering, new tenants replaced those who committed the previous violations, and the owner or owner's agent implemented reasonable precautions to deter or prevent any additional unruly gatherings.**

Section 2. Section 4.775 of the Eugene Code, 1971, is repealed.

[4.775] Special Response Fee.

- (1) ~~Applicability.~~ Subject to the limitations contained in subsections (2) through (7) of this section, the city may impose a special response fee when the police respond to a gathering of 25 or more persons on private property (“the premises”) and they arrest or cite two or more individuals for violation of the Oregon criminal statutes or provisions of this code listed in this subsection. As used in this section, “the premises” means each separate address to which a response is made, including its curtilage.
- (a) ~~All criminal homicide offenses in ORS 163.095 through 163.145.~~
 - (b) ~~All sexual offenses in ORS 163.355 through 163.445 and 163.670 through 163.700, and section 4.755 of this code.~~
 - (c) ~~All felony drug offenses as enumerated in ORS 475.992.~~
 - (d) ~~Endangering Welfare of a Minor, ORS 163.575.~~
 - (e) ~~All arson offenses in ORS 164.315 and 164.325.~~
 - (f) ~~Reckless Burning, ORS 164.335.~~
 - (g) ~~All criminal mischief offenses in ORS 164.345 through 164.365, and sections 4.780 and 4.782 of this code.~~
 - (h) ~~All assault offenses in ORS 163.160 through 163.185, ORS 163.208, and section 4.729 of this code.~~
 - (i) ~~Recklessly Endangering Another Person, ORS 163.195.~~
 - (j) ~~All gambling offenses in ORS 167.122 through 167.147.~~
 - (k) ~~Hazing, ORS 163.197.~~
 - (l) ~~Sale, Possession and Use of Fireworks, ORS 480.120.~~
 - (m) ~~All intimidation offenses in ORS 166.155 and 166.165, and section 4.731 of this code.~~
 - (n) ~~All weapon offenses in ORS 166.180 through 166.480 with the exception of ORS 166.370.~~
 - (o) ~~All escape offenses in ORS 162.145 through 162.165, and section 4.915 of this code.~~
 - (p) ~~Offensive Littering, section 6.805 of this code.~~
 - (q) ~~Disorderly Conduct, section 4.725 of this code.~~
 - (r) ~~Minor in Possession, section 4.115 of this code.~~
 - (s) ~~Furnishing Alcohol to a Minor, section 4.110 of this code.~~
 - (t) ~~Allowing Alcohol Consumption by Minors on Private Premises, section 4.131 of this code.~~
 - (u) ~~Prohibited Sales, section 4.155 of this code.~~
 - (v) ~~False Swearing on a Keg Receipt, section 4.908 of this code, made unlawful under section 4.191 of this code.~~
 - (w) ~~Prohibited Noise, sections 4.080 through 4.083 of this code.~~
 - (x) ~~Interfering with a Peace Officer, ORS 162.247, and section 4.907 of this code.~~
 - (y) ~~Harassment, section 4.726 of this code.~~
 - (z) ~~Menacing, section 4.730 of this code.~~
 - (aa) ~~Hindering Prosecution, section 4.912 of this code.~~
 - (bb) ~~Resisting Arrest, section 4.910 of this code.~~
 - (cc) ~~Urinating/Defecating, section 4.770 of this code.~~

- ~~(2) — Notice.~~
- ~~(a) — Upon the occurrence of a response under subsection (1) of this section, and in circumstances where the person(s) responsible for the gathering was not the first to call police to request assistance, a “First Response Warning Notice” shall be provided to:~~
- ~~1. — The person(s) responsible for the gathering;~~
 - ~~2. — The person(s) in charge of the premises, if different than the person specified in (a)1., and if present at the time of the gathering; and~~
 - ~~3. — Owner(s) of the premises, if different than the persons specified in (a)1. and (a)2., and if present at the time of the gathering.~~
- ~~If the activity or conduct occurs on premises not occupied by the owner and the owner is not present at the gathering, a copy of the notice shall be mailed to the owner. An owner who receives notice pursuant to the immediately preceding sentence shall not be deemed a notice recipient for purposes of liability for the special response fee as set forth in subsection (4) of this section. If a notice recipient is a minor, such notice shall be mailed to the parents or guardians of the minor by certified mail, return receipt requested.~~
- ~~(b) — Any person to whom a first response warning notice has been issued may contest the validity of the notice by filing a written request for review with the municipal court. The request must be filed within 15 days from the date the notice was issued and shall set forth with particularity the reason(s) the determination is invalid. The decision of the municipal court shall be based on the report of the incident giving rise to the notice and the written information provided by the person to whom the notice was issued. The municipal court’s decision on the validity of the notice shall be final, and shall be issued within ten days from the date the request is received. If the notice is found invalid, it shall be so noted on all entries in the city’s records. The filing of a written request for review with the municipal court shall not toll the running of the 90 day period specified in subsection (3) of this section.~~
- ~~(3) — Special Response Fee. Each notice recipient shall be liable for a special response fee as set forth in subsection (4) of this section if within 90 days after issuance of the notice the police respond to a subsequent gathering of 25 or more persons on the same premises and the police arrest or cite two or more persons for violation of the Oregon criminal statutes or provisions of this code listed in subsection (1) of this section. Notwithstanding the prior sentence, a notice recipient at a gathering shall not be liable for the special response fee if the notice recipient was the person who was the first individual to call the police to request assistance, and the person can demonstrate that he or she took reasonable steps to prevent the violations. Other notice recipients at the same gathering likewise shall not be held liable for the special response fee if those persons can demonstrate they took reasonable steps to prevent the violation(s). A separate special response fee may be charged for each subsequent police response. The special response fee is defined as the total cost incurred by the city caused by the response, including, but not limited to, the actual cost of police department personnel, medical costs, equipment utilized or damaged, and administrative overhead; however, the initial special response fee imposed shall not exceed the sum of \$1,500.00.~~
- ~~(4) — Liability for Payment of Special Response Fee. All notice recipients who are:~~

- ~~(a) Person(s) responsible for the gathering; or~~
- ~~(b) Person(s) in charge of the premises, if different than the person specified in (4)(a); or~~
- ~~(c) Owner(s) of the premises, if different than the persons specified in (4)(a) and (4)(b), and who are present at any subsequent gathering within the 90 day period specified in subsection (3) of this section on the same premises where they received the "First Response Warning Notice" that gives rise to liability for payment of the special response fee shall be jointly and severally liable for the full amount of the fees imposed.~~
- ~~(5) Adoption of Special Response Fee Schedule. The city manager shall adopt a fee schedule, billing procedures and other matters necessary for the administration of this section in the manner provided in section 2.020 of this code.~~
- ~~(6) Special Response Cost Recovery - Collection. A statement for the costs incurred by the city for each subsequent police response shall be delivered to each notice recipient liable for payment pursuant to subsection (3) of this section. The amount shall constitute a debt due to the city from each notice recipient, may be collected in any manner authorized by law, and is recoverable in a civil action brought in the name of the city in a court of competent jurisdiction for recovery of the amount plus reasonable attorney fees. A full refund of funds paid by an individual notice recipient will be issued to any notice recipient who has paid any portion of a special response fee assessed pursuant to subsection (3) of this section, if the notice recipient can demonstrate that all persons cited or arrested at the gathering for which the fee has been assessed were acquitted in court. For purposes of this section, the term acquitted does not include cases that are dismissed pursuant to the successful completion of any Eugene Municipal Court or City Prosecutor diversion agreement.~~
- ~~(7) Special Response Cost Recovery - Appeal. A person who is issued a statement of costs under subsection (6) of this section may appeal in the manner provided by section 2.021 of this code. The appeal shall be heard and determined by a hearings officer in the manner set forth in section 2.021 of this code.~~
- ~~(8) Remedies Not Exclusive. The remedies set forth in this section are nonexclusive and are in addition to any and all other remedies available to the city as provided by operation of law.]~~

Section 3. Subsection (1) of Section 4.990 of the Eugene Code, 1971, is amended by adding the following entry in numerical order to the list of penalties as follows:

4.990 Penalties - Specific.

- (1) Violation of the following sections is punishable by fine or confinement in jail, or both, up to the amounts indicated opposite each. In addition, the court may order any treatment, related to the violation, deemed necessary for rehabilitation of the offender and the safety of the community.

<u>Section</u>	<u>Penalty</u>
4.672(1)	<i>\$500 fine for first offense;</i>

***\$750 fine for second offense occurring within a twelve-month period (See section 4.996(5) for administrative civil penalties);
\$1,000 fine for third and subsequent offenses occurring within a twelve-month period (See section 4.996(5) for administrative civil penalties).***

Section 4. Subsections (5) and (6) of Section 4.996 of the Eugene Code, 1971, are added to provide as follows:

4.996 Administrative Civil Penalty.

- (5) Second and subsequent violations of subsection (1) of section 4.672 of this code within a twelve-month period are subject to the imposition of response costs as defined in section 4.670 of this code.***
- (6) Upon fourth and any subsequent violation of subsection (1) of section 4.672 of this code within a twelve-month period, at a property as defined in section 4.670 of this code, the owner of the property is subject to the imposition of response costs as defined in section 4.670 of this code.***

Section 5. The City Recorder, at the request of, or with the consent of the City Attorney, is authorized to administratively correct any reference errors contained herein, or in other provisions of the Eugene Code, 1971, to the provisions added, amended or repealed herein.

Passed by the City Council this

___ day of May, 2012

Approved by the Mayor this

___ day of May, 2012

City Recorder

Mayor