

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE CONCERNING UNRULY GATHERINGS; AMENDING SECTION 4.670 OF THE EUGENE CODE, 1971; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.**

**THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:**

**Section 1.** The definition of “Unruly gathering” in Section 4.670 of the Eugene Code, 1971, is amended to provide as follows:

**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:

**Unruly gathering.** A party or gathering where alcohol is served or consumed, and where any two or more of the following behaviors occur on the property where the gathering takes place or on adjacent property:

- (a) Any violation of state or city of Eugene laws relating to the sale, service, possession or consumption of alcoholic liquor;
- (b) Assault, as defined in section 4.729 of this code;
- (c) Menacing, as defined in section 4.730 of this code;
- (d) Harassment, as defined in section 4.726 of this code;
- (e) Intimidation, as defined in section 4.731 of this code;
- (f) Disorderly conduct, as defined in section 4.725 of this code;
- (g) Noise disturbance, as defined in sections 4.080 – 4.084 of this code;
- (h) Criminal mischief, as defined in sections 4.780 and 4.782 of this code;
- (i) Public urination or defecation, as defined in section 4.770 of this code; ~~and~~
- (j) Littering, as defined in section 6.805 of this code, by a person who attended the party or gathering[-]; **and**
- (k) ***Unlawful use or explosion of fireworks, as prohibited by ORS 480.120 or section 4.934 of this code.***

**Section 2.** 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reference errors contained herein, or in other provisions of the Eugene Code, 1971, to the provisions added, amended or repealed herein.

**Section 3.** Pursuant to the provisions of Section 32(2) of the Eugene Charter of 2002, with the affirmative vote of two-thirds of the members of the City Council, this Ordinance shall become effective immediately upon adoption by the Council and approval by the Mayor, or passage over the Mayor’s veto. An immediate effective date is necessary to reduce the risk of

serious physical injury and property damage from illegal fireworks during the upcoming Fourth of July holiday weekend.

**Passed by the City Council this**

\_\_\_ day of \_\_\_\_\_, 2014

**Approved by the Mayor this**

\_\_\_ day of \_\_\_\_\_, 2014

\_\_\_\_\_  
**City Recorder**

\_\_\_\_\_  
**Mayor**