

ADMINISTRATIVE ORDER NO. 21-24-06

of the

City Manager of the City of Eugene

EMERGENCY EUGENE CITY HALL RULES.

The City Manager of the City of Eugene finds that:

A. Chapter IV, Section 16 of the Eugene Charter designates the City Manager as the administrative head of the City. Section 2.019 of the Eugene Code, 1971 (EC), authorizes the City Manager or designee to adopt rules for implementation of any provisions of the Eugene Code, 1971. EC 2.019(6) authorizes the City Manager to adopt emergency rules without prior public notice or hearing.

B. On June 28, 2023, the City of Eugene purchased from the Eugene Water and Electric Board (EWEB) property located at 500 East 4th Avenue and 502 East 4th Avenue, in Eugene, Oregon, including the buildings located thereon. The property and buildings will serve as the City Hall for the City of Eugene.

C. Large portions of the real property surrounding the City Hall buildings, including a plaza and fountain, are immediately adjacent to the City's Riverfront Park. Additionally, the surrounding real property encompasses an area that the City previously maintained as parkland via an EWEB easement; this area will be incorporated into the City's Riverfront Park. The City's administratively adopted Parks and Open Space Rules apply to the City's Riverfront Park. It is anticipated that portions of the City Hall Property parking lots will be utilized by patrons of the Riverfront Park. For continuity of enforcement and ease of understanding by the public, the City's administratively adopted Parks and Open Space Rules should apply to the real property surrounding the City Hall buildings.

D. Located in the Eugene City Hall buildings are City offices, which are not open to the general public, the City Council Chambers which, during public meetings, is open to the general public, as well as other offices and meeting spaces that may or may not be open to the general public. To ensure the public's safety, the safety of City staff, and to protect the continuity of public business, it is necessary to prohibit certain conduct within the City Hall buildings.

E. On June 28, 2023, I issued Administrative Order No. 21-23-04 establishing Emergency Rules applicable to the real property surrounding the City Hall buildings to provide a regulatory structure for that property that is consistent with the administrative rules applicable to the Riverfront Park. Administrative Order No. 21-23-04 was extended by Administrative Order No. 21-23-08.

F. On May 15, 2024, I issued Administrative Order No. 21-24-02, which superseded and replaced the Emergency Rules adopted by Administrative Order No. 21-23-08, in order to continue applying the City's Park and Open Space Rules to the real property surrounding the City Hall buildings and to adopt rules regulating conduct within the City Hall buildings,

including the patios attached to the buildings, in anticipation of City staff moving into the building and City Council meetings being held at City Hall. Since that time, City staff have moved in, and City Council meetings are being held in person at City Hall.

H. It is necessary to extend these Emergency Rules and, now that City Hall is open to the public, to adopt City Hall Business Hours in order to continue to provide a mechanism for regulating the use of the City Hall Property until permanent rules are established. These Emergency Rules should be implemented without prior notice pursuant to subsection (6) of Section 2.019 of the Eugene Code, 1971, because failure to act promptly in establishing this Rule will create confusion for both the public and law enforcement regarding when and how the real property surrounding the City Hall buildings can be used and also to make clear what conduct is impermissible inside the buildings.

NOW, THEREFORE, based upon the above findings and pursuant to the authority in EC 2.019(6), I order that these Emergency Rules be adopted and remain in effect for 180 days, unless replaced earlier by an emergency rule, temporary rule, or permanent rule adopted in accordance with the provisions of EC 2.019. I also order that these Emergency Rules supersede and replace the Emergency Rules adopted by Administrative Order No. 21-24-02.

EUGENE CITY HALL RULES

1.000 City Hall Buildings and Attached Patios

The rules set forth in these Eugene City Hall Rules apply to all City Hall buildings, including all patios attached to the building, as shown cross-hatched in Exhibit A to this Administrative Order (hereinafter referred to as “City Hall”).

1.005 City Hall Business Hours

The hours of business for City Hall are Monday through Friday from 9:00 a.m. until 4:00 p.m.

1.010 Real Property Surrounding City Hall

(1) Except for Section 1.004 (Use Permits), the Park and Open Space Rules adopted by Administrative Order No. 58-24-04-F, and all amendments thereto, apply to the property surrounding City Hall as shown shaded in Exhibit A attached to this Administrative Order (hereinafter referred to as “Surrounding Real Property”).

(2) Unless explicitly stated otherwise, the Park and Open Space Rules applicable to the Surrounding Real Property are in place of, not in addition to, the rules set forth in this Administrative Order.

(3) Enforcement of the Park and Open Space Rules in the Surrounding Real Property shall cite to the applicable Park and Open Space Rule and shall be done in accordance with the procedures set forth in the Park and Open Space Rules.

1.020 Prohibited Conduct

In addition to any act that constitutes a violation of federal or state law or the Eugene Code, 1971, the following prohibitions apply at City Hall:

- (1) No person shall attempt to thwart, fail to comply with, or refuse to submit to City Hall security measures, including but not limited to screening measures intended to detected persons carrying weapons.
- (2) No person shall bring onto City Hall items which, when displayed, would be perceived by a reasonable person to be a potential weapon. Such items include, but are not limited to: machetes, knives, swords, box-cutters, mace, and clubs.
- (3) No person shall engage in disruptive behavior. As used herein, "disruptive behavior" includes, but is not limited to, behavior that: (1) interferes with the use of the City Hall by other patrons; (2) interferes with or hinders City Hall staff in the performance of their duties; or (3) is inconsistent with the purpose and intent of City Hall, including, but not limited to, bathing, shaving, washing hair, changing clothes, or preparing meals in the City Hall bathrooms, and using any portion of City Hall for living accommodation purposes.
- (4) No person shall enter City Hall unless wearing a shirt, a bottom garment (e.g., pants, shorts, skirt) and shoes, and no person shall remove such attire once inside City Hall.
- (5) No person, except authorized City staff, or persons specifically authorized or escorted by City staff, shall enter areas of City Hall that are: (1) posted for use by City staff only; (2) posted as an area closed to the public; or, (3) prox-card access only.
- (6) No person shall fail to comply with posted signs, including but not limited to signs establishing time limits for the use of certain areas.
- (7) No person shall leave unattended personal property, such as backpacks, bags, suitcases or purses.
- (8) No person shall personally distribute promotional materials, pamphlets, or other written communications inside City Hall. No person shall picket or solicit signatures for an initiative or referendum petition inside City Hall. All such activities shall occur outside City Hall in a manner and at a place that does not block ingress to or egress from the City Hall or circulation of motor vehicles in the City Hall parking lot.

- (9) No person shall possess a weapon in City Hall as provided in Sections 4.885 through 4.895 of the Eugene Code, 1971.
- (10) No person shall remain in City Hall or fail to comply with a request to leave City Hall, at a time that City Hall is closed to the public.
- (11) No person shall sell, distribute or consume any alcoholic beverage, or possess any open container of an alcoholic beverage, at City Hall, except as allowed at City Hall-approved events. No person shall be under the influence of any controlled substance as defined in ORS 475.005 or any intoxicating liquor at City Hall.
- (12) No person shall smoke or use any tobacco products or electronic cigarettes within City Hall.
- (13) No person, unless contracted with the City to do so, shall solicit, sell, offer for sale, peddle, or advertise any goods or services at City Hall.
- (14) No person shall use or occupy a conference room without a reservation or the express permission of City Hall staff.
- (15) No person shall use City Hall equipment, furniture, or fixtures in a manner inconsistent with the customary use thereof, in a destructive, abusive or damaging manner, or in a manner that could result in personal injury or injury to others.
- (16) No person shall use skateboards, roller blades, roller skates, scooters, wheeled shoes with wheels protruding, or other similar wheeled apparatus at City Hall. Bicycles are not permitted inside City Hall, including vestibules or covered doorways, unless a designated bicycle parking area is provided within the area.

1.030 Enforcement

- (1) **Enforcement by Authorized City Staff.** In addition to the enforcement authority set out in subsections (2) and (3) of this section 1.030, if a person is in violation of these rules, City staff tasked with managing the day-to-day operations of City Hall may direct the person to either cease their behavior or leave City Hall and that failure to comply with the direction will result in law enforcement being called.
- (2) **Enforcement by City of Eugene Police Officers.**
- (a) In addition to any other existing authority for citation and/or arrest, if a violation of these rules takes place in the presence of a police officer, the violator may be subject to arrest by the officer or the officer may issue a misdemeanor citation in lieu of arrest.
- (b) A police officer may also take a person into custody or issue a misdemeanor citation for trespass to a person if the officer is contacted and advised by authorized City personnel or other person in lawful charge of premises

that the person:

1. Has failed to comply with a request by authorized City personnel or other person in lawful charge of the premises to leave City Hall; or
2. Is in violation of a previously issued Notice of Restriction of Use issued pursuant to subsection (3) of this section which excludes the violator from City Hall.

(3) Notice of Restriction of Use.

(a) A police officer may, in their discretion, also issue a Notice of Restriction of Use to any person being arrested or cited for any violation of the Rules or for conduct that occurred in City Hall that violates the Eugene Code or state or federal law. A Notice of Restriction of Use prohibits its recipient from future use of City Hall for a specific period of time. Violation of a Notice of Restriction of Use will constitute trespassing and further legal action will be taken accordingly.

Generally, the length of time that future use is restricted shall be based on the person's prior history, if any, of receiving Notice(s) of Restriction of Use. The following guidelines apply unless the police officer determines that the conduct giving rise to the Notice of Restriction of Use warrants a different restriction period: 1 month for a first Notice, 3 months for a second Notice, 6 months for a third Notice, or 12 months for four or more Notices, within a 12-month period.

(b) A Notice of Restriction of Use shall set forth the reason(s) therefore. The Notice shall state the specific time period to which the restriction. If a person is restricted for a period exceeding the guidelines in subsection (2)(a) the Notice shall set forth the basis for the broader restriction.

(c) A Notice of Restriction of Use shall contain a statement advising of the right to request a hearing in the manner set forth in Section 1.040 of these Rules and explaining that the restriction is stayed upon filing a request for a hearing.

(d) Nothing in this Section shall be construed to authorize the issuance of a Notice of Restriction of Use to any person lawfully exercising free speech rights or other rights protected by the state or federal constitution. However, a person engaged in such protected activity who also commits acts that are not protected and that violate applicable provisions of law, may be issued a Notice of Restriction of Use for that unlawful conduct as provided in this Section.

1.040 Hearing and Appeal Procedure

(1) Any person who has received a Notice of Restriction of Use issued pursuant to Rule 1.030(2) that restricts their future use of City Hall may request an informal hearing

to contest the Notice of Restriction of Use.

(2) The request for an informal hearing must be made within 48 hours (exclusive of weekends) of receipt of the Notice and must be made either: (1) in writing at the location indicated on the Notice or the email address on the Notice; or, (2) by calling the phone number provided on the Notice and either speaking to City staff or leaving a message with the case number and contact information.

(3) Designated City staff shall schedule a time and place for the informal hearing to be conducted, which shall be not more than seven days from the receipt of the request for hearing. If the person that requested the informal hearing fails to appear at the scheduled informal hearing, the Notice of Restriction of Use is final and in effect and cannot be appealed to Municipal Court pursuant to subsection (6).

(4) At the informal hearing the following people may provide testimony: the police officer and any other City personnel involved in the incident that resulted in the Notice; the person requesting the hearing; any other witnesses to the incident. Anyone may be excluded from the informal hearing, other than the person that requested the hearing.

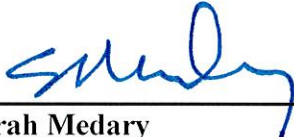
(5) A written decision affirming, modifying, or canceling the Notice of Restriction of Use shall be issued within five days of the informal hearing. The decision shall be delivered or mailed to the person that requested the hearing on the date issued.

(6) The written decision shall be final unless the person that is subject to the decision appeals the decision to Municipal Court within fourteen days from the date of the written decision. The Municipal Judge may affirm, modify, or reverse the written decision.

1.050 Penalties

Violation of any provision of these City Hall Rules adopted under Section 2.019 of the Eugene Code, 1971, is punishable by a fine not to exceed \$500 or confinement in jail not to exceed 30 days, or both such fine and imprisonment. (Subsection 2.1990(2), Eugene Code, 1971.)

Dated this 23rd day of October, 2024.



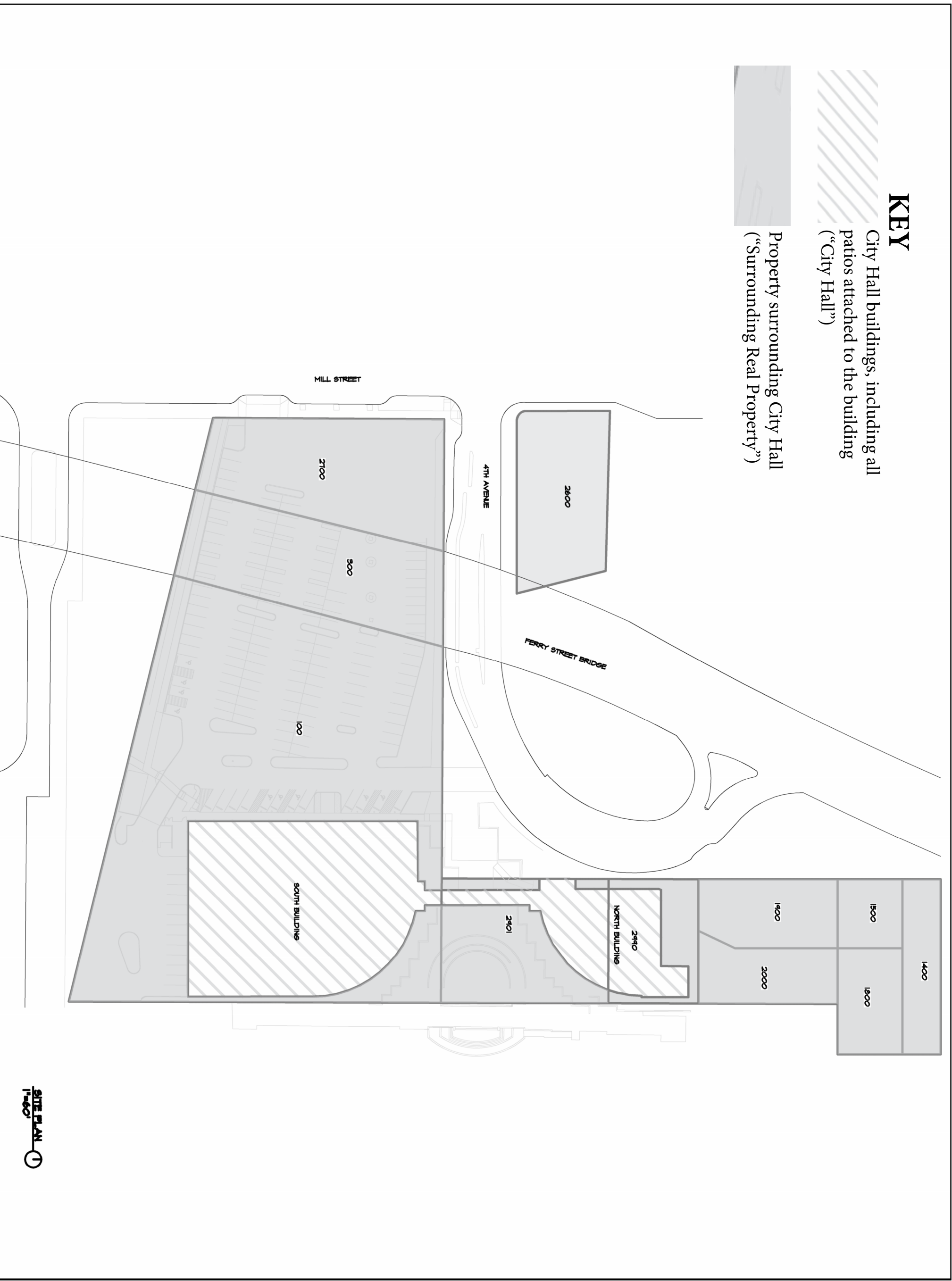
Sarah Medary
City Manager

KPB

KEY

City Hall buildings, including all patios attached to the building ("City Hall")

Property surrounding City Hall ("Surrounding Real Property")



SITE PLAN ①
1"=60'

Exhibit A to
Eugene City
Hall Rules

EUGENE CITY HALL
500 EAST 4TH AVENUE
EUGENE, OREGON 97401

DATE 5-4-2024
DRN: KCL WAM
PLOT SIZE 11" X 17"
S.N.
REV.

CITY OF EUGENE
FACILITY MANAGEMENT
210 CHESHIRE AVENUE
EUGENE, OREGON 97401
PHONE: (541) 682-2690

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