

## MINUTES

Eugene City Council  
Harris Hall, 125 East 8<sup>th</sup> Avenue  
Eugene, Oregon 97401

March 8, 2017  
12:00 p.m.

**Councilors Present:** Emily Semple, Betty Taylor, Alan Zelenka, George Poling, Mike Clark,  
*Greg Evans via phone, Claire Syrett via phone, Chris Pryor*

Mayor Vinis opened the March 8, 2017, meeting of the Eugene City Council.

**A. WORK SESSION and POSSIBLE ACTION: An Ordinance Concerning the Prohibition of Dogs within the Downtown Core except in Certain Circumstances; Amending Section 4.427 of the Eugene Code, 1971; and Providing for a Sunset Date of November 1, 2017**

City Manager Jon Ruiz gave a brief background on the proposed amendment.

Council discussion:

- This is really about the kinds of people others don't want downtown.
- Dogs are not the problem; enforce existing laws.
- The concentration of people and unrestrained or aggressive dogs creates an unwelcoming environment.
- More discussion about the importance of enforcement downtown needed.
- This is a pilot project; the goal is to address an acute problem downtown.
- Concerned that the proposed map includes the Dining Room; it should be excluded.
- Proposal is an idea that has been successful in other parts of town.
- Police support piloting this prohibition to determine if it's an effective tool.
- Proposal is classist and unfair; wrong approach; give people a place to go.
- Unintended consequences could include dogs left in cars in the summer months.
- This is a pilot; if it doesn't work and creates problem, council can end prohibition.
- Concerned about impacts caused by displacement into surrounding areas.

**MOTION AND VOTE *with friendly*:** Councilor Zelenka, seconded by Councilor Clark, moved to adopt Council Bill 5170, an ordinance prohibiting dogs in the downtown core, as provided in Option B, with a friendly amendment of proposed EC 4.427(3) to exclude Food for Lane County's Dining Room from the dog prohibition so that it states: "Except as provided in subsection (4) of this section, no dog owner shall permit a dog to be within the downtown core as that area is defined in section 4.871 of this code, except for the publicly owned property and rights-of-way abutting the Dining Room located at 270 W. 8<sup>th</sup> Avenue." **PASSED 6:2**, Councilors Taylor and Semple opposed.

**B. WORK SESSION and POSSIBLE ACTION: An Ordinance Concerning the Prohibition of Smoking within the Downtown Core and Allowing Certain Properties outside the Downtown Core to Opt In; Amending Section 6.230 of the Eugene Code, 1971; and Providing for a Sunset Date of November 1, 2017**

City Manager Jon Ruiz gave a brief background on the proposed amendment.

Council discussion:

- If smoking is prohibited downtown there must be alternative places for people to go.
- Smoke dissipates outside; proposal is too extensive and targets a class of people.
- Proposal may have a detrimental impact on businesses downtown.
- No evidence of dangers of second- hand smoke outdoors.
- Proposal will push smokers to the edges of the district; won't affect smoking rates.
- Smoking-related diseases are the leading cause of preventable death in community.
- There is no constitutionally protected right to smoke in public places; ban may help people quit.
- Would consider some limited exemptions as long as they don't undermine the health benefits.
- It is not the role of the government to tell people what to do with their personal health.
- The opt-out provision addresses the concerns of businesses.
- The opt-in/out is confusing; may lead to conflicts.
- Consider providing more ashtrays and "Clean up your butts" campaign for downtown.

**MOTION AND VOTE:** Councilor Zelenka, seconded by Councilor Clark, moved to adopt Council Bill 5171, an ordinance prohibiting smoking in the downtown core, as provided in option B. **FAILED 3:5**, Councilors Zelenka, Syrett, and Evans supported.

The meeting adjourned at 1:08 p.m.

Respectfully submitted,

*Beth Forrest*

Beth Forrest  
City Recorder