

**ADMINISTRATIVE ORDER NO. 56-25-02-F**  
**of the**  
**City Manager of the City of Eugene**

**SETTING PRIVATE COMMERCE ON PUBLIC PROPERTY FEES AND  
SUPERSEDING THE FEE SCHEDULE ADOPTED BY  
ADMINISTRATIVE ORDER NO. 56-04-03-F.**

**The City Manager of the City of Eugene finds as follows:**

**A.** Section 2.020 of the Eugene Code, 1971, authorizes the City Manager to determine and set fees and charges to be imposed by the City for services, goods, use of municipal property, and licenses and permits.

**B.** Pursuant to the above authority, on January 7, 2005, Administrative Order No. 56-04-03-F was issued adopting an updated Private Commerce on Public Property Fee Schedule (“the Fee Schedule”).

**C.** On March 19, 2025, I issued Administrative Order No. 56-25-02, ordering that notice be given of the opportunity to submit written comments on my proposal to set new Private Commerce on Public Property fees. The Notice specified that comments on the proposed amendments would be received for 15 days from March 23, 2025, the publishing and posting date of the Notice. The written comments received during the public comment period are addressed in the City Manager's Findings Supporting Proposed Fees for Private Commerce on Public Property attached as Exhibit B to this Order.

**D.** Based on my investigation pursuant to the provisions of Section 2.020 of the Eugene Code, 1971, and after considering the comments that were submitted, I find that the fees should be set as proposed. (See Exhibit B to this Order)

**E.** The unamended Private Commerce on Public Property fees adopted by Administrative Order No. 56-04-03-F are incorporated into the Fee Schedule attached as Exhibit A to this Order.

**On the basis of these findings, I order that:**

**1.** The Private Commerce on Public Property Fee Schedule attached as Exhibit A to this Order is the schedule of fees to be charged for the described services as of the effective date of this Order.

2. The Fee Schedule attached to Administrative Order No. 56-04-03-F is superseded by the Private Commerce on Public Property Fee Schedule attached as Exhibit A to this Order as of the effective date of this Order.

**Dated and effective this 9th day of April, 2025.**



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**Sarah Medary**  
**City Manager**

**PRIVATE COMMERCE ON PUBLIC PROPERTY  
FEE SCHEDULE**  
(Effective April \_\_, 2025)

	<u>Fee</u>
<b>Application Fees (Std.1):</b>	
<i>These fees apply to all activities conducted on public property within the City of Eugene. <u>Application fees are not refundable.</u></i>	
Stationary vending cart:	
Cart selling food/beverage .....	\$100.00
Cart selling food/beverage - Renewal.....	\$25.00
Cart selling other goods/services .....	\$100.00
Cart selling other goods/services - Renewal.....	\$25.00
Peddling Vendor:	
Peddling food/beverage .....	\$50.00
Peddling food/beverage – Renewal .....	\$10.00
Peddling other goods/services .....	\$25.00
Peddling other goods/services – Renewal .....	\$5.00
Sidewalk Vendor.....	\$50.00
Sidewalk Vendor - Renewal .....	\$25.00
Commercial Activity (Std. 2).....	\$50.00
Commercial Activity - Renewal .....	\$25.00
Outdoor Café and DAZ Café Seating .....	\$200.00
Outdoor Café and DAZ Café Seating - Renewal.....	\$100.00
Downtown Activity Zone Pushcart.....	\$100.00
Downtown Activity Zone Pushcart - Renewal .....	\$25.00
Activity, Event, or Performance (admission charged) (Std. 3).....	\$50.00
Activity, Event, or Performance - Renewal .....	\$25.00
Outdoor Display .....	\$10.00
Outdoor Display - Renewal.....	\$5.00

**Fee**

**License Fees:**

License fees are not refundable.

Stationary Vending Cart .....	6% of gross
Downtown Activity Zone Pushcart.....	6% of gross monthly sales or monthly minimum of \$50 (Oct. 1 – May 31) and \$100 (June 1 – Sept. 30)
Peddling Vendor .....	6% of gross sales
Sidewalk Vendor.....	6% of gross sales
Commercial Activity.....	6% of gross sales or monthly minimum of \$100 for extended activities (i.e. public markets)
Outdoor Café:	
Sidewalk.....	\$200 plus \$20 per linear foot of ROW occupied by the licensed activity/ year.
In-Street Seasonal (May-October) .....	\$300 plus \$30 per linear foot of ROW occupied by the licensed activity/ year.
In-Street Annual.....	\$300 plus \$50 per linear foot of ROW occupied by the licensed activity/ year.
DAZ Café Seating.....	\$200 plus \$20 per linear foot of ROW occupied by the licensed activity/ year.

	<u>Fee</u>
Activity, Event, or Performance (admission charged) (Std. 3):	
Broadway Plaza .....	\$250 an event per day
Park Blocks .....	\$250 an event per day
Outside Sales by Abutting Merchant within Downtown Activity Zone .....	\$25 minimum; \$60 for 3 mos. if paid in advance
Amplified Sound Permit .....	\$5.00 per occurrence
Electrical hookup, 110V .....	\$7.50 per mo.
Electrical hookup, 220V .....	\$10.00 per mo.

**Other Fees:**

Duplicate of previously issued license .....	\$25.00
Review of additional products .....	\$25.00 each time reviewed
Review of pushcart replacement or modifications .....	\$75.00
Late Fee .....	\$25.00 for each month
<i>Applies to pushcarts, vendors, outdoor cafes, outside sales, and other ongoing fee payments according to licenses and permits under this rule.</i>	

**NOTE:**

1. Activities, events, or performances which require street closures will require city block party permits.
2. City sponsored events and work of city public works or public utility companies are exempt from fees.
3. Parking is governed by the Eugene Code, 1971.
4. Vehicle access permits are not issued.

**Std.1:** The City or any entity with which the City contracts with for the administration of any private commerce on public property activities may waive the application and/or renewal fees providing:

- a. The fees are waived for all applicants of the same class or type of activity; and
- b. The waiver is in writing and states the specific fee(s) waived, and the time period to which it is applicable; and
- c. A copy of the waiver is provided to the City.

Std.2: Commercial activities which generate revenue for the producing/promoting organization or business through ticket sales, entrance fees, food, beverage or merchandise sales, or any other revenue producing activity.

Std.3: "Admission" means a monetary fee charged for the privilege of attending, observing, or participating in an activity, event, or performance occurring in or upon public pedestrian areas. Charging of admission prevents those persons who have not paid the monetary fee from entering the area in which the activity, event, or performance is occurring.

**City Manager's Findings**  
**Proposed Outdoor Café and Café Seating Fee Schedule Amendments**

Pursuant to Section 2.020(2) of the Eugene Code, 1971, the City Manager has considered the following factors in determining the proposed Outdoor Café fee schedule amendments:

**(a) Applicable policies, enactments and directives of the Council.**

Findings: Section 2.020 of the Eugene, Code, 1971 (EC) authorizes the City Manager to determine and set fees and charges to be imposed by the City for services, goods, use of municipal property, and licenses and permits. EC 3.338 establishes the license requirement for commercial pursuits on public property and EC 3.340 reaffirms the City Manager's authority to establish fees for said licenses.

**(b) The amount charged by the City in the past.**

Findings: For outdoor café seating on the sidewalk, the City of Eugene has charged \$50 per month for 5 or fewer tables and \$10 per month for each additional table. The City of Eugene has charged no fees for in-street café seating, which was authorized under a series of emergency orders adopted by the City Manager during and after the COVID-19 pandemic.

**(c) The full costs of providing the service supported by the fee.**

Findings: The proposed fees do not cover the full cost of providing this service. The intention of this fee structure, inside the Downtown Activity Zone, is to generate some revenue to support other activities in the downtown area with a public benefit, while encouraging business investment in downtown. The intention of this fee structure, outside the Downtown Activity Zone, is to generate some revenue to support the City's Curbside Services work, while encouraging business investment in downtown.

**(d) The amounts charged by other comparable providers.**

Findings: There are no comparable providers that issue permits for similar activities within the City of Eugene; however, the cities of Portland, Oregon, and New York City charge the following fees for similar permits:

**Portland fees:**

Sidewalk Café (12 Months)  
Application Fee: \$450  
Permit Fee: \$350  
Permit Area: \$9 per linear foot  
Seasonal Street Seats (May- October)  
Application Fee: \$450  
Permit Fee: \$350  
Permit Area: \$400 per parking space  
Street Seats with Platform (Annual)

Application Fee: \$450  
Permit Fee: \$350  
Permit Area: \$750 per parking space  
Street Seats with Platform and Roof (Annual)  
Application Fee: \$750  
Permit Fee: \$350  
Permit Area: \$1000 per parking space

Insurance Review Fee - \$55  
Permit Change Fee - \$150  
Site Reinspection Fee - \$150  
Design Exception Fee - \$150

**New York City**

**Sidewalk Café**

License Fee: \$1,050 (every 4 years)  
Security Deposit: \$1,500  
Public Hearing: \$100-\$800  
Revocable Consent Annual Fee: \$6-\$31 per square foot (based on geographic zones)

**Roadway Café**

License Fee: \$1,050 (every 4 years)  
Security Deposit: \$2,500  
Public Hearing: \$100-\$800  
Revocable Consent Annual Fee: \$5-\$25 per square foot (based on geographic zones)

**(e) The revenue needs of the City as determined by the adopted city budget.**

Findings: The revenues from these fees are not yet budgeted but once collected they will be used to ensure the right-of-way is safe, clean, and being used properly for the whole community. The revenues will also be used to help maintain the downtown area through placemaking and investments to support businesses within the Downtown Activity Zone.

**Factors listed above that are irrelevant or inapplicable in determining the amount of the fees, if any:**

The revenue from these permits is not budgeted for at this time and does not provide financial backing for any core services. Revenue from this program will initially be directed toward public space improvements.

**Response to Public Comments**

During the 15-day comment period, the City received two written comments regarding the proposed amendments to the Private Commerce on Public Property Fee Schedule. A summary of the comments received, and findings addressing the comments, are set out below:

Both comments attribute a reduction in business downtown to issues of cleanliness and safety in the downtown area and suggest that the City should address those problems before charging business owners permit fees for outdoor café seating.

**Response:** Revenue from this program will initially be directed toward activities in the downtown area that provide a public benefit, including but not limited to repairing sidewalks, installing bike parking, wayfinding, placemaking, and other improvements within the right-of-way that support positive experiences in the downtown area. No changes are being made to the fee schedule as a result of these comments.