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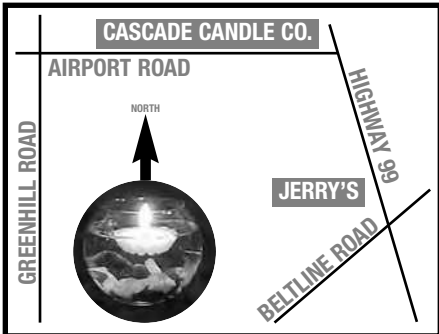
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## viewpoint BY GREG MCLAUCHLAN

# Civic Tolerance

**Downtown should welcome people, not restrictive laws.**



**J**ust when things start looking up for downtown, Eugene's conservative city councilors grab sheriff-turned-councilor George Poling's gun and shoot themselves in the foot with it.

On Nov. 24, the council passed Eugene's modernized "dirty two dozen plus one law," which prohibits any group of more than 24 persons from gathering – for any reason – in an expansive 80-block "downtown activity zone" without a permit.

The occasion for this inspired civic wisdom was an update of Eugene's 30-year-old downtown mall ordinance, developed in the early '70s to control street youth and other "undesirables" in an effort to bolster downtown's struggling commercial district, then competing with the squeaky-clean, privatized new Valley River Center. But instead of nixing the Watergate-era ordinance, the council expanded the public gathering ban to include most of downtown, with Scott Meisner lamenting that it didn't cover even more of our fair city.

**I**ronies abound: At least Police Lt. Chuck Tilby, who headed up the ordinance update, was up front when he noted that it was primarily aimed at drug dealers, petty criminals and other hangers-out who moved from the mall to the park blocks and then to Monroe Park after Broadway opened to traffic last year. Others, such as Russ Brink of Downtown Eugene Inc., have tried to gloss over the repressive aspects of the law by maintaining it is purely a "management tool" to prevent "incompatible events" from happening simultaneously.

But of course the dirty two dozen ban will have absolutely no impact on drug dealers or petty criminals, who don't operate in groups of 25. As for the threat of scores of anarchists spontaneously combusting downtown, well, they're not the permit-gettin' kind anyway. This law will be of no use in regulating illegal behavior, which is already amply covered by specific laws that target everything from sidewalk access to harassment to illegal noise-making.

**M**ore ironies: Councilor and timber heiress Jennifer Solomon apparently had no problems with the suppression of assembly and speech rights in the new ban as she prefers the Merry Maids approach to political action – hire out your dirty work. It was only two years ago that Solomon, as anonymous Gang of 9 member, wrote out \$1,000 checks to fire her political missiles at council progressives in the form of vicious attack ads. Talk about damage to Eugene's business climate.

Then there're Scott Meisner and Nancy Nathanson, who only months ago couldn't figure out that voting to rename Centennial Boulevard for Martin Luther King Jr. was the right thing to do until they heard the anger and dismay of many – and flip-flopped. Now they vote for an ordinance that violates a principle King worked for his entire life – the free access to public and private commercial space, without the threat of exclusion or discrimination.

Gary Papé asked if the law would pass the constitutional "smell test." The answer, according to city legal experts, is apparently yes, it has that same odoriferous, steaming quality that similar laws have in other cities. Fine by Papé. Now we're really making progress in the race to the bottom in civic tolerance.

Perhaps the most shameful testimony in support of the ban came, ironically, from Beth Little, general manager of our own Saturday Market. "I want those vendors and customers who define the economic power that is the market to feel safe and to feel like they're coming to a place that's a real destination." Spoken like a true Wall-Streeter. Next time I'm at the market, I'll remind myself we're just at one big power lunch.

**L**et's call it the "Eugene Hypocrite's Law." The problem is, it makes hypocrites of us all. I don't want to be a hypocrite every time I'm downtown on a Friday Art Walk, taking my urban sociology class on a downtown tour, or whatever – knowing that I'm violating the "permit required" pass law but thinking in the back of my mind it's all OK because I'm white, middle class and middle aged, and with the "right" kind of group. That's not OK with me.

Time to grow up, downtown Eugene, to be the big (hearted?) city we all want you to be. Nix the dirty two dozen pass law.

Greg McLauchlan is a sociologist who writes about social justice and urban livability issues. In 2000 he served on Eugene's Committee for Greater Downtown Visioning, whose final report formed the basis of current downtown revitalization planning.