



Legislative Options to Address Camping on Public Property

Community Vitality and Safety Committee
December 9, 2021



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Overview



- Current Approaches and Shelter Capacity
- 12/6/21 Community Conversation Follow Up
- Options for Council Consideration
- Next Steps

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Current Approaches



- City does not remove encampments without shelter capacity/offer of shelter
 - Minimum 72-hour notice extended to two weeks or more
- Conduct outreach and offer services
 - Increase NCS homeless outreach team capacity
 - Purchase of vehicle for transport of people and belongings
 - Seek input from individuals about their needs and priorities
 - Service provider contracts
- Respond to public health and safety concerns
 - 311, email and phone calls
 - Support for private property owners to mitigate impacts
 - Daily garbage and litter pick ups/support community efforts
- Update encampment removal policy

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Shelter Capacity



| SHELTER TYPE | SHELTER | NUMBER OF BEDS/UNITS |
|--------------|--|----------------------|
| Temporary | Bethlehem Baptist Church | 40 |
| Temporary | Althiemer Memorial Church | 32 |
| Temporary | Shiloh Baptist Church | 40 |
| Emergency | Stability Site | 100/58 |
| Emergency | Tacoma Emergency Micro-Shelter Site #3 (TEMS) | 60/40 |
| Emergency | Tacoma Emergency Micro-Shelter Site #4 (TEMS) | 85/66 |
| Permanent | Nativity House | 167 |
| Permanent | The Rescue Mission Adams Street Family Shelter | 100 |
| Permanent | The Rescue Mission Adults Shelters | 179 |
| Permanent | The Salvation Army | 76 |
| Permanent | Beacon Young Adult Shelter | 40 |
| Permanent | Youth Crisis Residential Center | 12 |
| Permanent | YWCA Domestic Violence Shelter | 56 |
| Permanent | Korean Women's Association Domestic Violence Shelter | 18 |
| Total | | 1,005 |

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Shelter Work Underway

- 82nd and Pacific**
 - Contract negotiations underway
 - Site capacity = **25 beds**
 - Site development in progress
 - Community meeting 12/16/21
- RISE Center**
 - Contract negotiations underway
 - Site capacity = **35 beds**
 - Operational in December
- Comfort Inn**
 - Site capacity = **120 beds**
 - Site operational by the end of 2021
- Winter Shelter Site**
 - City-owned facility, Jan-Mar
 - Planning underway
 - Site capacity: 40

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Community Comment Themes

- 12/6/21 Community Conversation**
 - 400 participants and 438 comments/questions
 - Comments/questions posted to City website
 - Work underway to address all 438 items
 - Poll Results
 - 223 do not support a camping ban
 - 114 support a camping ban
 - 42 respond that it's complicated
 - Comment/Question Themes
 - Shelter and housing
 - Mental health and other resources
 - Crime and illegal activity
 - Broad community impacts

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Bans in Other Jurisdictions

- The following two slides compare four other municipal approaches to unlawful camping and storage of personal property.
- The tables therein provide highlights of the respective ordinances.
- Depending on the Committee's preferred model and/or approach, staff can engage in additional research and provide more information regarding enforcement, implementation obstacles, and legal challenges.

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Bans in Other Jurisdictions

| Jurisdiction | Ordinance | Highlights | Penalty + Misc. |
|--------------------------|--|--|--|
| <u>City of Yakima</u> | Chp. 6.91 Unlawful Camping and Storage of Personal Property. | <p>No camping or storage of property in streets, alleys, sidewalks, parking lots, City property, rights-of-way, planting strips, easements, medians, parkways and trails.</p> <p>No set-up of permanent or temporary camping structures, etc.. on public property without a permit or authorization from the City.</p> <p>No camping in public parks.</p> <p>Private property camping is permitted with owner's consent + sanitation facilities, and only for up to 7 consecutive days.</p> <p>No camping in parks.</p> <p>RVs ok on city streets for up to 24hours.</p> | Violation is a misdemeanor, punishable by up to 90 days in jail and/or \$1,000 fine. |
| <u>City of Vancouver</u> | Chp. 8.22 Camping | <p>No camping at any time in defined "camping impact areas".</p> <p>No camping in parks, streets, publicly owned/maintained lot or area, between 630am – 930pm unless authorized/permitted.</p> <p>No daytime camping in vehicles in parks, streets, publicly owned/maintained lot or area 630am – 930pm unless authorized/permitted..</p> <p>No storage of personal property (except vehicles) in parks, streets, publicly owned/maintained lot or area 630am – 930pm unless authorized/permitted..</p> | <p>Violation is a misdemeanor, punishable by up to 90 days in jail and/or \$1,000 fine.</p> <p>Some permits available for specific actions (nighttime employment exemption and supportive campsites).</p> <p>Supportive campsites available, wherein camping is allowed at all times.</p> <p>Themed supportive campsites for: (1) single occupants identifying as female; or, (2) families with one or more children under 18.</p> |

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Bans in Other Jurisdictions



| Jurisdiction | Ordinance | Highlights | Penalty + Misc. |
|------------------------------|---|---|---|
| <u>City of Mercer Island</u> | Chp. 9.60 – Use of Mercer Island Public Property | No camping within any public property (unless permitted by City code). No storage of personal property on any public property. Generally does not apply to storage of property in unoccupied vehicles. | Violation is a misdemeanor, punishable by up to 90 days in jail and/or \$1,000 fine. Enforcement is suspended in parks or streets for persons experiencing homelessness unless shelter available for those particular persons. Violation is a misdemeanor, punishable by up to 90 days in jail and/or \$1,000 fine. |
| <u>City of Sea-Tac</u> | Chp. 8.25 Unlawful Camping and Storage of Personal Property on Public Property. | No camping or storage of personal property in: Parks Streets Public Property | 1 st offense = max fine of \$100. Court must inquire into ability to pay and authorized to impose community service in lieu of fine. Enforcement at <u>ALL</u> times in <u>CERTAIN</u> locations. Other locations require shelter inquiry before citation/arrest. |

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Decision Points



| | PROS | CONS |
|---|--|---|
| Prohibit camping city wide | Simpler to enforce but requires that shelter space be available | Shelter space may not be available, may not address areas most impacted |
| Prohibit camping specific geographic area of the city | Address areas most impacted, help ensure equitable application of enforcement and targeting of services – next schools or parks | Would allow camping in certain parts of the city, creation of selection criteria would be complex |
| Prohibit camping 24/7 | Simpler to enforce but requires that shelter space be available | Shelter space may not be available |
| Prohibit camping only during certain hours | Would allow for additional points of contact for outreach. Likely not require that shelter space be available during the time camping is not authorized. | Unclear where individuals will go during the time camping is not authorized. Required movement of personal property during this unauthorized time adds complexity |
| Make the violation a crime | Would allow law enforcement to arrest and transport violator away from the cite, also provides another point contact for outreach services | The individual enters the criminal justice system, must respond and defend. If indigent then Court will be required to waive the fine. Costs to the city to represent, prosecute and potentially jail offender. |
| Make the violation an civil infraction | Would allow for law enforcement to make contact for outreach services | Cannot arrest or remove individual from the site. If indigent then Court will be required to waive the fine/penalty. |

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Decision Points



Key Considerations for any unlawful camping ordinance include:

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| <u>Where?</u> | <u>When?</u> | <u>What?</u> |
|------------------------|------------------------|---------------------|
| Citywide? | Applies 24/7? | Crime? |
| Certain locations? | Between certain hours? | Civil Penalty? |
| All types of property? | Any exemptions? | Combination/Tiered? |

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Next Steps



- 12/14/21 Council Study Session

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