



ORDINANCE NO. 28458

1 BY REQUEST OF DEPUTY MAYOR THOMS

2 AN ORDINANCE relating to public health and safety; amending Section 8.12.180.E
3 of the Tacoma Municipal Code by extending the sunset date from October 9,
4 2017, to December 31, 2017; and declaring an emergency, making
5 necessary the passage of this ordinance and it becoming effective
6 immediately.

7 WHEREAS, on May 9, 2017, the City Council enacted Ordinance No. 28430
8 (“Emergency Ordinance”), declaring a state of emergency relating to the conditions
9 of homeless encampments and authorizing such actions are reasonable and
10 necessary in light of such emergency to mitigate the conditions giving rise to such
11 public emergency, and provided for a sunset date of October 9, 2017, and

12 WHEREAS, on July 11, 2017 the City Council enacted Ordinance
13 No. 28438, codified at TMC 8.12.180 (“Camping Ordinance”), making it unlawful to
14 camp upon any public property in the City of Tacoma except in any location where
15 camping has been expressly allowed, and

16 WHEREAS the Camping Ordinance was adopted pursuant to the City’s
17 police power authority as a reasonable and necessary enforcement measure in
18 response to and based upon the conditions giving rise to the public emergency as
19 set forth in the Emergency Ordinance, and

20 WHEREAS the Camping Ordinance will sunset on October 9, 2017,
21 contemporaneous with the sunset of the Emergency Ordinance, and

22 WHEREAS the City Council has reviewed the conditions given rise to the
23 public health emergency, determined that such conditions warrant keeping in place
24 the extraordinary measures authorized pursuant to the Emergency Ordinance to
25 respond to the public health emergency, and adopted an ordinance extending the
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declaration of the public emergency and authority granted therein from October 9, 2017, to December 31, 2017 (“Extension Ordinance”), and

WHEREAS, based upon the findings and conclusions set forth in Extension Ordinance, the City Council finds that it is in the best interest of the public health, safety and welfare, to extend the sunset date of the Camping Ordinance from October 9, 2017, to December 31, 2017; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That Section 8.12.180.E of the Tacoma Municipal Code is hereby amended to read, in its entirety, as follows:

E. The prohibitions contained herein shall sunset and no longer be in force or effect at 11:59 p.m. on ~~October 9,~~December 31, 2017.

Section 2. That, based upon the facts and conclusions as set forth in the ordinance of the City Council adopted contemporaneous herewith and extending the declaration of public emergency, the City Council finds that a public emergency exists, making this ordinance effective upon passage by an affirmative vote of a least six members of the City Council.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Chief Deputy City Attorney