



## ORDINANCE NO. 28478

1 AN ORDINANCE relating to public health and safety; amending Subsection  
2 8.12.180.E of the Tacoma Municipal Code by extending the sunset date  
3 from December 31, 2017 to December 31, 2018; and declaring an  
4 emergency, making necessary the passage of this ordinance and it  
5 becoming effective immediately.

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

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

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

19 WHEREAS, the Camping Ordinance included a provision that the ordinance  
20 would sunset on October 9, 2017, contemporaneous with the sunset of the  
21 Emergency Ordinance, and

22 WHEREAS, the City Council reviewed the conditions given rise to the public  
23 health emergency and, determined that such conditions warranted keeping in  
24 place the extraordinary measures authorized pursuant to the Emergency  
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1 Ordinance to respond to the public health emergency, and on October 3, 2017  
2 adopted Ordinance No. 28457 extending the declaration of the public  
3 emergency and authority granted therein from October 9, 2017 to December  
4 31, 2017 (the "Extension Ordinance"), and

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6 WHEREAS, based upon the findings and conclusions set forth in Extension  
7 Ordinance, the City Council contemporaneous therewith adopted Ordinance  
8 No. 28458 extending the sunset date of the Camping Ordinance as codified at  
9 TMC 8.12.180.E from October 9, 2017 to December 31, 2017, and

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11 WHEREAS, the City Council has conducted a second review of the  
12 conditions giving rise to the declaration of a public emergency and, based upon  
13 such review, on December 12, 2017 adopted Ordinance No. 28477 extending the  
14 sunset date of the Emergency Ordinance from December 31, 2017 to  
15 December 31, 2018, and

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17 WHEREAS, based upon the findings and conclusions set forth in  
18 Ordinance No. 28477, the City Council finds that it is in the best interest of public  
19 health, safety and welfare that the City Council extend the sunset date of the  
20 Camping Ordinance to be coextensive with the sunset date of the Emergency  
21 Ordinance ; Now, Therefore,

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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 December 31, ~~2017~~2018.

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 at least six members of the City Council.

Passed \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
Chief Deputy City Attorney