



**CITY OF TACOMA, WASHINGTON
OFFICE OF THE CITY COUNCIL
COUNCIL CONSIDERATION REQUEST**

TO: Mayor & City Council

FROM: Council Member Robert Thoms and Council Assistant Lynda Foster

COPIES TO: Elizabeth Pauli, City Manager; Tadd Wille, Deputy City Manager; Bill Fosbre, City Attorney

SUBJECT: **Proposed ordinance on unauthorized use of public property for camping and storage of personal property**

DATE: April 8, 2021

I ask for your support for an Ordinance which would:

- Work in conjunction with the City's declaration of emergency and the creation of additional shelter that addresses the wide-ranging variety of existing needs to promote the public health, safety, general welfare, and economic health and well-being of the City, its residents, and its visitors by making the areas of City of Tacoma Public Property open to the general public readily accessible, and to prevent the uses of Public Property which interfere with the rights of others to use Public Property for which it is intended and to prevent harm to the health, safety, and welfare of the public.

LEGISLATIVE INTENT:

The City of Tacoma has been operating under a Declaration of State of Public Health Emergency since 2017 to address the health and safety concerns caused by growing encampments. The Tacoma City Council passed Ordinance No. 28430, on Tuesday, May 9, 2017, declaring a state of public health emergency, and has subsequently extended the ordinance several times with the current metric for completion changing from a fixed date until 95% of unsheltered individuals identified during the annual Pierce County Point-in-Time count have access to shelter for three consecutive years. To support efforts to address the emergency, on July 11, 2017, the City Council passed emergency Ordinance No. 28438, which prohibited public property camping. This ordinance had a sunset date of October 9, 2017, which was extended multiple times before sunset on December 31, 2019. This current proposal is to align updates to the Emergency Declaration with the reestablishment of the public property camping ban.

On April 6, 2021, Mayor Woodards brought forward to the Council Study Session a Council Consideration Request for an Ordinance Amending the State of Emergency related to Homelessness and Committing to participation in the Countywide Efforts to End Homelessness. That requested ordinance would:

- Declare the Mayor and City Council's support of Pierce County and the Tacoma Pierce County Coalition to End Homelessness in their commitment to protect public health and safety by providing everyone experiencing homelessness a safe and secure space to sleep with resources to address their health and sanitation needs by November 2021, allowing sidewalks, parks, and right of ways to be available for those purposes they were designed to serve.
- Direct the City Manager or her designee to ensure appropriate city staff participation in Pierce County's Ad Hoc Committee, established to develop a countywide, Comprehensive Plan to End Homelessness over the next six months.

- Amend the declaration of emergency and the emergency authority originally granted pursuant to Ordinance No. 28430 – and as subsequently amended by Ordinance No. 28565, Ordinance No. 28457, Ordinance No. 28477, and Ordinance No. 28637 – to add City Council review of the progress toward meeting the condition to end the declaration of emergency on an annual basis.

While the City continues to seek expanded sheltering options and move forward with coordinated strategic planning efforts as outlined in Mayor Woodards' proposed ordinance described above, this proposed ordinance's legislative intent is to align with the new Declaration of Emergency so the City can provide a comprehensive response to public health concerns related to camping and storage of personal items on public property. The Chief of Police will be authorized to adopt rules, regulations, administrative policies, and procedures for implementing and enforcing this ordinance so that it complies with Constitutional requirements to offer alternate shelter and other policy directives of the Tacoma City Council.

ALIGNMENT WITH TACOMA 2025 KEY FOCUS AREAS:

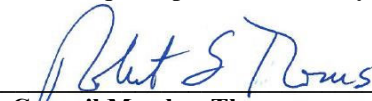
Livability: *Equity Index Score:* N/A

Improve health outcomes and reduce disparities, in alignment with the community health needs assessment and CHIP, for all Tacoma residents


Improve access and proximity by residents to diverse income levels and race/ethnicity to community facilities, services, infrastructure, and employment.

If you have a question related to the Council Contingency Fund Request, please contact Lynda Foster at 253.591.5166 or Lynda.Foster@CityofTacoma.org.

SUBMITTED FOR COUNCIL CONSIDERATION BY:


Council Member Thoms

SUPPORTING COUNCIL MEMBERS SIGNATURES

1.  POS# Mayor

2.  POS# 3