

Consider Approval of an Ordinance Amending Chapter 8 Offenses and Nuisances

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Public Works Director
City Council Meeting
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Summary

- Question
 - Should the city pass an Ordinance prohibiting camping, sleeping, lodging, and soliciting on public rights-of-way, drainage areas, and parks, and further prohibit the same on private property without the property owner's permission?
- Options
 1. Approve
 2. Deny
 3. Other

Background

- Homeless persons have been in Leon Valley since 2016 or earlier
- Never had encampments – just street corner soliciting
 - Evers and Loop 410, Bandera at Loop 410, Eckhert and Bandera
- Encampments started in 2016, under Bandera Road bridge inside Loop 410
- Police encouraged homeless persons to leave area & Public Works cleaned out culverts

Background

- Homeless persons were encouraged to contact Haven for Hope for help
 - Had Haven for Hope van at site
- Most persons refused the help, but did leave
- Police & Public Works have been called back several times to clean out same area
- Comfort Café moved into 5616 Bandera Rd and homeless persons started camping behind the cafe

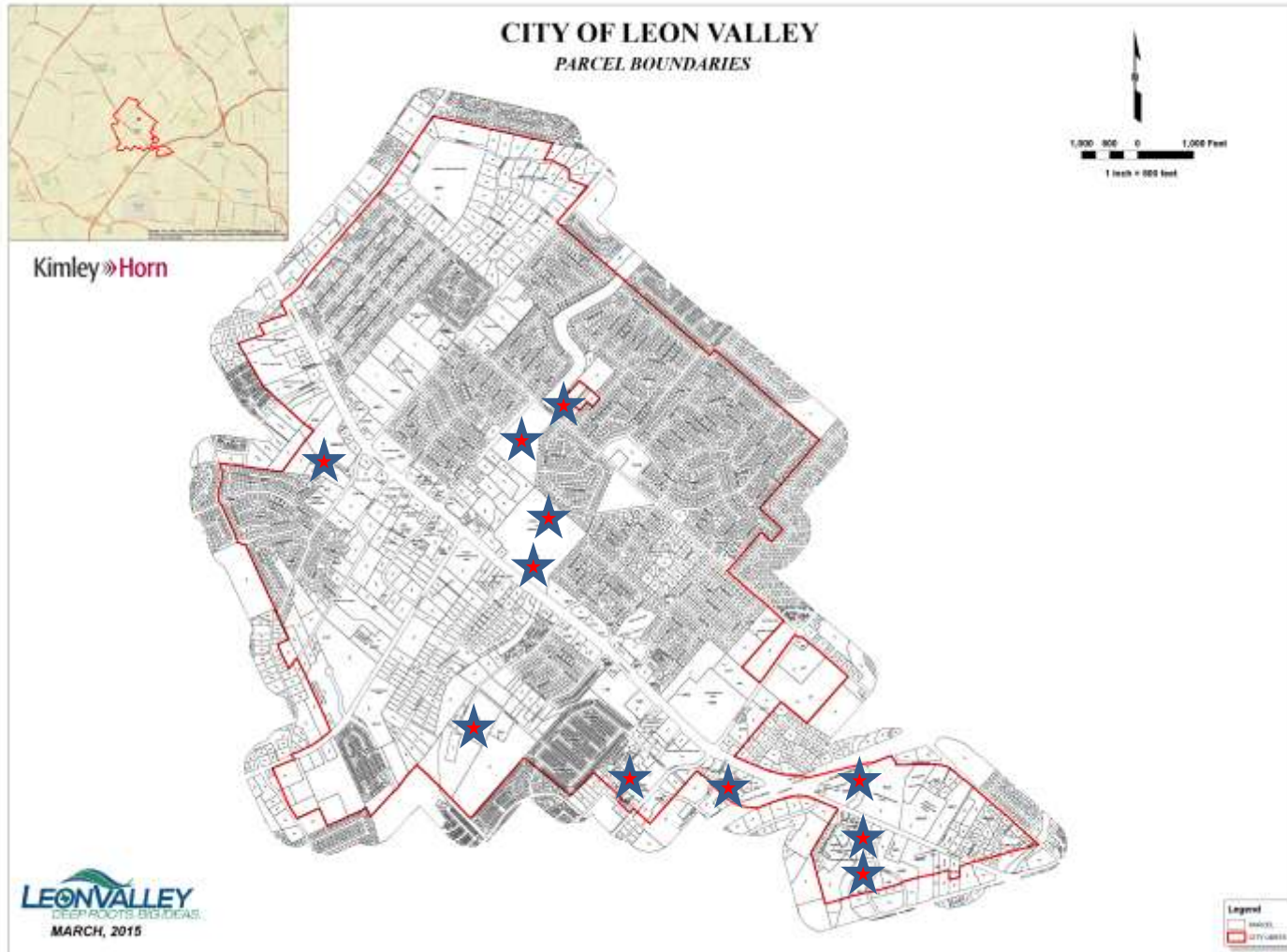
Background

- Camping in drainage culverts continues under Loop 410 and under Zarzamora Creek bridge on Bandera
- Homeless persons also started camping:
 - Behind gas station at Bandera & Loop 410
 - Bandera Rd. Bridge at Huebner Creek
 - In vacant lot on Wurzbach at Blackberry
 - At library parking lot
 - In Raymond Rimkus Park on benches and in restrooms
 - In Huebner-Onion Natural Area with tents
 - At old Sonic restaurant
 - At 6530 Samaritan

Background

- City Council passed law prohibiting overnight stays on city-owned property and in drainage ways
 - No more camping at the library
 - Camping lessened in Raymond Rimkus Park
- Law did not include sleeping in vehicles or RV's, not soliciting from roadways
- Proposed law would also require written permission from property owner to camp or sleep on private property

Encampments



Proposed Ordinance

- Would make it illegal for any person to camp, lodge, or sleep on any public median, street, drainageway, or right-of-way
- Would be unlawful for any person to remain on a median of any public street or highway between the hours of 11:00 p.m. and 5:00 a.m. of the following day, except:
 - So long as traffic does not allow the person to complete the crossing of the street or highway; or
 - As required by an emergency threatening public safety or health

Proposed Ordinance

- Would be unlawful for any person to place, erect, maintain, or use a barricade, canopy, or tent on any public park between 9:00 p.m. and 5:00 a.m. of the following day
- Would be unlawful for any person to leave unattended, in any public park, a barricade, canopy, or tent which the person placed, erected, or maintained between 5:00 a.m. and 9:00 p.m. of the same day
- Would be unlawful for any person to place, erect, maintain, or use a barricade, canopy, chair, or tent on any public median, street, or right-of-way, except between 5:00 a.m. and 11:00 p.m. on the day of the 4th of July celebrations

Proposed Ordinance

- Prohibits camping, lodging, or sleeping on any private property without first obtaining the written permission of the owner or lessee of such property
- Prohibits sleeping or reclining in any automobile parked upon any public street or highway within the City for any period greater than two hours continuously
- Prohibits standing or sitting on any crosswalk, sidewalk, or any other public street, highway, public park, shopping center, or other property in a manner that would obstruct the free use or passage by the public

Proposed Ordinance

- Prohibits hindering, molesting, or annoying any person or persons in passing along a public street, highway, public park, shopping center, or other property in a manner, or obstructing the entrance of any public building, or public park
- Prohibits the use or occupancy of any house car, camper or trailer coach for human habitation, or for sleeping, either singly or in groups, on any public right-of-way, public parking area, street, park, square, avenue, or alley within the City limits between 2:00 a.m. and 6:00 a.m., except as otherwise provided for

Proposed Ordinance

- Does give the City Council the ability to suspend or modify one or more of the regulations as part of a special event or other activity approved by the City Council or City Manager
- Does allow the use of public streets and rights-of-way or public property when a permit has been issued by the City Manager

Recommendation

- Recommend approval of the proposed Ordinance

S.E.E. Statement

Social Equity: Cleaning up homeless camps promptly protects all citizens from fire and other dangers

Economic Development: The removal of homeless camps may encourage businesses to relocate to Leon Valley

Environmental Stewardship: The removal of homeless camps reduces the amount of debris and nonbiodegradable refuse from entering our creeks