Use of Public Property Ordinance
(Ord. No. 21C-02 | Second Reading)

AB 5813 | February 16, 2021

Proposed Ordinance Relating to the Use of Public Property

Current Ordinance

- Prohibits camping on park property.

- Misdemeanor Penalty (lowest level of crime)

- Enforcement complies with case law

Proposed Ordinance

- Prohibits camping and storage of personal property on all public property.

- Misdemeanor Penalty (lowest level of crime)

- Language of Ordinance complies with case law

What this Proposed Ordinance Does

It preserves public spaces for their intended purposes.

- Camping without adequate sanitation services presents public health and safety concerns.

- Camping and storage of personal property on public property can prevent access to and use of public property for its intended purposes.

What this Proposed Ordinance Does Not Do

It does not criminalize homelessness.

- Experiencing homelessness is not a crime.

- This ordinance cannot be enforced when shelter space is not available.

Typical Steps Taken by the Police

1. Officers assess the situation and needs of the person contacted.

2. Options for assistance are offered:

   - King County's Mobile Crisis Team (most common for those experiencing homelessness).
   - Transport to area shelter.
   - Other resources: food bank, clothing resources, Youth & Family Services, mental health provider.

Guiding Principles

1. A compassionate approach will be taken when police officers interact with those experiencing homelessness.

2. Priority will continue to be on getting people connected to resources (rather than enforcement).

3. The ordinance will be applied in a fair and equitable manner.

Follow Up

- Within six months, staff will provide a report to the Council on the experience the City has had with the implementation of this ordinance.
  - Number of contacts
  - Reason for contact
  - Outcome
    - *Voluntary compliance*
    - *Transport to area shelter*
    - *Use of the Mobile Crisis Team*
    - *Other*

- The Police Department's Annual Report will include this information.