

**RECOMMENDATIONS - POTENTIAL PARTS OF A CITY ORDINANCE INTENDED TO HELP
MANAGE IMPACTS FROM URBAN CAMPING AND UNSHELTERED SITUATIONS** Urban
Camping Work Group - May 1, 2024

PROCESS OBJECTIVES

1. Collectively define the problems created by and associated with urban camping in Missoula and address critical questions related to those problems.
2. Find general agreement on desired outcomes related to the urban camping situation.
- 3. Recommend actionable, incentivizing solutions, regulatory tools, and monitoring metrics that support the safety and accessibility of our community.**

This Work Group product is intended to respond to Process Objective #3 (in bold type above). The document represents session #5 (May 1) small group recommendations around five potential ordinance topics. (While Work Group members indicated general agreement when each of the 5 small groups presented their recommendations, final discussion identified items where members were not in agreement. Some also indicated confusion about this product versus the Vision document. After reading the May 1 meeting summary, those who are not in agreement with the potential ordinance recommendations will submit additional comments to the Mayor's Office)

Draft recommendations regarding City property - Parks, trails, open space, river corridors,

Supporting Statement

Lead and enforce with compassion. Recognize that some of our residents need temporary, safe shelter, security, and limited support in order to take steps toward their goals and dreams and thrive. Recognize and address the different and challenging needs of some without letting that unduly slow our response to the many.

- Honor existing laws and codes (MM12.40 - Ch. 8, 12; Missoula County, State, and Federal, etc.) on City property
 - Enforce existing laws and codes through appropriate measures regarding violations (felonies) and misdemeanors to the extend allowed
 - Create regulations around those who are "on the outs" from shelters and camps and not in another system of support or the legal system. Consider creating an "out" assignment until let back in (i.e., – a specific place to camp just outside the shelter or another designated location)
- Focus on safety at designated City shelters and camps to include maintaining lower numbers and considering the unique needs of women, children, and families; set expectations and educate about established rules
- Help the many (100+) with safe space; security for personal items; and assistance and support for goals (a plan for what's next)

- Establish a task force to focus on the smaller numbers of unsheltered individuals needing more, additional, and perhaps acute services - where there is unlikely a positive outcome from “ignoring” needs or specific challenges

Draft recommendations - Parking vehicles on City streets/parked vehicles on City streets

Supporting Statement

In order for the following regulations to achieve the desired outcome, the City needs to fund trash pickup and pump outs. (It would be “brilliant” for the City to buy a tow truck.)

- (Time allowance) Thirty day permits that can be renewed when parked vehicle is in Code compliance
 - Permits are issued by Code compliance when RV/parked vehicle is in compliance with established regulations
 - Code compliance checklist to include: Provisions for trash and dumping (with City provided support); guidance on where to go if being moved
- (Placement) Three RV permits per ¼ mile per street excluding private property allowances (consider using blocks instead of miles/feet to easily understand distances)
 - Carve-out for not blocking business entrances
 - RV’s not allowed to be parked on a block with a school, a daycare or a park
 - RV’s not allowed to block sidewalks/crosswalks

Draft recommendations related to the use of “restricted” (buffer) areas/zones as regulatory tools

Supporting Statement

Our recommendations refer to intentionally created space(s) where all people are restricted from camping, sleeping or erecting a structure or where specific kinds of activities are not allowed. As a regulatory tool, these restricted areas differ in size and restrictions based on what is intended to be achieved by a particular buffer area (consider using blocks instead of miles/feet to easily understand distances)

- Restricted (buffer) zones may be useful so children are not exposed to unhealthy, unsafe or inappropriate experiences while at school, day care, on a playground, or other sites/areas created for the purpose of children’s activities (on or within 300 feet)
- Restricted (buffer) zones are used to protect eco-sensitive areas like rivers, streams, riparian zones, eco-identified areas (200 feet; “Leave no trace” principles/rules)
- Restricted (buffer)r zones are used to protect important infrastructure and their uses to include trails, powerline corridors/substations, permanent shelters, established open space and conservation lands, athletic fields (50 to 1000 feet depending on the specific infrastructure; research is needed)
- Restricted (buffer) zones may be used to regulate activities/behaviors close to commerce/business entrances so businesses are not unduly interrupted (description/distance to be determined).

- Restricted (buffer) zones may be used to regulate activities close to private residences/neighborhood pocket parks etc., so expectations are consistent in a neighborhood (description/distance to be determined depending on specific situations)

Draft recommendations related to areas where camping is allowed and where camp sites are or may be designated

Supporting Statement

Any proposal and/or recommendations must:

- Ensure education for the community related to being unhoused (what does safety mean versus feeling uncomfortable?)
- Be supported with mitigation strategies specific to certain locations.
- Create/distribute/post maps that clearly show where camping, sleeping, and erecting structures are restricted in Missoula and the required distance from each area/category (e.g., riparian areas; inside 1000 feet of schools; near sensitive/vulnerable populations; PNP, businesses, residential areas) (consider using blocks instead of miles/feet to easily understand distances)
- Restricted (buffer) zones may be useful so children
- Create/distribute/post maps that clearly show where people can sleep and for how long (hours, days, etc.; possibly Church parking lots, County land, other identified areas, etc.)
- Create/distribute/post clear City direction about violations, steps to prevent violations and remedy them, and enforcement protocols (i.e., include contact information for service providers, City contacts, etc.)
- When camping sites/sheltering sites are designated by the City, the following should be in place:
 - Thirty to 45 individual 10 x 10 sites per location
 - Personal, lockable storage
 - No more than one car, one small utility trailer, 1 bike/1 bike trailer per individual camp site
 - Bike racks where bikes are stored and not in 10 x 10 camp sites
 - Accessible, reasonably located Mountain Line services
 - Required storage of volatile chemicals (propane, generator gas, etc.)
 - One central cook space
 - Regulations in conjunction with the Fire Department on heat sources
 - Weapons in accordance with City regulations
 - No open drug use or disruptive behavior related to drug use
 - No excessive noise with quiet hours between x and x
- Ideally, camping areas/sheltering sites would be managed accordingly:
 - Self-management based on a code of conduct; individual and collective responsibilities for cleanliness; and established safety protocols
 - Individual site stay up to 3 months (could change depending on behaviors or connection to service providers)
 - Accessible basic services and support services for those with specific challenges

Draft recommendations regarding violations, consequences, and enforcement protocols

Supporting Statement

We believe that everyone needs clear notice of what is allowed and not allowed. We also believe that people need specific notice of what they are doing illegally... doing wrong and how to fix it. Enforcement is best achieved through a graduated response with enhanced resources (e.g., case workers, non-profits, etc.) and incentives. Success in the area of enforcement is predicated on available alternative sheltering locations and authorized camping areas (ideally TSOS style areas) for unsheltered people and the resources to support them

- Notices before sheltering - Unsheltered people need to know/be told:
 - What the rules are in what locations/areas
 - What services are available

- Notices during enforcement actions - Unsheltered people need to be notified about:
 - What rules are being violated within Code and/or within an ordinance if one is in place
 - Possible remedies
 - Incentives for fixing situations (e.g., gift cards)

- Enforcement protocols on scene
 - Is a graduated response being followed?
 - Is the monitoring list being used?
 - Have earlier violation notices been remedied?
 - Is case management available and if so, how might they be involved in the remedy?
 - Has a designated time to remedy the situation been determined/explained?
 - How will an individual's private property be stored/protected/labeled with the individual's name?
 - Is follow through for Code enforcement being done? If not, why not?
 - When the graduated response is not successful with an individual case, the Courts may be the next step with monitored community service rather than dollar fines