

6/12/2024

Vasecka

Proposed Urban Camping Ordinance Amendments:

## **#1 -- Page 4: 12.60.30 Part C - 2 - I:**

- i. Within ~~50~~ 100 feet of the water's edge for the Clark Fork River, Bitterroot River, Rattlesnake Creek, or Grant Creek, including any side channels or backwaters thereof, where those waterways are located within City limits.

## **#2 -- Page 5: 12.60.040 Part A:**

### **12.60.040 Designated Temporary Camping Sites and Safe Parking Sites**

A. Mayor to Investigate Designating Camping/Parking Sites. The Mayor is directed to investigate the possibility of designating temporary camping sites and safe parking sites on City property or on private property where the owner of the property is voluntarily willing to allow use of their property under agreed upon terms and conditions enforceable by the City. If the Mayor, ~~in their sole discretion,~~ deems it feasible, practicable, and in the public interest, the Mayor **shall bring a proposal to City Council is authorized** to designate temporary camping sites and safe parking sites on City property or on private property where the owner of the property is voluntarily willing to allow use of their property under agreed upon terms and conditions enforceable by the City.

## **#3 -- Page 9-10: 12.60.050 Part C - 8:**

8. *Towing Vehicles; Costs.* In the event a Vehicle camp structure belonging to an Unsheltered Individual is towed and/or impounded by the city, no fees will be associated with the towing or impoundment; however any costs incurred by the City to cleanup public or private property surrounding the towed vehicular camp structure, due to accumulation of garbage and refuse around the vehicle, must be paid to the City before the vehicle is released. In the event the city tows or causes to be towed the same vehicular camp structure more than ~~three (3)~~ two (2) times due to violations of this Chapter, costs of towing and impoundment may be assessed.

## **#4 -- Page 6-7 12.60.050**

B. Violations.

4. *Penalty Authorized.* No violation of this Chapter shall be considered a criminal offense; violations of this Chapter shall only be enforced as a municipal civil infraction. Further, **if deemed feasible and at Staff's discretion, the City Council directs City Staff to create and implement a Community Service Program,** and the City desires to impose required community service and/or restitution in lieu of civil penalties; however, where the interests of justice are furthered by the imposition of a civil penalty, the state law defined penalties for municipal infractions are authorized (Section 7-1-4150, MCA). Jail time is not an authorized penalty under this Chapter.

## #5 -- Page 6 – 12.60.050 Enforcement

2. *Required Outreach.* Before conducting an enforcement or abatement action against an individual a city official enforcing this Chapter must:

- i. Refer an Unsheltered Individual camping on City property or public streets to an available shelter facility or other available temporary housing;
- ii. Inquire whether the Unsheltered Individual has a caseworker or other established relationships with mental health, substance abuse or other supportive service provider and attempt to contact the applicable caseworker/service-provider, or ensure that others, ~~such as the Homeless Outreach Team,~~ provide this information; and
- iii. Provide information, in written or verbal format, concerning other available support services for individuals in the situation of the Unsheltered Individual creating the enforcement concern.