



Legislation Passed July 11, 2017

The Tacoma City Council, at its regular City Council meeting of July 11, 2017, adopted the following resolutions and/or ordinances. The summary of the contents of said resolutions and/or ordinances are shown below. To view the full text of the document, click on the bookmark at the left of the page.

Resolution No. 39759

A resolution awarding a contract to Cascade Industrial Services, LLC, in the amount of \$275,000, excluding sales tax, plus a 20 percent contingency, for a total of \$330,000, budgeted from the Solid Waste Fund, for improvements to the tipping floor at the Solid Waste Main Receiving Building - Specification No. ES17-0134F.

[Geoffrey M. Smyth, P.E., Science and Engineering Division Manager;
Michael P. Slevin III, P.E., Director, Environmental Services]

Resolution No. 39760

A resolution awarding a contract to Insituform Technologies, LLC, in the amount of 1,046,724.00, excluding sales tax, plus a 15 percent contingency, for a total of \$1,203,732.60, budgeted from the Surface Water Fund and Wastewater Fund, for the rehabilitation of approximately 2.8 miles of underground stormwater and wastewater sewer pipes in various locations - Specification No. ES17-0002F.

[Geoffrey M. Smyth, P.E., Science and Engineering Division Manager;
Michael P. Slevin III, P.E., Director, Environmental Services]

Resolution No. 39761

A resolution awarding a contract to Polydyne Inc., in the amount of \$433,810, sales tax not applicable, budgeted from the Wastewater Fund, for dry polymer used in biosolids dewatering, for an initial two-year term, with the option to renew for three additional one-year terms, for a projected contract total of \$1,215,000 - Specification No. ES17-0195F.

[Jody Bratton, Assistant Division Manager; Michael P. Slevin III, P.E., Director, Environmental Services]

Resolution No. 39762

A resolution awarding a contract to General Mechanical, Inc., in the amount of \$409,770, plus applicable sales tax, budgeted from the Asphalt Plant Fund and Solid Waste Fund, for the installation of a four-bin hopper system at the Asphalt Plant - Specification No. PW17-0096F.

[Chris Storey, Project Manager; Kurtis D. Kingsolver, P.E., Director, Public Works]

Resolution No. 39763

A resolution awarding a contract to Tucci & Sons, Inc., in the amount of \$1,279,757.65, plus applicable sales tax, plus a 30 percent contingency, for a total of \$1,663,685.00, budgeted from the Streets Initiative Fund and Surface Water Fund, for the restoration of approximately 20.5 blocks of residential streets, construction of sidewalks and ADA ramps, and storm sewer improvements at various locations on the eastside of the City - Specification No. PW17-0084F.

[Darius Thompson, Project Manager; Kurtis D. Kingsolver, P.E., Director, Public Works]

Resolution No. 39764

A resolution sponsoring the Tacoma-Pierce County Employment and Training Consortium, d.b.a. WorkForce Central, for enrollment in the Association of Washington Cities Employee Benefit Trust.

[Mayor Strickland and Council Member Lonergan]

Substitute Ordinance No. 28437

An ordinance amending Section 11.05.231 of the Municipal Code, entitled "Human Habitation of Vehicles", to modify the prohibitions on the use of vehicles for human habitation; and declaring an emergency, making necessary the passage of this ordinance and it becoming effective immediately.

[Jennifer Taylor, Deputy City Attorney; Bill Fosbre, City Attorney]

Ordinance No. 28438

An ordinance amending Chapter 8.12 of the Municipal Code, relating to Disorderly Conduct, by adding a new section, to be known and designated as Section 8.12.180, entitled "Unlawful Camping" prohibiting public property camping and providing a sunset date of October 9, 2017; and declaring an emergency, making necessary the passage of this ordinance and it becoming effective immediately.

[Keith Echterling, Assistant City Attorney; Bill Fosbre, City Attorney]



RESOLUTION NO. 39759

1 A RESOLUTION related to the purchase of materials, supplies or equipment,
2 and the furnishing of services; authorizing the execution of a contract
3 with Cascade Industrial Services, LLC, in the amount of \$275,000,
4 excluding sales tax, plus a 20 percent contingency, for a cumulative total
5 of \$330,000, budgeted from the Solid Waste Fund, for improvements to
the City's solid waste main receiving building tipping floor, pursuant to
Specification No. ES17-0134F.

6 WHEREAS the City has complied with all applicable laws and processes
7 governing the acquisition of those supplies, and/or the procurement of those
8 services, inclusive of public works, as is shown by the attached Exhibit "A,"
9 incorporated herein as though fully set forth, and
10

11 WHEREAS the Board of Contracts and Awards has concurred with the
12 recommendation for award as set forth in the attached Exhibit "A"; Now,

13 Therefore,

14 BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

15 Section 1. That the Council of the City of Tacoma concurs with the
16 Board of Contracts and Awards to adopt the recommendation for award as set
17 forth in the attached Exhibit "A."
18

19 Section 2. That the proper officers of the City are hereby authorized to
20 enter into a contract with Cascade Industrial Services, LLC, in the amount of
21 \$275,000, excluding applicable sales tax, plus a 20 percent contingency, for a
22 cumulative total of \$330,000, budgeted from the Solid Waste Fund, for
23 improvements to the City's solid waste main receiving building tipping floor,
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pursuant to Specification No. ES17-0134F, consistent with Exhibit "A."

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Chief Deputy City Attorney



RESOLUTION NO. 39760

1 A RESOLUTION related to the purchase of materials, supplies or equipment,
2 and the furnishing of services; authorizing the execution of a contract
3 with Insituform Technologies, LLC, in the amount of \$1,046,724.00,
4 excluding sales tax, plus a 15 percent contingency, for a cumulative total
5 of \$1,203,732.60, budgeted from the Surface Water Fund and
6 Wastewater Fund, for the rehabilitation of approximately 2.8 miles of
7 underground stormwater and wastewater sewer pipes in various
8 locations, pursuant to Specification No. ES17-0002F.

9 WHEREAS the City has complied with all applicable laws and processes
10 governing the acquisition of those supplies, and/or the procurement of those
11 services, inclusive of public works, as is shown by the attached Exhibit "A,"
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Adopted _____

Mayor

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City Clerk

Approved as to form:

Chief Deputy City Attorney



RESOLUTION NO. 39761

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5 one-year terms, for a projected contract total of \$1,215,000, budgeted
6 from the Wastewater Fund, for dry polymer used in biosolids dewatering,
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Mayor

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City Clerk

Approved as to form:

Chief Deputy City Attorney



RESOLUTION NO. 39762

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2 and the furnishing of services; authorizing the execution of a contract
3 with General Mechanical, Inc., in the amount of \$409,770.00, plus
4 applicable sales tax, budgeted from the Asphalt Plant Fund and Solid
5 Waste Fund, for the installation of a four bin hopper system at the
6 asphalt plant, pursuant to Specification No. PW17-0096F.

7 WHEREAS the City has complied with all applicable laws and processes
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asphalt plant, pursuant to Specification No. PW17-0096F, consistent with
Exhibit "A."

Adopted _____

Mayor

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City Clerk

Approved as to form:

Chief Deputy City Attorney



RESOLUTION NO. 39763

1 A RESOLUTION related to the purchase of materials, supplies or equipment,
2 and the furnishing of services; authorizing the execution of a contract
3 with Tucci & Sons, Inc., in the amount of \$1,279,757.65, plus applicable
4 sales tax, plus a 30 percent contingency, for a cumulative total of
5 \$1,663,685.00, budgeted from the Streets Initiative Fund and Surface
6 Water Fund, for the restoration of approximately 20.5 blocks of
7 residential streets, construction of sidewalk and ADA ramps, and storm
8 sewer improvements, pursuant to Specification No. PW17-0084F.

9 WHEREAS the City has complied with all applicable laws and processes
10 governing the acquisition of those supplies, and/or the procurement of those
11 services, inclusive of public works, as is shown by the attached Exhibit "A,"
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Fund, for the restoration of approximately 20.5 blocks of residential streets,
construction of sidewalk and ADA ramps, and storm sewer improvements,
pursuant to Specification No. PW17-0084F, consistent with Exhibit "A."

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Chief Deputy City Attorney



RESOLUTION NO. 39764

1 BY REQUEST OF MAYOR STRICKLAND AND COUNCIL MEMBER LONERGAN

2 A RESOLUTION relating to WorkForce Central; sponsoring the Tacoma-Pierce
3 County Employment and Training Consortium, d.b.a. WorkForce Central, for
4 enrollment in the Association of Washington Cities Employee Benefit Trust.

5 WHEREAS the Tacoma-Pierce County Employment and Training
6 Consortium, d.b.a. WorkForce Central, was created by an Interlocal Government
7 Agreement between the City of Tacoma and Pierce County in 1982, and

8 WHEREAS, as outlined in the agreement, WorkForce Central facilitates
9 regional employment and training services in Tacoma and Pierce County, and

10 WHEREAS the executive leadership for WorkForce Central has evaluated
11 options for employee healthcare coverage and determined that the programs
12 offered by the Association of Washington Cities ("AWC") Employee Benefit Trust
13 would suit its needs, and

14 WHEREAS the AWC Employee Benefit Trust provides benefit insurance
15 options and health management programs for local government in a cost-efficient
16 manner by leveraging its large purchasing collective, and allows for non-city
17 membership under certain criteria, including sponsorship by a current city member
18 of the AWC, and

19 WHEREAS the sponsoring city must pass a resolution within six months of
20 the non-city entity's membership application, and

21 WHEREAS WorkForce Central would like to offer health insurance provided
22 by the AWC Employee Benefit Trust to its employees, but, as a non-city entity, it



needs sponsorship from a member city in order to have its application considered,

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and

WHEREAS the City Council desires to sponsor WorkForce Central for enrollment in the AWC Employee Benefit Trust to enable it to purchase healthcare coverage for its employees; Now, Therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

That the City Council hereby sponsors the Tacoma-Pierce County Employment and Training Consortium, d.b.a. WorkForce Central, for enrollment in the Association of Washington Cities Employee Benefit Trust, for the purpose of enabling it to purchase healthcare coverage for its employees.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



**SUBSTITUTE
ORDINANCE NO. 28437**

1 BY REQUEST OF DEPUTY MAYOR THOMS AND COUNCIL MEMBER LONERGAN

2 AN ORDINANCE relating to public health and safety; amending Chapter 11.05 of
3 the Tacoma Municipal Code by amending Section 11.05.231 thereof to
4 modify the prohibitions on the use of vehicles for human habitation; and
5 declaring an emergency, making necessary the passage of this ordinance
6 and it becoming effective immediately.

7 WHEREAS, in March 2016, the City Council amended Section 11.05.231 of
8 the Tacoma Municipal Code ("TMC"), relating to human habitation of vehicles, to
9 provide a clearer definition of "habitation," and further, extended the prohibition
10 period from 24 hours to seven days in order to allow for more outreach efforts to
11 connect individuals with available services, and

12 WHEREAS, since that time, the City has identified challenges with
13 enforcement, especially with regard to the time limitations and addressing
14 unoccupied vehicles, and

15 WHEREAS, in May 2017, the City declared a state of emergency due to the
16 growing public health concerns associated with an increase in the number of
17 homeless and unsheltered individuals in the City, who, on any given night, can be
18 found sleeping in parks, cars, abandoned buildings, under highway overpasses,
19 and in other places not fit for human habitation, and

20 WHEREAS the increase of homeless encampments and higher
21 concentrations of individuals living in cars or other areas in places not meant for
22 human habitation is having a significant impact on public health and safety, as
23 there are inadequate sanitation and disposal facilities, which can have a high
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1 potential for community health impacts, endangering the health of the occupants
2 as well as the surrounding community and neighborhoods, and

3 WHEREAS conditions experienced by unsheltered individuals may include
4 accumulation of uncontained garbage that becomes a food source for vermin,
5 vectors (organisms that transmit diseases or parasites) and related pathogens;
6 lack of proper food storage and clean dishes that can facilitate the spread of food-
7 borne disease; lack of sanitary facilities to dispose of human and animal fecal
8 waste; improper disposal of discarded medical and sharps waste; accumulation of
9 combustible materials that can ignite; lack of access to handwashing and personal
10 hygiene; lack of clean water; and the victimization of homeless persons by both
11 sheltered and non-sheltered persons, and

12 WHEREAS Neighborhood and Community Services Department staff, in
13 consultation with the Tacoma Police Department, is recommending the following
14 changes to TMC 11.05.231:
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- 16
- 17 • Specify that enforcement efforts relate to the improper use of a vehicle, as
18 opposed to penalizing the person. This provides greater clarity for law
19 enforcement and other personnel.
 - 20 • Incorporate a presumption that the registered owner is responsible for the
21 improper use of the vehicle, which will assist on-scene enforcement efforts if
22 a vehicle is unattended.
 - 23 • Reduce the time permitted for use at any one location from 7 days to
24 72 hours. This is intended to lessen the impact on the surrounding
25 communities, as opposed to the current time frame.
 - 26 • Add a minimum distance required for an unlawful vehicle to be moved from
the spot of violation, specifically ~~one-half of~~ one mile. This change helps
resolve the challenges of an inherent permanent ban, which is impracticable
for enforcement purposes.



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- ~~Reduce the severity of the penalty from a Class 1 to a Class 3 civil infraction (a reduction from \$250 to \$50), in recognition of the financial burdens created by a monetary penalty. This also helps further the City's equity objectives~~Financial penalties will escalate for repeat offenders. First offense up to \$50; second offense up to \$100, and three or more up to \$250; and

WHEREAS these changes are being recommended in connection with the state of emergency that was declared by the City Council pursuant to Ordinance No. 28430 in order to mitigate the public health conditions associated with the homelessness crisis impacting the City of Tacoma; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That Section 11.05.231 of the Tacoma Municipal Code is hereby amended as set forth in the attached Exhibit "A."

Section 2. That, due to the existence of a previously declared public emergency, as declared in Ordinance No. 28430, this ordinance is effective upon passage by an affirmative vote of at least six members of the City Council.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



EXHIBIT "A"

CHAPTER 11.05
MODEL TRAFFIC ORDINANCE

11.05.231 Human habitation of vehicles.

A. Definitions.

1. "Human habitation" shall mean the use of a vehicle for dwelling or residential purposes. Evidence of human habitation includes, but is not limited to, any combination of two or more of the following activities: sleeping; setting up any bedding, sleeping bags, bedroll, pillow or other sleeping materials in such a manner as to be used for sleeping; engaging in housekeeping or cooking activities; storing cookware, cooking equipment; or bodily fluids in a vehicle; storing personal possessions in such a manner that some or all of the vehicle's windows are obscured; using sanitation, plumbing and/or electrical systems or equipment in a manner inconsistent with any provision of the Tacoma Municipal Code, or any other

activity where it reasonably appears, in light of all the circumstances, that a person or persons is using the vehicle as a living accommodation. For purposes of this section, "human habitation" means the use of a vehicle as a dwelling place and does not include temporary use of a vehicle for alleviation of sickness or because of physical inability to operate the vehicle.

2. "Vehicle" shall include, but not be limited to, automobiles, motorcycles, trucks, buses, motorized recreational vehicles, campers, boats, travel trailers, boat trailers, utility trailers, or other similar devices.

3. "Recreational Vehicle" ("RV") means a vehicular-type unit primarily designed for recreational camping or travel use that has its own motive power or is mounted on or towed by another vehicle. The units include travel trailers, fifth wheel trailers, folding camping trailers, truck campers, and motor homes.

B. It is unlawful ~~for any person to use a~~ for any vehicle to be used for human habitation purposes for a period exceeding 72 hours~~seven days, in either one or multiple locations,~~ on a public street or public right-of-way anywhere in the City of Tacoma, unless a permit has been issued in accordance with subsections D and E herein. It shall be unlawful for a vehicle to be moved any distance less than one-half of one mile from the position it occupied at the start of the 72-hour period in order to avoid the time limit regulation of this section. Proof that any vehicle was found stopped, parked, or standing in or along any public street or public right-of-way and was unattended by any person but was in violation of this subsection, together with proof that the defendant was at the time of such violation the registered owner of such vehicle, shall constitute in evidence a prima facie presumption that the registered owner of such vehicle was the person who parked or placed such a vehicle at the point where and for the time during which such violation occurred.

C. Recreational vehicle parks in compliance with Chapter 2.16 of the Tacoma Municipal Code and state law are exempt from the provisions of this section.

D. A recreational vehicle may be used for human habitation if an appropriate permit, such as a special events, special use, or temporary use permit, has been obtained from the City that authorizes a recreational vehicle to be parked and used for human habitation.

E. Recreational vehicles ("RVs") may be permitted to be used for human habitation for a maximum of 14 days per calendar year at a specific location when the resident of the property adjacent to which the RV will be parked has first obtained a permit from the City.

1. Permits are valid only for the dates authorized on the permit and only for the location indicated on the permit. A permit must be displayed in a manner that it is clearly visible from the outside of the recreational vehicle.



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2. The owner, operator, and occupants of the RV must comply with all conditions printed on the permit. Conditions include: (a) the vehicle must be legally parked, (b) all waste and sewage generated within the RV must be disposed of in a safe and legal manner, (c) operation of a generator while the RV is parked is prohibited, (d) the use of extension cords and other hookups is prohibited, (e) the erection of awnings and setting up furniture or similar items outside the RV is prohibited.

3. The violation of any condition printed on the permit is a violation, and the owner or operator of the RV may be cited, as provided in this section. A permit may be summarily revoked by a police officer, road compliance officer, code enforcement officer, tax and license compliance officer, or parking enforcement officer when (a) a condition printed on the permit or other Municipal Code provision has been violated by the vehicle owner, operator, or occupant or (b) the Municipal Code is violated in relation to the parking or occupancy of the vehicle or (c) the permit was obtained by fraud or misrepresentation.

4. The resident obtaining the permit must present proof of residency at the address at the time of application for the permit.

5. Fees. The cost of a permit is \$10 payable to the City of Tacoma ~~Finance Department~~.

F. Emergency Action. Any vehicle being used for human habitation which is resulting in the discharge of human waste or sewage in any location or manner except into an approved public or private sewage disposal system constructed and maintained in accordance with the Tacoma Municipal Code may be summarily removed and impounded notwithstanding any provision of this chapter.

G. Violations.

1. ~~Any violation of this section is a Class 13 civil infraction, and the owner, operator, or person in charge of any vehicle found to be in violation of this section shall be assessed a monetary penalty of not more than \$50 not to exceed \$250, not including statutory assessments. A violation of this section is a civil infraction, and the owner, operator, or person in charge of any vehicle found to be in violation of this section shall be assessed a monetary penalty as follows:~~

a. For a first offense, a fine of not more than \$50.00, not including statutory assessments, shall be assessed;

b. For a second offense, a fine of not more than \$100.00, not including statutory assessments, shall be assessed; and

c. For a third and any subsequent offense, a fine of not more than \$250.00, not including statutory assessments, shall be assessed.

2. Any violation in any street, park, alley, public parking lot, or other public way which constitutes an obstruction to traffic, or presents a threat to public safety, may subject the vehicle to immediate impoundment in accordance with the provisions contained in RCW Chapter 46.55. If the vehicle is inoperable and cannot be moved under its own power from where it is located, the vehicle may be subject to enforcement and impoundment pursuant to TMC 8.23.050.

3. Penalties for a violation of this section shall be in addition to any other remedy provided by local or state law and nothing in this chapter should be construed to limit the authority of the City to enforce pursuant to any other provision of local or state law.

* * *



ORDINANCE NO. 28438

1 AN ORDINANCE relating to public health and safety; amending Chapter 8.12 of
2 the Tacoma Municipal Code, relating to Disorderly Conduct, by adding a
3 new section, to be known and designated as Section 8.12.180 entitled
4 "Unlawful Camping"; and declaring an emergency, making necessary the
5 passage of this ordinance and it becoming effective immediately.

6 WHEREAS, on any given night, over 50 homeless encampments can be
7 found in Tacoma, some of which may be occupied by 100 or more persons, and

8 WHEREAS the increases in homeless encampments and higher
9 concentrations of occupants, together with the lack of available services or facilities
10 nearby, have a significant role in the scope and severity of public health issues and
11 the urgency to take action to mitigate the conditions giving rise to this threat to
12 public health and safety, and

13 WHEREAS the multiple encampments that the City is experiencing,
14 together with the higher concentrations of occupants, is causing harm to the
15 occupants and has a significant potential to affect public health in the community,
16 and

17 WHEREAS, when an encampment is removed by the City or private parties,
18 the occupants will generally move to or create another uncontrolled homeless
19 encampment which spreads to a wider area the potential for community exposure
20 to the negative health impacts associated with homeless encampments, and

21 WHEREAS the adverse impacts on both those experiencing homelessness
22 and the community at large, including the continuing and increasing presence of
23 homeless encampments in the City of Tacoma, together with the large
24 concentrations of occupants in some of those homeless encampments, the lack of
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adequate and proper on-site health and sanitation services and practices that will prevent the spread of disease and the contamination of the environment, and the lack of available services to address the public health and safety needs of the occupants, pose a significant, direct and immediate threat to the health of the inhabitants and a real and emergent threat to the health of the surrounding community, and warrant a dramatically larger, extraordinary and urgent effort to provide services and resources that will reduce the number of homeless encampments and high concentration of occupants, and mitigate the conditions of the homeless encampments that harm public health and safety, and

WHEREAS in the best interest of the public health, safety, and welfare of the community and citizens of Tacoma, the City Council has declared a state of public health emergency and has authorized such actions as are reasonable and necessary to mitigate the conditions giving rise to such emergency, and

WHEREAS enforcement authorities within the City currently lack an immediately identifiable and easily described enforcement tool that succinctly informs all persons that unauthorized camping is not permitted on public property within the city limits of Tacoma, and

WHEREAS effective law enforcement operations in support of such declared state of public emergency require the development and implementation of such enforcement tool, and

WHEREAS such tool can be effectively created to balance the needs and interests of all persons and should be implemented, enforced, and prosecuted with



full consideration for the constitutional and human rights of all individuals; Now,

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Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That Chapter 8.12 of the Tacoma Municipal Code is hereby amended as set forth in the attached Exhibit "A."

Section 2. That is ordinance shall sunset and no longer be in force or effect at 11:59 p.m. on October 9, 2017.

Section 3. That, due to the existence of a previously declared public emergency, as declared in Ordinance No. 28430, this ordinance is effective upon passage by an affirmative vote of at least six members of the City Council.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Assistant City Attorney



EXHIBIT "A"

**Chapter 8.12
DISORDERLY CONDUCT**

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Sections:

- 8.12.010 Disorderly persons defined and enumerated.
- 8.12.011 Criminal attempt.
- 8.12.012 Liability for conduct of another – Complicity.
- 8.12.013 *Repealed.*
- 8.12.014 *Repealed.*
- 8.12.015 Disturbing meeting of Council, Board, Commission or Committee of City.
- 8.12.016 Disturbance of school functions.
- 8.12.020 Proof of guilt of conducting opium den.
- 8.12.025 Criminal trespass.
- 8.12.026 *Repealed.*
- 8.12.030 Confiscation of weapons and opium paraphernalia.
- 8.12.040 Violation – Penalties.
- 8.12.050 Severability of provisions.
- 8.12.060 Public disturbance noises.
- 8.12.065 Violation – Penalties.
- 8.12.070 Compression brakes.
- 8.12.090 Sexual assault.
- 8.12.100 *Repealed.*
- 8.12.110 Sexual Assault Protection Order.
- 8.12.111 Indecent Exposure
- 8.12.112 Allowing minor on premises of live erotic performance.
- 8.12.113 Communication with minor for immoral purposes.
- 8.12.114 Reporting of depictions of minor engaged in sexually explicit conduct – Civil immunity.
- 8.12.115 Sexual misconduct with a minor in the second degree.
- 8.12.120 Destruction of property.
- 8.12.150 Littering prohibited – Penalties.
- 8.12.160 Making or Possessing Burglary or Auto Theft Tools.
- 8.12.170 *Repealed.*
- 8.12.180 Unlawful Camping.

* * *

8.12.180 Unlawful Camping.

A. It is the intent of the City of Tacoma to provide for the safety, health, and welfare of all the inhabitants, residents, visitors, and persons in the City of Tacoma. To that end, the City recognizes the negative social, physical, and psychological impacts that unregulated encampments have on both those persons experiencing homelessness and the surrounding community. To mitigate and ameliorate the grave social and public health risks attendant to unregulated encampments, the purpose of TMC 8.12.180 is to protect the public health, safety, and welfare of all persons and to continue to assist those currently experiencing homelessness transition to stable sheltering solutions while protecting the public and private property rights of owners, inhabitants, and visitors.

B. It is unlawful for any person to camp upon any public property in the City of Tacoma except in any location where camping has been expressly allowed by the officer or agency having the control, management, and supervision of the public property in question.

C. For purposes of this section:

- 1. "To camp" means to reside or dwell temporarily in a place for the purpose of seeking shelter.



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2. "Reside or dwell" includes, by way of example and not limitation, any of the following activities: sleeping, setting up any bedding, sleeping bags, bedroll, pillow or other sleeping materials in such a manner as to be used for sleeping; engaging in housekeeping or cooking activities; storing cookware or cooking equipment; storing bodily fluids; storing personal possessions; using sanitation, plumbing and/or electrical systems or equipment in a manner inconsistent with any provision of the Tacoma Municipal Code; or, any other activity where it reasonably appears, in light of all the circumstances, that a person or persons is or are residing or dwelling. For purposes of this section, "reside or dwell" does not include temporary, common recreational activities such as picnicking or utilization of park facilities consistent with other state and local laws and regulations.

3. "Shelter" means any form of cover or protection from the elements other than clothing, and includes, by way of example and not limitation, any vehicle, tent, tarpaulin, lean-to, sleeping bag, bedroll, or blanket.

4. "Public property" means any street, alley, sidewalk, parking space, pedestrian or transit mall, bike path, greenway, or any other structure or area encompassed within the public right-of-way; any park, parkway, mountain park, or other recreation facility; or any other grounds, buildings, fixtures, or other facilities owned or leased by the City or by any other public owner, regardless of whether such public property is vacant or occupied and actively used for any public purpose.

D. A violation of this section is a misdemeanor punishable by a fine not exceeding \$1,000, or by imprisonment in the correctional facilities utilized by the City of Tacoma for a period of not more than 90 days, or by both such fine and imprisonment.

E. The prohibitions contained herein shall sunset and no longer be in force or effect at 11:59 p.m. on October 9, 2017.