

ORDINANCE NO. _____

AN ORDINANCE ADOPTING THE “DUSK TO DAWN” PERMITTED OVERNIGHT SLEEPING PILOT PROGRAM AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

The City Council of the City of Eugene finds as follows:

A. In order to create additional sleeping options for people who are homeless, a pilot program (“the Dusk to Dawn program”) expanding the permitted overnight sleeping provisions should be established allowing homeless persons to sleep overnight on City approved sites between the hours of 8 p.m. and 7 a.m.

B. The Dusk to Dawn program should remain in effect until March 31, 2016. The termination date of this program coincides with the current sunset date of the Rest Stop program, and will allow the City to monitor the program to determine whether it should be made permanent, revised or abandoned.

NOW, THEREFORE,

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. The following provisions are adopted as the Dusk to Dawn program and shall sunset and be repealed on March 31, 2016, unless extended or made permanent by future Council action:

Dusk to Dawn Permitted Overnight Sleeping Pilot Program. Notwithstanding section 4.815 of the Eugene Code, 1971, the City Manager is authorized to permit persons to sleep overnight at designated sites, between the hours of 8 p.m. and 7 a.m., under the following circumstances:

1. The City Manager shall recommend to the City Council proposed sites for the Dusk to Dawn program. Any such site may not be located in a residential area or close to a school, and must be owned or leased by the City of Eugene, another governmental entity, a religious institution, a non-profit organization, or a business if the business is located on property zoned commercial or industrial.
2. Before a proposed site may be used, the site must be approved by the City Council by motion and the City Manager must adopt an administrative rule governing use of the site.
3. The City Manager may close a site at any time upon determining that allowing camping at a site would create dangerous conditions or a health threat to the public.

Section 2. Pursuant to the provisions of Section 32(2) of the Eugene Charter of 2002, with the affirmative vote of two-thirds of the members of the City Council, this Ordinance shall become effective immediately upon adoption by the Council and approval by the Mayor, or passage over the Mayor's veto. An immediate effective date is necessary in order to provide additional places for people to camp.

Passed by the City Council this

___ day of _____, 2015.

City Recorder

Approved by the Mayor this

_____ day of _____, 2015

Mayor