

ORDINANCE NO. _____

AN ORDINANCE EXTENDING THE SUNSET DATES OF THE REST STOP AND DUSK-TO-DAWN PILOT PROGRAMS AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

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

A. On September 25, 2013, Ordinance No. 20517 was adopted concerning permitted overnight sleeping. Section 3 of that Ordinance adopted a permitted overnight sleeping (“rest stop”) pilot program with a sunset date of March 31, 2014.

B. The rest stop program sunset date has subsequently been extended, most recently on July 25, 2015, by Ordinance No. 20554, which extended the sunset date to March 31, 2016.

C. On November 24, 2015, Ordinance No. 20559 was adopted establishing the permitted overnight sleeping (dusk to dawn) pilot program with a sunset date of March 31, 2016.

D. The Council has decided to extend the sunset date of the rest stop and dusk to dawn pilot programs to March 31, 2017.

NOW, THEREFORE,

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. The rest stop pilot program adopted in Section 3 of Ordinance No. 20517, and the dusk to dawn pilot program adopted by Ordinance No. 20559, shall sunset and be repealed on March 31, 2017, unless extended or made permanent by future Council action.

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 continue to provide additional places for people to camp.

Passed by the City Council this

___ day of March, 2016.

Approved by the Mayor this

___ day of March, 2016.

City Recorder

Mayor

ORDINANCE NO. _____

AN ORDINANCE EXTENDING THE SUNSET DATES OF THE REST STOP AND DUSK-TO-DAWN PILOT PROGRAMS; AMENDING ORDINANCE NO. 20559; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

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

A. On September 25, 2013, Ordinance No. 20517 was adopted concerning permitted overnight sleeping. Section 3 of that Ordinance adopted a permitted overnight sleeping (“rest stop”) pilot program with a sunset date of March 31, 2014.

B. The rest stop program sunset date has subsequently been extended, most recently on July 25, 2015, by Ordinance No. 20554, which extended the sunset date to March 31, 2016.

C. On November 24, 2015, Ordinance No. 20559 was adopted establishing the permitted overnight sleeping (dusk to dawn) pilot program with a sunset date of March 31, 2016.

D. The Council has decided to extend the sunset date of the rest stop and dusk to dawn pilot programs to March 31, 2017. In addition, Ordinance No. 20559 establishing the dusk to dawn program is being amended to allow the City Manager to consider the seasonal sunset in determining the hours of permitted overnight sleeping at designated sites.

NOW, THEREFORE,

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. The rest stop pilot program adopted in Section 3 of Ordinance No. 20517, and the dusk to dawn pilot program adopted by Ordinance No. 20559, shall sunset and be repealed on March 31, 2017, unless extended or made permanent by future Council action.

Section 2. The dusk to dawn pilot program adopted in Section 1 of Ordinance No. 20559 is amended to provide as follows:

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 4:30 p.m. and 7:30 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.
 4. ***In determining the hours that the City Manager permits persons to sleep overnight at designated sites, the City Manager shall consider, among other things, the seasonal sunset.***

Section 3. 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 continue to provide additional places for people to camp.

Passed by the City Council this

___ day of March, 2016.

Approved by the Mayor this

___ day of March, 2016.

City Recorder

Mayor