



**CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING**

#20-0335

TO: Honorable Mayor & Members of the
Fort Lauderdale City Commission

FROM: Chris Lagerbloom, ICMA-CM, City Manager

DATE: May 5, 2020

TITLE: Ordinance Amending Section 16-31 of the Code of Ordinances Prohibiting
Unauthorized Camping on Public Property in Designated Areas -
(Commission Districts 1, 2, 3 and 4)

Recommendation

It is recommended that the City Commission adopt an ordinance amending Section 16-31 of the Code of Ordinances of the City of Fort Lauderdale, Florida, prohibiting unauthorized camping on public property, to include locations within one thousand (1,000) feet of a childcare facility or school.

Background

As the City Commission is aware, the City of Fort Lauderdale, along with our community partners, have made great strides in providing permanent housing and associated social services for members of our community who are experiencing homelessness. However, it is important to consider that while the ultimate goal is to provide a long-term permanent housing solution for the City's homeless population, it is also important to protect the quality of life of our neighbors throughout the City, including their children. Some activities associated with unauthorized camping often provide our neighbors and their children with a diminished sense of safety. These activities include aggressive panhandling, public intoxication, solicitation in the roadways, sleeping on sidewalks and other public spaces, urinating and defecating in public. These activities are often witnessed by children attending schools and childcare facilities throughout the City, including while arriving and leaving such facilities.

This ordinance amends Section 16-31 of the Code so that, in addition to the currently prohibited area of the Downtown area, as depicted in Exhibit A to the Ordinance, it would also be unlawful for any person to engage in camping within one thousand (1,000) feet of a childcare facility or school (see Exhibits 1 and 2 appended hereto), except in any location where camping has been expressly authorized by the City or the agency having the control, management and supervision of the public property at issue. Camping means to reside or dwell temporarily in a place, with or without shelter, and conduct activities of daily living such as eating, sleeping, or storage of personal possessions. Public property means any street, alley, sidewalk, pedestrian pathway, bicycle lane, or any other area

encompassed within the public right-of-way, any park, or other recreation facility, or any other grounds, buildings, or other facilities owned or leased by the City.
In order to issue a citation or make an arrest, the officer must:

- (1) request or order the person to refrain from the alleged violation; and
- (2) attempt to ascertain whether the person is in need of medical or human services assistance, including but not limited to mental health treatment, drug or alcohol rehabilitation, or homeless assistance. If the officer determines that the person is in need of the assistance, the officer shall afford the person an opportunity to be transported to either a hospital or a public shelter; and
- (3) advise the person that all of his or her personal property which is not taken to the hospital or public shelter accompanying the person, except that which is of no apparent utility or which is in an unsanitary condition, shall be inventoried and stored by the City for a maximum of thirty (30) days, until reclaimed.

Additionally, in order to issue a citation or make an arrest, the person who needs medical or human services assistance must refuse to be transported to a hospital or public shelter; and/or the person must not be in need of medical or human services assistance.

Violations of this ordinance will be in accordance with Section 1-6 of the Code of Ordinances; to wit: by a fine not to exceed five hundred dollars (\$500.00) or by imprisonment for a term not to exceed sixty (60) days or by both such fine and imprisonment.

Resource Impact

There is no fiscal impact associated with this action.

Strategic Connections

This item is a *Fiscal Year 2020 Commission Annual Action Plan* priority, included within the Policy Agenda, advancing the Comprehensive Homeless Strategy.

This item supports the *Press Play Fort Lauderdale 2024 Strategic Plan*, included within the Public Places Cylinder of Excellence, specifically advancing:

- The Public Places and Neighborhood Enhancement Focus Areas
- Goal 3: Build a healthy and engaging community
- Goal 4: Build a thriving and inclusive community of neighborhoods

This item advances the *Fast Forward Fort Lauderdale 2035 Vision Plan*: We are Community.

Attachments

Exhibit 1 – Map of Schools & Daycare Locations

Exhibit 2 – Map of City Parks with Child Care Programing

Exhibit 3 – Proposed Ordinance

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