

# ENCAMPMENT ORDINANCE BILL 2019-36

NOVEMBER 6, 2019



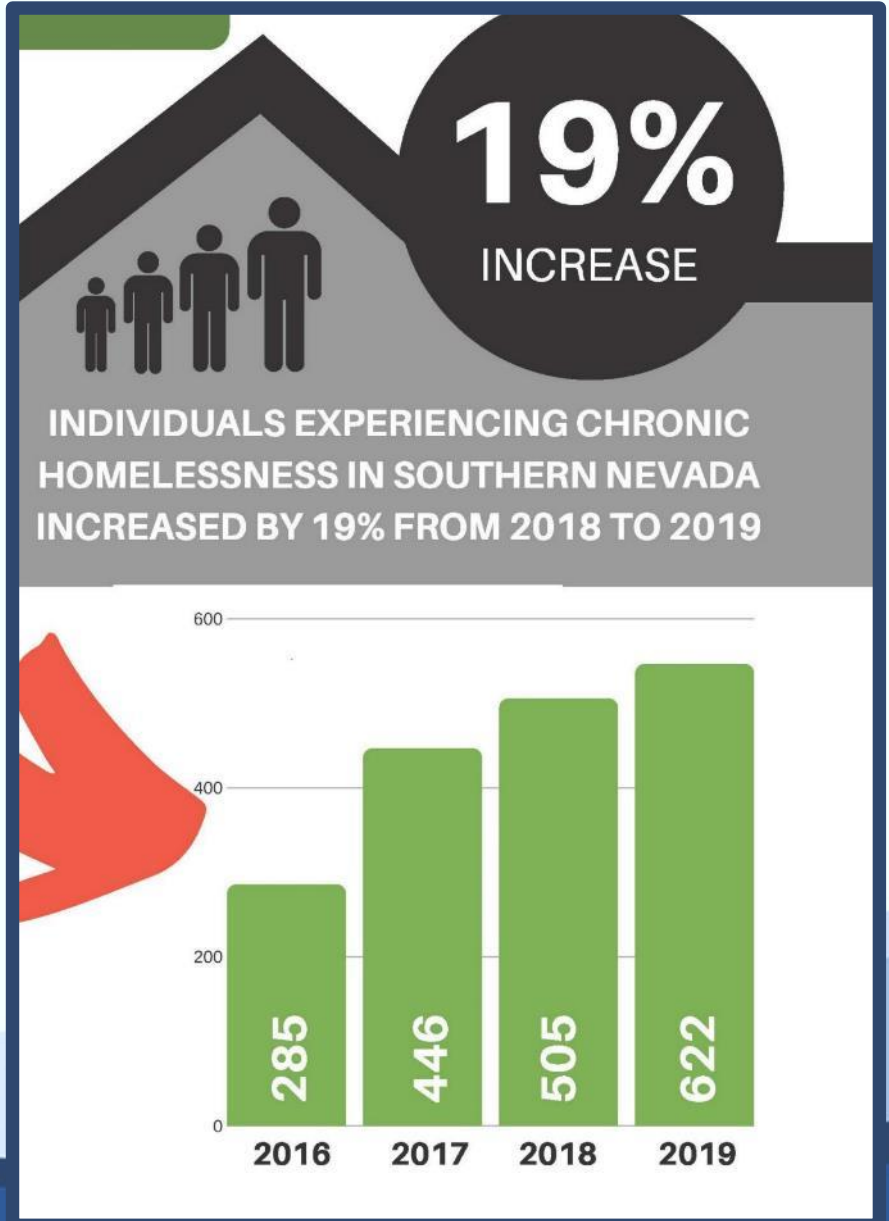
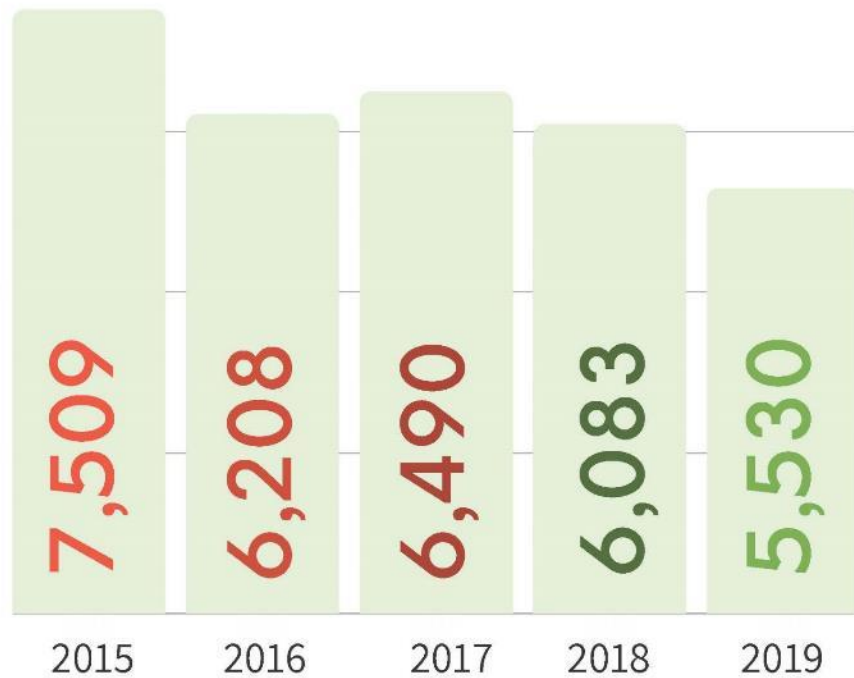
**WHY ARE WE HERE?  
WHAT IS THE PROBLEM?**



# A WORD ON STATISTICS

9% decrease in the number of individuals counted during the PIT census between 2018 and 2019

Total Number of Individuals Counted During the PIT Census



SOURCE: HELP HOPE HOME OF SOUTHERN NEVADA

# ***LAS VEGAS REVIEW-JOURNAL:*** **“DROP IN CLARK COUNTY HOMELESS CENSUS ATTRACTS SKEPTICISM”**

- “While the annual census . . . showed a 13 percent decline from the previous year, many of those laboring on the front lines of the battle against homelessness say they see no evidence that the stubborn problem is easing.”
- “[Tom] Roberts and leaders of other local service providers say they can’t explain the decline but add that it contradicts what they see from the trenches.”
- “‘I don’t know where they got these numbers,’ said Arnold Stalk, CEO of Veterans Village.”
- “‘It’s just like a picture, and it’s kind of a moment frozen in time,’ said Clark County Social Service Manager Michele Fuller-Hallauer . . . .”
- “[A] federal guideline implemented in last year’s count . . . estimated that each tent spotted contains 1.21 people, rather than the 3.12 people used in previous years.”
- “T.J., a 67-year-old . . . has spent a decade living on and off the streets of Las Vegas . . . ‘I can guarantee [the homeless census] is wrong; they probably missed half.’”

# PUBLIC HEALTH, SAFETY & WELFARE CONCERN: RESULTS OF CAMPING-RELATED ACTIVITIES

- Sanitary Condition Related Diseases
- Vector Control Related Diseases
  - Rodents, pigeons & mosquitos
- Drug Paraphernalia Diseases



# PUBLIC HEALTH, SAFETY & WELFARE CONCERN: DISEASE EXAMPLES IN OTHER COMMUNITIES

**Rare infectious diseases are rising at an 'alarming' rate in Seattle's homeless population, concerning health officials**

"In addition to strep A, public health officials issued a advisory in February about outbreaks of shigella, a highly contagious diarrheal illness, and Bartonella quintana, an infection known as "trench fever" when it spread among World War I soldiers."

**Medieval Diseases Are Infecting California's Homeless**  
Typhus, tuberculosis, and other illnesses are spreading quickly through camps and shelters.

"People in Washington State have been infected with *Shigella* bacteria...as well as *Bartonella quintana*, or trench fever, which spreads through body lice.\*"

"Hepatitis A... infected more than 1,000 people in Southern California in the past two years. The disease also has erupted in New Mexico, Ohio, and Kentucky, primarily among people who are homeless or use drugs."

**'Typhus zone': Rats and trash infest Los Angeles' skid row, fueling disease**

"City officials recently declared downtown's skid row — roughly 54 square blocks where more than 4,000 homeless congregate — a "typhus zone.""

**3 LAPD Officers Get MRSA from Contact with Homeless Subject. Union Says**

**Los Angeles Times**  
 New typhus cases reported in Willowbrook; officials expect additional outbreaks

**POLICE**  
 Training & Careers | Special Units | Patrol | Technology

**Los Angeles Times** May 8, 2019 • by PCI Staff

**Rats and other vermin infest LAPD downtown station, sparking anger among officers**

**"Southern Nevada Health District is reporting 10 additional West Nile Virus for a total of 29 cases."**

**Team battles hepatitis A outbreak in Las Vegas**  
Los Angeles Times  
 Los Angeles Times LAPD employee contracts bacteria that causes typhoid

**Rats and other vermin infest LAPD downtown station, sparking anger among officers**

**'Multiple' Minnesota counties affected by hep A outbreak; officials say drug users, homeless hit**  
OUTBREAKS · Published August 9

**As homeless crisis worsens in L.A., the county leans on city officials to act**  
On Friday, the county's health officer, Dr. Muntu Davis, sent a letter to the city expressing concern about simmering health issues that will worsen in homeless encampments where bathrooms are scarce and on city streets buried in heaps of dumped trash.

**As homeless are suffering, risk of hepatitis, typhus and other diseases is growing**  
 "From Los Angeles to Kentucky, across the USA, experts said, growing homeless populations are increasingly susceptible to outbreaks of contagious diseases, including typhus, Hepatitis A and Shigella."

**Hepatitis A Sparks Public Health Emergencies in Florida, Philadelphia**  
 Imperial Beach makes it illegal to camp, sleep on streets, sidewalk  
"We want to make sure we're taking all steps necessary to protect our residents and to try to make sure our community stays clean and as sanitary as possible"

**JUNE 2019**  
 USA TODAY NEWS SPORTS ENTERTAINMENT



# PUBLIC HEALTH, SAFETY & WELFARE CONCERN: RESULTS OF CAMPING-RELATED ACTIVITIES

- Fire Hazards & Emergency Service
- Pedestrian-Vehicle Conflicts
- Personal & Property Safety
- Water Quality & MS4
- Visual & Odor Blight
- Regulatory Violations
- Public Fiscal Considerations



# **PUBLIC HEALTH, SAFETY & WELFARE CONCERN: CURRENT OPERATIONS AND MAINTENANCE INFRASTRUCTURE MAINTENANCE**

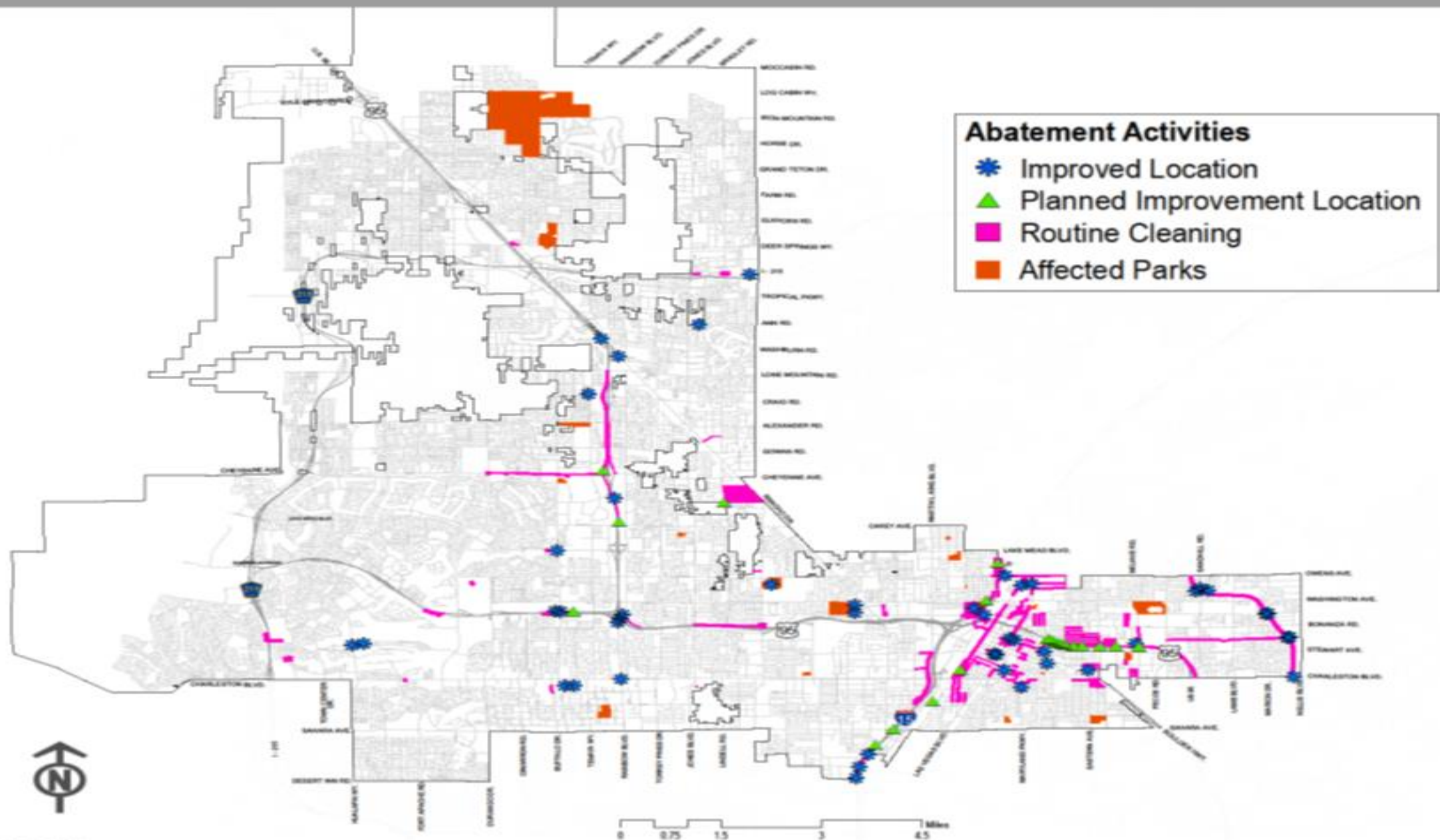
- Maintenance Crews Providing Cleanup and Abatement Efforts
  - Nine staff, including a supervisor and maintenance workers
  - Encampment abatement and cleaning
- Additional Crew Support (East, West, and Downtown street & storm drain crews)
  - Public rights-of-way, trails, and drainage structures
  - Cleaning and sanitation work
  - Security application: storm-drain fencing and trash racks
- Parks and Grounds Maintenance
  - Cleaning and hazard abatement in city parks
  - Additional application options utilizing environmental fee under review

**Annual Cost: \$2.7 million**






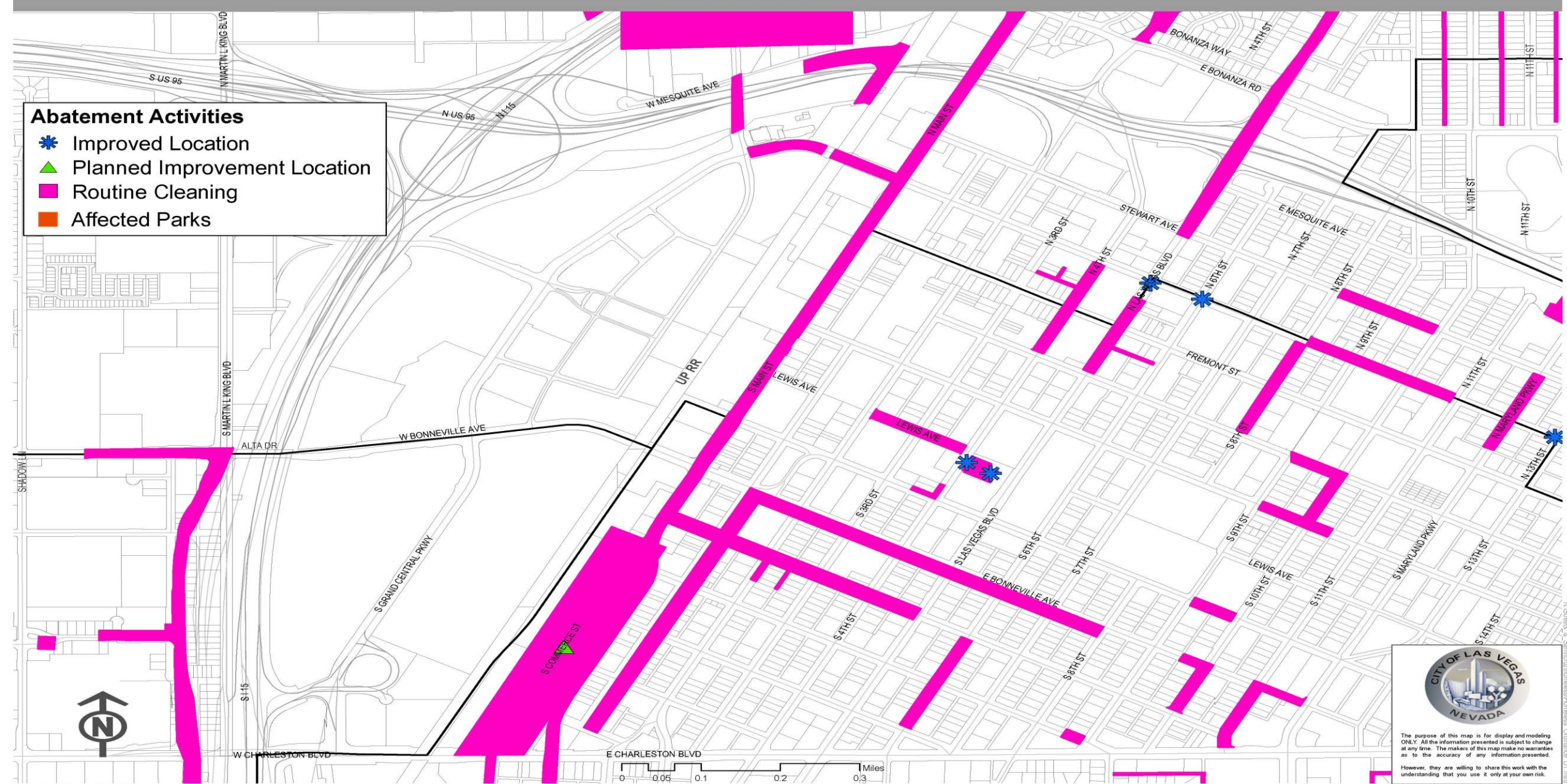
# RECENT ABATEMENT EFFORTS



# RECENT DOWNTOWN ABATEMENT EFFORTS

## Abatement Activities

-  Improved Location
-  Planned Improvement Location
-  Routine Cleaning
-  Affected Parks

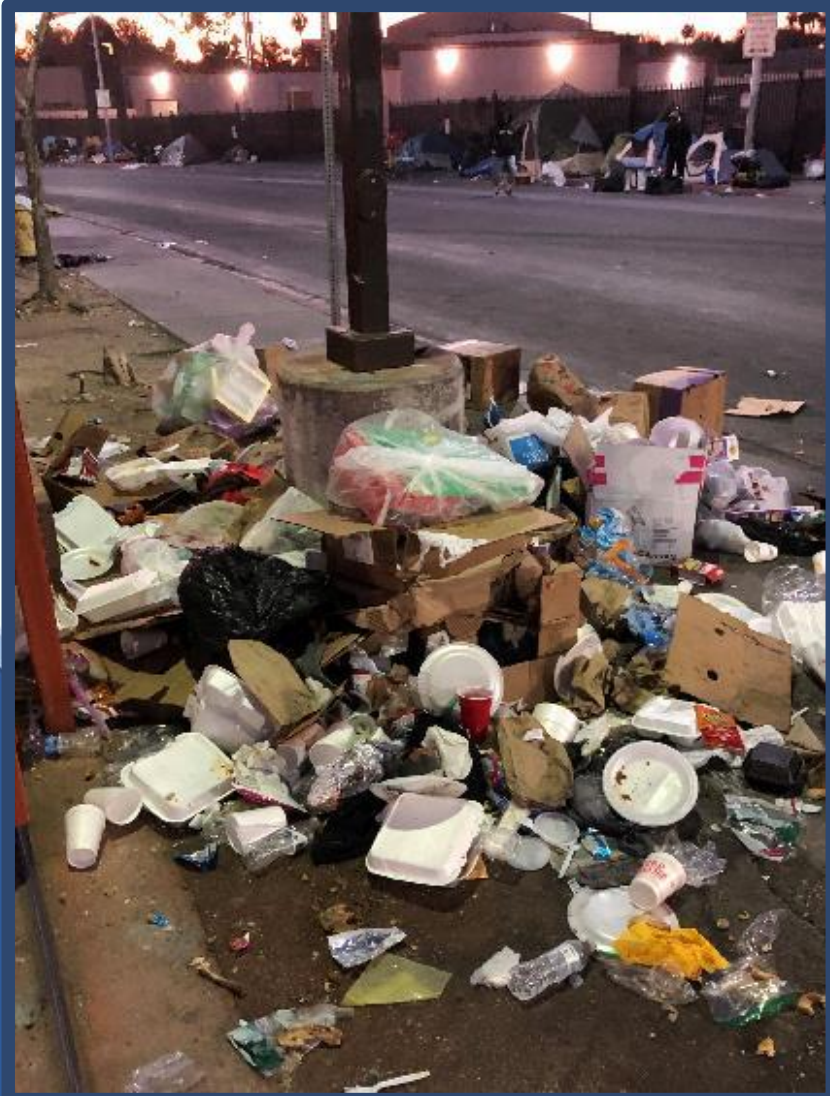


The purpose of this map is for display and modeling ONLY. All the information presented is subject to change at any time. The makers of this map make no warranties as to the accuracy of any information presented. However, they are willing to share this work with the understanding that you use it only at your own risk.

# PUBLIC HEALTH, SAFETY & WELFARE CONCERN: STORM DRAIN SYSTEM



# PUBLIC HEALTH, SAFETY & WELFARE CONCERN: PUBLIC SIDEWALKS



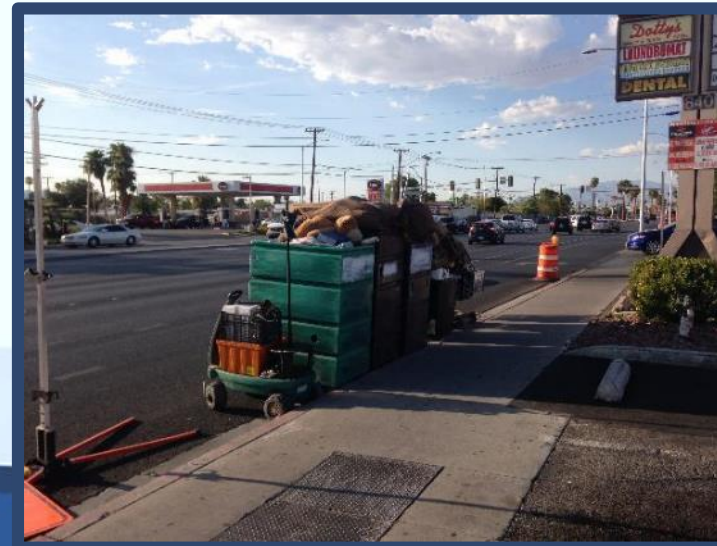
# PUBLIC HEALTH, SAFETY & WELFARE CONCERN: PUBLIC ROADWAYS



# PUBLIC HEALTH, SAFETY & WELFARE CONCERN: RESIDENTIAL AREAS



# PUBLIC HEALTH, SAFETY & WELFARE CONCERN: COMMERCIAL AREAS



From August 27th  
thru September 8th

- 1 - 4
- 5 - 9
- 10 - 15
- 16 - 23
- 24 - 34



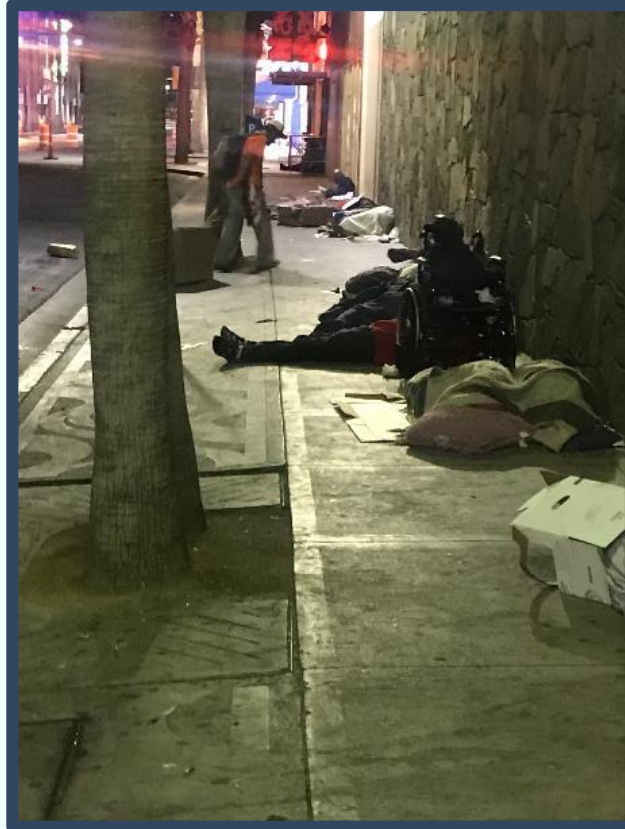
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Due to continuous development activity  
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GEOGRAPHIC INFORMATION SYSTEMS  
Operations & Maintenance  
(702) 258-2882





# PUBLIC HEALTH, SAFETY & WELFARE CONCERN: COMMUNITY HEALTH & OPERATIONAL CONSIDERATIONS



- Homeless Population: 6/1000
- Infrastructure Maintenance & Liability
- Neighborhood Livability & Property Values
- Commercial Viability
  - 12% of Downtown Land Is Vacant & Undeveloped

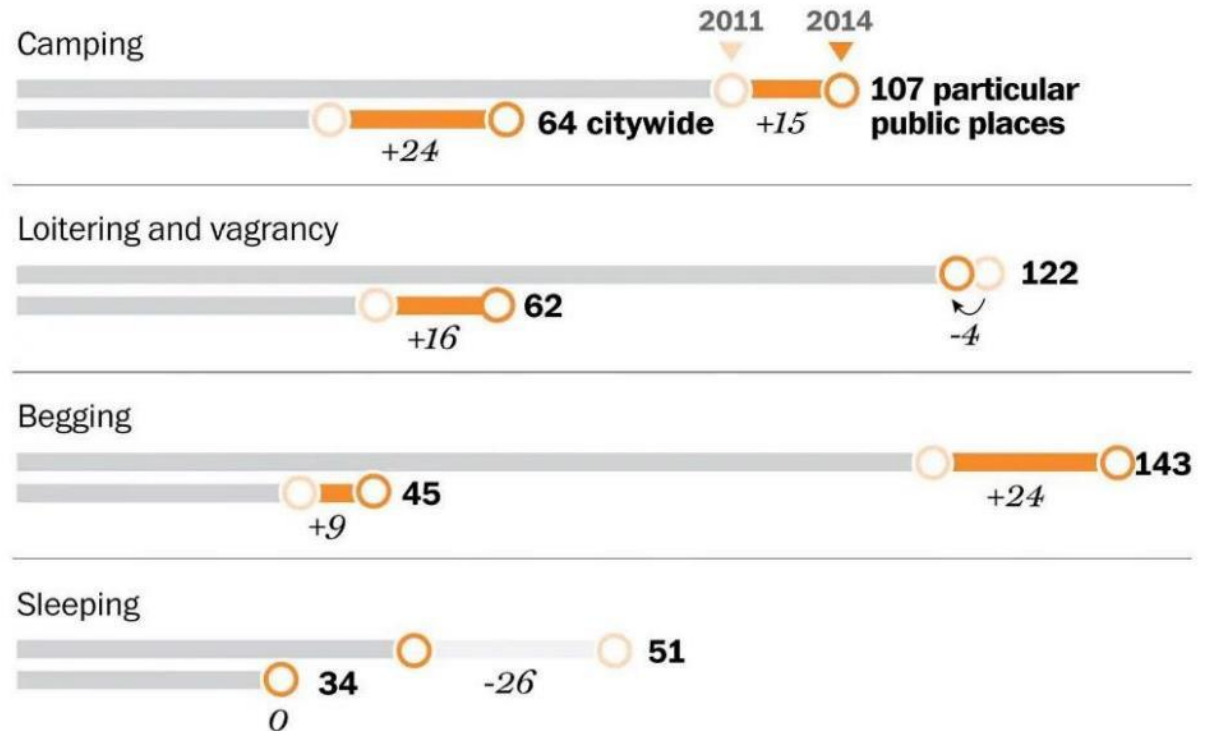


# CITYWIDE, ALL PUBLIC PROPERTY & SELECT PUBLIC PROPERTY CAMPING BANS ACROSS THE COUNTRY

- National Law Center on Homelessness & Poverty (2014 survey of 187 cities)
  - 64 Citywide Bans
  - 107 All Public Property & Select Public Property Bans
- Complete and Select Bans in 11 U.S. Court Circuits

## Homelessness bans across the United States

Since 2006, the National Law Center on Homelessness & Poverty has been surveying 187 U.S. cities to track local ordinances that the center believes target the homeless.



Source: National Law Center on Homelessness & Poverty  
STEPHANIE STAMM/THE WASHINGTON POST

# CITYWIDE, ALL PUBLIC PROPERTY & SELECT PUBLIC PROPERTY CAMPING BANS ACROSS THE COUNTRY

Albany, Georgia  
Allentown, Pennsylvania  
Amarillo, Texas  
Asheville, North Carolina  
Athens, Georgia  
Atlanta, Georgia  
Atlantic City, New Jersey  
Augusta, Georgia  
Austin, Texas  
Bangor, Maine  
Bettendorf, Iowa  
Biloxi, Mississippi  
Bloomington, Indiana  
Boston, Massachusetts  
Boulder, Colorado  
Bradenton, Florida  
Brunswick, Georgia  
Buffalo, New York  
Burlington, Vermont  
Charleston, South Carolina

Charlotte, North Carolina  
Clearwater, Florida  
Cleveland, Ohio  
Colorado Springs, Colorado  
Columbia, South Carolina  
Columbus, Ohio  
Concord, New Hampshire  
Corpus Christi, Texas  
Covington, Kentucky  
Dallas, Texas  
Davenport, Iowa  
Daytona Beach, Florida  
Denver, Colorado  
Des Moines, Iowa  
Dover, Delaware  
Eau Claire, Wisconsin  
El Paso, Texas  
Fall River, Massachusetts  
Fayetteville, Arkansas  
Frederick, Maryland

Ft. Lauderdale, Florida  
Ft. Myers, Florida  
Hallandale Beach, Florida  
Houston, Texas  
Indianapolis, Indiana  
Jacksonville, Florida  
Kalamazoo, Michigan  
Kansas City, Missouri  
Key West, Florida  
Lafayette, Louisiana  
Lakewood, Colorado  
Lawrence, Kansas  
Lexington, Kentucky  
Little Rock, Arkansas  
Louisville, Kentucky  
Madison, Wisconsin  
Manchester, New Hampshire  
Miami, Florida  
Minneapolis, Minnesota

Mobile, Alabama  
Montgomery, Alabama  
Naples, Florida  
Nashville, Tennessee  
New Haven, Connecticut  
New Orleans, Louisiana  
New York, New York  
Newark, New Jersey  
Newport, Rhode Island  
Norwalk, Connecticut  
Oklahoma City, Oklahoma  
Orlando, Florida  
Philadelphia, Pennsylvania  
Pierre, South Dakota  
Pittsburgh, Pennsylvania  
Pontiac, Michigan  
Providence, Rhode Island  
Raleigh, North Carolina  
Rapid City, South Dakota  
Rochester, New York

Salt Lake City, Utah  
San Antonio, Texas  
Santa Fe, New Mexico  
Sarasota, Florida  
Shreveport, Louisiana  
South Bend, Indiana  
St. Augustine, Florida  
St. Paul, Minnesota  
Suffolk, Virginia  
Tampa, Florida  
Topeka, Kansas  
Trenton, New Jersey  
Tulsa, Oklahoma  
Virginia Beach, Virginia  
Wichita, Kansas

# CAMPING & SLEEPING BANS IN THE 9TH CIRCUIT BEFORE *MARTIN V. CITY OF BOISE* (2019)

## Sleeping or Camping Ban Citywide or on All Public Property

Glendale, Arizona  
Phoenix, Arizona  
Tempe, Arizona  
El Cajon, California  
Oakland, California  
Sacramento, California  
Santa Cruz, California  
Boise, Idaho  
Pahrump, Nevada

Mesa, Arizona  
Scottsdale, Arizona  
Bakersfield, California  
Long Beach, California  
Redondo Beach, California  
Santa Barbara, California  
South Lake Tahoe, California  
Idaho Falls, Idaho  
Olympia, Washington  
Spokane, Washington

## Sleeping or Camping Ban in Select Public Places

Anchorage, Alaska  
Berkeley, California  
Modesto, California  
San Francisco, California  
San Luis Obispo, California  
Maui County, Hawaii  
Portland, Oregon  
North Las Vegas, Nevada

Tucson, Arizona  
Los Angeles, California  
San Diego, California  
San Jose, California  
Honolulu, Hawaii  
Eugene, Oregon  
Las Vegas, Nevada  
Reno, Nevada  
Seattle, Washington



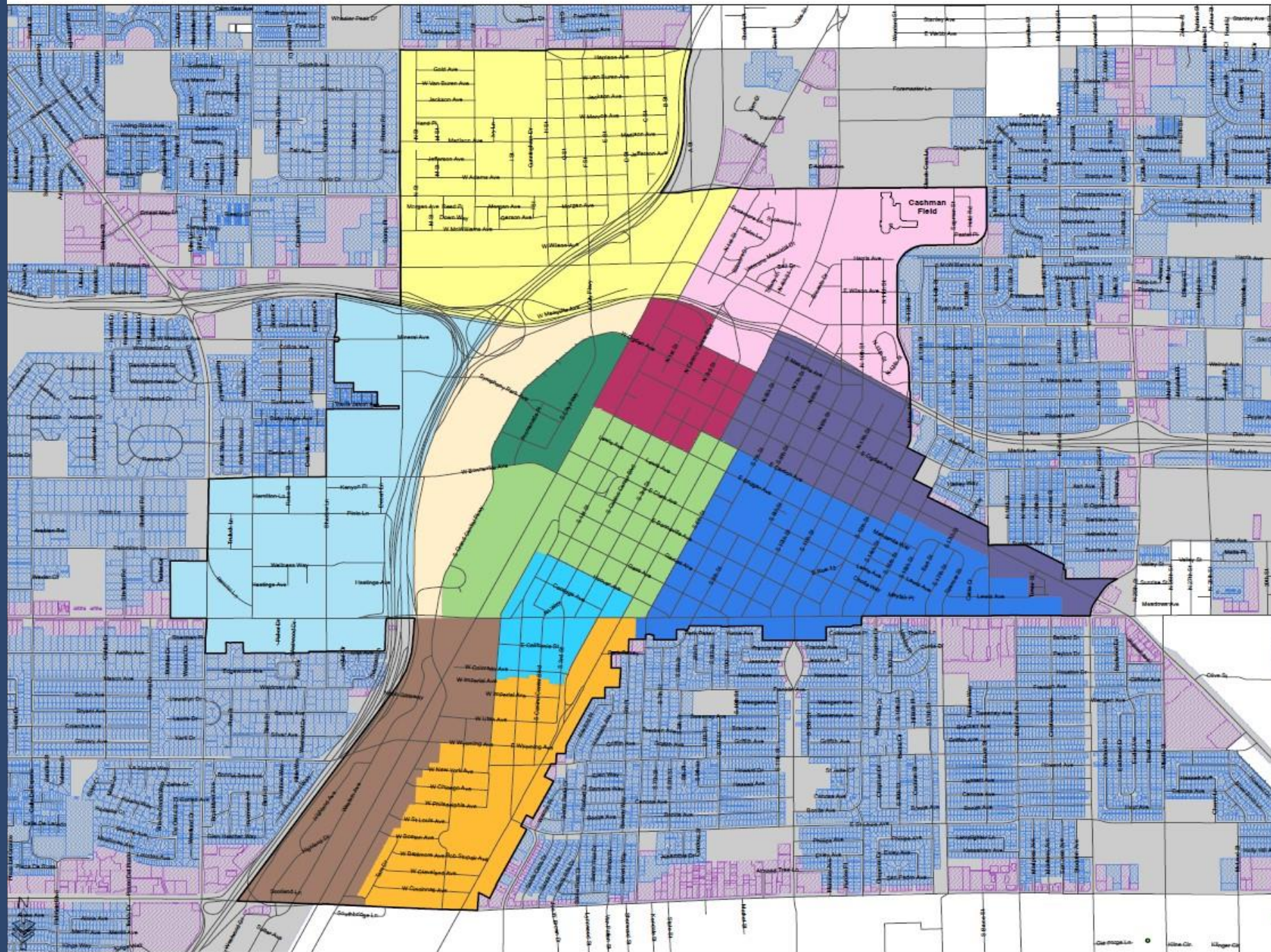
# **BILL 2019-36**

## **PROPOSED ENCAMPMENT ORDINANCE TO ENSURE THE HEALTH, SAFETY, AND WELFARE OF LAS VEGAS**

An ordinance generally prohibiting camping, lodging, and similar activities within any right-of-way adjacent to residential property, within specified districts of the city of Las Vegas or within five hundred feet of any receiving dock of a food processing facility, and to provide for other related matters.



# Downtown Master Plan Districts



-  Residential Zoning
-  Multifamily Residential Zoning Allowed With Special Use Permit or Conditional Use in C-1, C-2, C-D, O and P-O Zoning
-  Downtown Master Plan
-  18b Las Vegas Arts District
-  Cashman District
-  Civic & Business District
-  Design District
-  Founders District
-  Fremont East District
-  Gateway District
-  Historic Westside District
-  Las Vegas Medical District
-  Market Corridor District
-  Resort & Casino District
-  Symphony Park District
-  City Limit



GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.  
**Geographic Information System**  
 Planning & Development Dept.  
 702-224-4501

# BILL 2019-36

## PROHIBITIONS & AFFECTED AREAS

- **Prohibited Conduct within a Public Right-of-Way**
  - Sitting or lying down, including on a blanket, stool, or other object
  - Sleeping outdoors
  - Sleeping or being in a temporary shelter outdoors
  - Cooking over an open flame or fire outdoors
  - Laying down bedding or setting up a tent or similar structure for sleeping or temporary living
- **Public Rights-of-Way Subject to the Ordinance**
  - Located adjacent to property zoned for residential use
  - Located within twelve Downtown Master Plan districts
  - Located within 500 feet of a food processing facility's receiving dock



# BILL 2019-36

## ENFORCEMENT & EXCEPTIONS

- **Enforcement by Public Safety and Metro**
  - Notify individual that he or she is engaged in prohibited conduct
  - Inform individual that resources are available at the Courtyard Homeless Resource Center
  - Direct individual to a location not subject to the ordinance
  
- **Exceptions to Citation or Arrest**
  - Violator ceases, within reasonable time, and moves along
  - Medical emergency
  - Use of wheelchair or similar device in right-of-way
  - Patronizing properly permitted business (e.g., outdoor patio)
    - Protected speech: parade, festival, rally, demonstration, meeting
      - Use of chair or bench supplied by abutting private property owner
        - Waiting for public or private transportation
        - Ordinance suspended when shelters reach maximum capacity





# COMPARING ORDINANCES BOISE VS. LAS VEGAS

|   | Boise's<br>Camping & Disorderly Conduct Ordinances | Las Vegas' Proposed<br>Encampment Ordinance |
|---|--|---|
| Citywide Ban  | Yes  | No  |
| Place or Time Limitations   | No   | Yes, limited by place                       |
| Enforcement Suspended if<br>No Alternative Shelter Available              | Yes  | Yes   |
| Alternative Shelter includes<br>City Emergency Shelter or Resource Center | No   | Yes   |
| Alternative Shelter includes<br>Low-Barrier Shelter or Resource Center    | No   | Yes   |
| City Affirmatively Declares<br>Alternative Shelters at Capacity           | No   | Yes   |

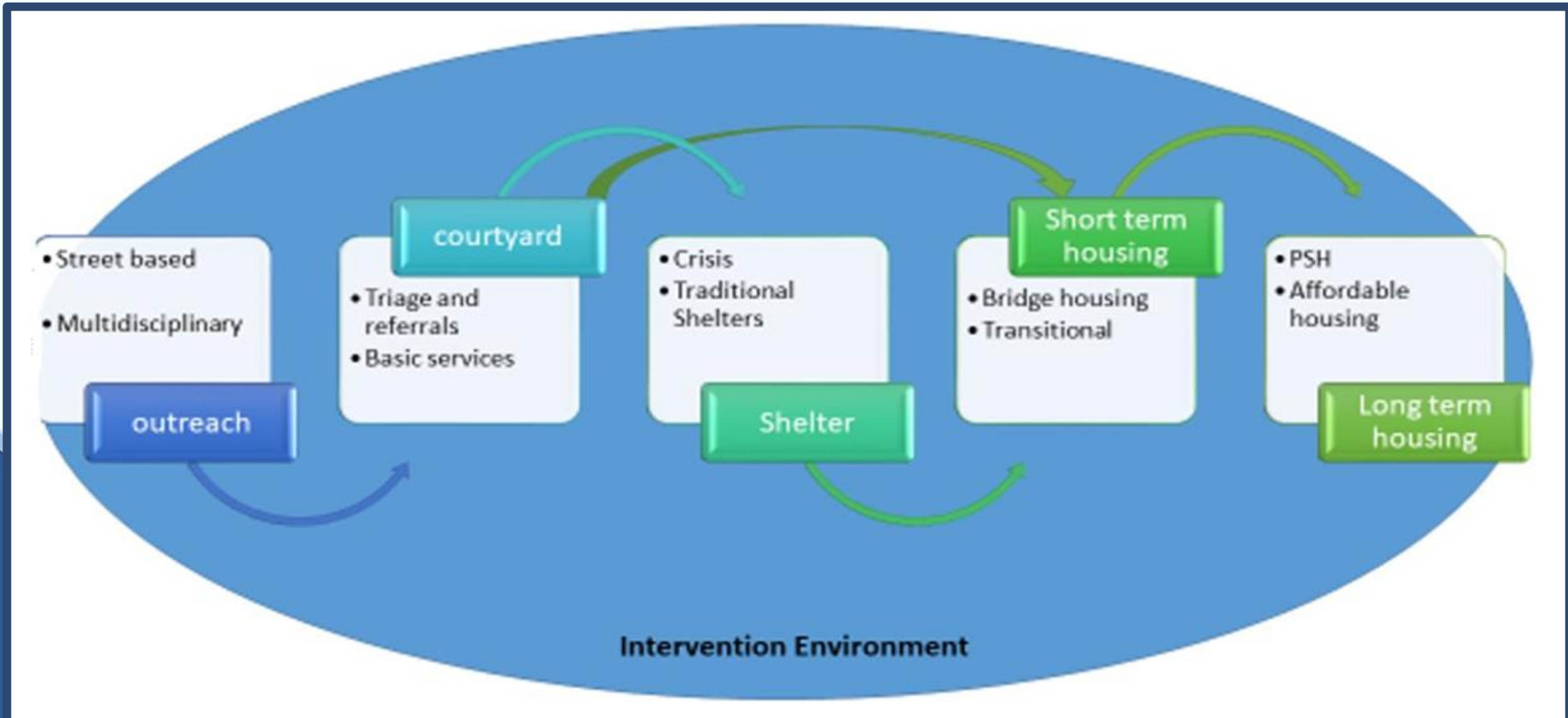


# UNAVAILABLE OR NONVIABLE TOOLS

- Mental Health Laws & Involuntary Commitment
- Transitional Housing
- Portable Toilets & Showers



# CONTINUUM OF INTERVENTIONS STRATEGY



# CURRENT CITY OF LAS VEGAS EFFORTS

## PROACTIVE OUTREACH: MORE TEAMS

- Three Multi-Discipline Teams
- Provides On-site Triage & Diversion
- Brings Agency Resources to Clients
- \$565,200 Annually



**MORE Teams**



# CURRENT CITY OF LAS VEGAS EFFORTS COURTYARD HOMELESS RESOURCE CENTER

- Connects Homeless to Services
- Low-Barrier Shelter: Open 24/7
- Accepts Pets, Partners & Possessions
- Optimal Guest Capacity: 300



# CITY OF LAS VEGAS EFFORTS

## COURTYARD EXPANSION: OPENING 2021

- \$20 Million Capital Project
- \$6 Million Annual Operating Budget
- Optimal Guest Capacity: 800
- Low-Barrier: Open 24/7



# FY2019 & FY2020 (JULY-SEPTEMBER)

## CITY PROGRAM & SERVICES OUTCOMES

- **Medical & Mental Health**
  - FY19: 234 guests
  - FY20: 55 guests
- **Ticket to Home**
  - FY19: 573 Households
  - FY20: 290 Households
- **Benefits Assistance**
  - FY19: 177 Services
  - FY20: 95 Services
- **Courtyard Overnight Attendance**
  - FY19: 296
  - FY20: 346
- **Rental & Move-In Assistance**
  - FY19: 45 Households
  - FY20: 6 Households
- **Bridge Housing**
  - FY19: 94 Households
  - FY20: 25 Households



# CITY OF LAS VEGAS INVOLVEMENT IN REGIONAL EFFORTS

- Southern Nevada Continuum of Care (CoC)
- CoC Working Group
- Homeless Management Information System (HMIS)
- Regional Diversion Pilot Program
- Assembly Bill (AB) 73 Working Group





# ROLE OF LAW ENFORCEMENT

- Misdemeanors
  - Warning, Citation, or Arrest
- Enforcement
  - Metro and City Marshals



# ENCAMPMENT ORDINANCE

# PHASED IMPLEMENTATION

If the Proposed Ordinance Passes Today

- November 10, 2019: Ordinance Effective except Penalty Provisions
- November 10, 2019 – January 31, 2020
  - Signs Posted with New Ordinance Prohibitions
  - MORE Teams & Public Safety Notify Individuals of New Prohibitions
  - Operations & Maintenance Continues Escalated Downtown ROW Cleaning
  - Community Services & Public Safety Refine Implementation & Procedures
  - City Reviews Additional Locations for Shelter Needs

February 1, 2020: Penalty Provisions in Effect



# ENCAMPMENT ORDINANCE BILL 2019-36

NOVEMBER 6, 2019

