Agenda Item: 15.A
Date of Meeting: October 28, 2024
Department: Police

STAFF REPORT

To:	City Council
From:	Nate Derr
Subject:	**First Reading and Introduction of a Proposed Ordinance Relating to Regulating Encampments and Sleeping on Public Property**
Prepared On:	October 18, 2024
Attachments:	Ordinance - Relating to Encampments and Sleeping on Public Property

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Background/History:

On June 28th 2024 the US Supreme court ruled on *Grants Pass v. Johnson* concerning the enforcement of anti-camping laws and their implications for homelessness. Specifically, it involves a legal challenge to ordinances that criminalize the act of sleeping in public spaces. The case centers around whether such laws violate the Eighth Amendment's prohibition on cruel and unusual punishment, especially in the context of a person who is homeless and has no viable alternative to sleeping in public.

In response to growing concerns about public health and safety, California Governor Gavin Newsom issued an executive order that impacts how cities handle anti-camping laws. The order allows and encourages cities to enforce such laws more strictly but emphasizes the need for balancing enforcement with providing sufficient shelter and services for homeless individuals.

The *Grants Pass v. Johnson* case and Governor Newsom's executive order are connected through their focus on balancing enforcement of anti-camping laws with the rights and needs of homeless individuals. The case addresses constitutional concerns about criminalizing homelessness, while the executive order provides a framework for cities to enforce these laws responsibly.

Analysis/Discussion:
Currently the City of Bishop does not have a camping ordinance. This leaves Officers little to

no direction when addressing camping or sleeping on public property within the City limits. The proposed Ordinance with attached response procedure and abatement form including a resource guide for individuals experiencing homelessness, will put the City of Bishop in line with State and Federal standards and into compliance with State and Federal law regarding camping on public property.

Additionally this will align with the City of Bishop's strategic plan Mission 1: Build and create community and support a vibrant, pedestrian-friendly city by investing in public spaces and supporting downtown events and activities.

Economic Impacts:
This item would provide for a more family friendly downtown, which can increase overall business revenue.

Budget Impacts:
There are no budget impacts.

Legal Review:
City Attorney Pucci has reviewed this item and finds it complies with the law.

Recommended Action:
Council consideration to approve the first reading and introduction of the proposed ordinance by title only.

An Ordinance of the City Council of the City of Bishop, State of California, Amending Title 8 of the Bishop Municipal Code by Adding Chapter 8.05 Relating to the Regulating of Encampments and Sleeping on Public Property and Determining Such Ordinance to be Exempt From Environmental Review Under the California Environmental Quality Act.

Approved By: Ethan Aukee 10/21/2024
Approved By: Robin Picken 10/21/2024
Approved By: Deston Dishion 10/21/2024
Approved By: