## COMPARISON OF PROPOSED ORDINANCE (Item #29, October 17 Council Agenda)

### PART 2 - Proposed Camping Ordinance Clarifications 9-4-11(3)

<table>
<thead>
<tr>
<th>Area</th>
<th>AK, KT, AA, LP</th>
<th>Mayor Proposal</th>
</tr>
</thead>
<tbody>
<tr>
<td>On or inside a culvert or storm drain</td>
<td>Prohibited [B.1]</td>
<td>Not Included</td>
</tr>
<tr>
<td>In the bed or on the bank of a creek or river and within 5 feet of the top of the bank of a creek or river</td>
<td>Prohibited [B.2]</td>
<td>Not Included</td>
</tr>
<tr>
<td>On any part of an accessibility ramp for persons with disabilities</td>
<td>Prohibited [B.3]</td>
<td>Not Included</td>
</tr>
<tr>
<td>On land that the city has designated as having a high fire risk</td>
<td>Prohibited [B.4]</td>
<td>Not Included</td>
</tr>
<tr>
<td>On a sidewalk</td>
<td>Prohibited [B.5]</td>
<td>Prohibited [B.1.c]</td>
</tr>
<tr>
<td>Within 15 feet of the door jamb of an entrance or exit to a business or a residence</td>
<td>Prohibited. [B.6]</td>
<td>Prohibited [B.2.3]</td>
</tr>
<tr>
<td>Within the area of the Austin Resource Center for Homeless (ARCH) bordered by East 4th Street (South), Brushy Street (East), East 11th Street (North), and Brazos Street (West), excluding any area under IH-35</td>
<td>Prohibited [B.7.a.]</td>
<td>Prohibited [B.2.1] Bordered by South Bound I-35 Frontage Road (East) rather than Brushy Street</td>
</tr>
<tr>
<td>At the time that the South Austin Housing Center homeless shelter becomes operational, within the area bordered by the western boundary of Manchaca Road, the eastern boundary of South 1st Street, the northern boundary of Lightsey Road, and the southern boundaries of Redd Street and West St. Elmo</td>
<td>Prohibited [B.7.b]</td>
<td>Prohibited [B.2.2] Within one-quarter mile of homeless shelters outside of the Central Business District</td>
</tr>
<tr>
<td>On a traffic island, median strip, median island, intersection island or other similar area under a highway overpass that separates opposing traffic flows with either a painted area or a raised curb where one of the traffic flows is a u-turn lane</td>
<td>Prohibited [B.8]</td>
<td>Not Included</td>
</tr>
<tr>
<td>On the sloped area under a highway and at the top of a retaining wall or alongside a highway overpass</td>
<td>Prohibited [B.9]</td>
<td>Not Included</td>
</tr>
</tbody>
</table>

### Camping in a manner that includes:

1. damaging, altering, or modifying public infrastructure, including benches, retaining walls, or planters; or
2. obstructing normal use of and access to public infrastructure, including benches or parking pay stations.

### Areas prohibited under other law or rule, including:

1. in a park;
2. on land designated by the city for conservation, preservation, or water protection including nature preserves, the Balcones Canyonland Preserves, and Austin Water Wildlands;
3. on flood buy-out lands that the city has acquired as high flood risk areas;
4. in the right-of-way of a railroad or light rail track or crossing;
5. in a city library or on the grounds of a city library;

Prohibitions already established [Part 1 – Findings] Not Included
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<td>(6) on private property without the permission of the owner or a person with apparent authority to act for the owner;</td>
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<td>(7) in or on transit stops, shelters, platforms, or stations; or</td>
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<tr>
<td>(8) in a designated and marked special use zone, including construction zones, commercial service zones, passenger loading zones, customer service zones, and valet zones.</td>
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**PART 3 - Proposed Sitting/Lying Down Ordinance Clarifications 9-4-14(3)**

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<td>Obstructing a sidewalk, trail, or shared-use path</td>
<td>Prohibited [A.2] Applies in area currently in ordinance</td>
<td>Not Included</td>
</tr>
<tr>
<td>In the right-of-way of a railroad or light rail track or crossing</td>
<td>Prohibited [B.1] Applies citywide</td>
<td>Not Included</td>
</tr>
<tr>
<td>In a designated and marked special use zone, including, construction zones, commercial service zones, passenger loading zones, customer service zones, and valet zones</td>
<td>Prohibited [B.2] Applies citywide</td>
<td>Not Included</td>
</tr>
<tr>
<td>On any part of an accessibility ramp, located in a public place, for persons with disabilities</td>
<td>Prohibited [B.3] Applies citywide</td>
<td>Not Included</td>
</tr>
<tr>
<td>Within 15 feet of the door jamb of an entrance or exit to a business or a residence</td>
<td>Prohibited [B.4] Applies citywide</td>
<td>Prohibited [B.2.3]</td>
</tr>
<tr>
<td>Within the area of the Austin Resource Center for Homeless (ARCH) bordered by East 4th Street (South), Brushy Street (East), East 11th Street (North), and Brazos Street (West), excluding any area under IH-35</td>
<td>Prohibited [C.1]</td>
<td>Prohibited [B.2.1] Bordered by South Bound I-35 Frontage Road (East) rather than Brushy Street</td>
</tr>
<tr>
<td>At the time that the South Austin Housing Center homeless shelter becomes operational, within the area bordered by the western boundary of Manchaca Road, the eastern boundary of South 1st Street, the northern boundary of Lightsey Road, and the southern boundaries of Redd Street and West St. Elmo</td>
<td>Prohibited [C.2]</td>
<td>Prohibited [B.2.2] Within one-quarter mile of homeless shelters outside of the Central Business District</td>
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**Enforcement and Engagement Process [9-4-11(4) and 9-4-14(4)]**

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<tr>
<td>Unless a law enforcement officer determines that there is an imminent health or safety threat, a law enforcement officer may only issue a citation for a violation of this section if, prior to issuing the citation, the law enforcement officer: (A) notifies the person that the conduct violates this section; (B) provides the person with a reasonable opportunity to comply with the prohibition, but the person does not comply; and</td>
<td>Included</td>
<td>Not Included</td>
</tr>
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<td>Provision</td>
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<td>(C) contacts, whenever reasonable, a member of a Homeless Outreach Street Team (HOST), case worker, community health paramedic, or other city designee who shall have the opportunity to offer to transport a person who continues to obstruct, sit, or lie in violation of City Code Section 9-4-14(3) (<em>Obstruction in the Downtown Austin Community Court Area and Sitting or Lying in Other Specified Areas Prohibited</em>) to a location at which such obstructing, sitting, or lying is not prohibited and, as reasonably possible, at which case management and housing services can be received; or (D) determines, in instances where it is not reasonable for a law enforcement officer to contact a member of a Homeless Outreach Street Team (HOST), case worker, community health paramedic, or other city designee as required by this section, that the person has previously been notified by a law enforcement officer that the person’s conduct at that same address or location violates this section.</td>
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<td></td>
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</table>