



**COUNCIL ORDINANCE NO. 20621**

**COUNCIL BILL 5215**

**AN ORDINANCE AMENDING AND CODIFYING PERMITTED  
OVERNIGHT SLEEPING REST STOP PROGRAM PROVISIONS,  
AND AMENDING SECTION 4.816 OF THE EUGENE CODE, 1971.**

**ADOPTED: July 22, 2019**

**SIGNED: July 23, 2019**

**PASSED: 5:2**

**REJECTED:**

**OPPOSED: Taylor, Clark**

**ABSENT: Evans**

**EFFECTIVE: August 23, 2019**



## ORDINANCE NO. 20621

### AN ORDINANCE AMENDING AND CODIFYING PERMITTED OVERNIGHT SLEEPING REST STOP PROGRAM PROVISIONS, AND AMENDING SECTION 4.816 OF THE EUGENE CODE, 1971.

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

**A.** On September 25, 2013, Council adopted Ordinance No. 20517 to create additional sleeping options for people who are unhoused. Uncodified Sections 3 and 4 of that Ordinance created an overnight sleeping (“rest stop”) pilot program and established rest stop siting requirements.

**B.** On December 8, 2014, Council adopted Ordinance No. 20547 amending Section 3 of Ordinance No. 20517 to increase by 5 people the maximum number of people allowed to stay at a rest stop, if certain conditions are met.

**C.** On February 27, 2017, Council adopted Ordinance No. 20576 making the rest stop program permanent.

**D.** It is necessary to amend the rest stop program provisions to provide the Council with greater flexibility when implementing the program. In addition, because the rest stop program is no longer a pilot program, the program provisions should be added to Eugene Code section 4.816 (permitting overnight sleeping).

#### THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

**Section 1.** A new subsection (10) is added to Section 4.816 of the Eugene Code, 1971

to provide as follows:

#### **4.816 Permitted Overnight Sleeping.**

##### **(10) Permitted overnight sleeping rest stop program.**

- (a) Up to 15 persons may sleep overnight in vehicles, as that term is defined in subsection (1)(a) of this section, on property authorized pursuant to subsection (c) below. However, for rest stop sites that have been operating in good standing for at least six months, the operator of the rest stop may request, and the city manager may approve, that up to 20 persons may sleep overnight at a specified site under this program.
- (b) No site may be used for overnight sleeping pursuant to subsection (a) above unless one or more entities enters into the agreement with the city referenced in subsection (c) below and one or more entities provides adequate garbage, toilets and supervision. The entity providing supervision shall work with surrounding and nearby neighbors (businesses or residences) to address any concerns.

- (c) The city manager shall recommend to the city council one or more proposed sites authorized by subsections (a) and (b) above. Any such site may not be located in a residential area or close to a school unless the city council determines that any potential impacts to the surrounding residences or to the school can be effectively mitigated. Before a proposed site may be used, the site must be approved by the city council by motion and an agreement must be executed between the city and the entity referred to in subsection (b) above. Such an agreement may include but is not limited to provisions concerning:
1. Supervision;
  2. Selection of the individuals who may camp at the site;
  3. Number of continuous days that someone may camp at the site;
  4. Hours that people may stay at the site in addition to 9:00 p.m. to 7:00 a.m.;
  5. Structures and other items that may be placed on the site; and
  6. Closure of the site for non-compliance with the terms of the agreement.

**Section 2.** The City Recorder, at the request of, or with the consent of the City Attorney, is authorized to administratively correct any reference errors contained herein, or in other provisions of the Eugene Code, 1971, to the provisions added, amended or repealed herein.

**Passed by the City Council this**

**22<sup>nd</sup> day of July, 2019.**

  
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City Recorder

**Approved by the Mayor this**

**23 day of July, 2019.**

  
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Mayor