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ORDINANCE NO.

AN ORDINANCE AMENDING CITY CODE SECTION 9-4-11 RELATING TO PROHIBITING CAMPING IN PUBLIC AREAS; REPEALING CITY CODE SECTION 9-4-13 RELATING TO PROHIBITING SOLICITATION; AND AMENDING CITY CODE SECTION 9-4-14 RELATING TO PROHIBITING SITTING OR LYING DOWN ON PUBLIC SIDEWALKS OR SLEEPING OUTDOORS IN THE DOWNTOWN AUSTIN COMMUNITY COURT AREA

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. Subsection (B) of City Code Section 9-4-11 (*Camping in Public Area Prohibited*) is amended to read:

§ 9-4-11 CAMPING IN PUBLIC AREA PROHIBITED

(B) Except as provided in Subsection (D), a person commits an offense if the person camps in a public area that is not designated as a camping area by the Parks and Recreation Department and the person is:

- (1) materially endangering the health or safety of another person or of themselves; or
- (2) intentionally or knowingly impeding the use of public property making usage of such property unreasonably inconvenient.

PART 2. Section 9-4-13 (*Solicitation Prohibited*) is repealed and the remaining sections are renumbered accordingly.

PART 3. The caption and Subsection (E) of City Code Section 9-4-14 (*Sitting or Lying Down on Public Sidewalks or Sleeping Outdoors in the Downtown Austin Community Court Area Prohibited*) are amended to read:

§ 9-4-14 OBSTRUCTION [~~SITTING OR LYING DOWN ON PUBLIC SIDEWALKS OR SLEEPING OUTDOORS~~] IN THE DOWNTOWN AUSTIN COMMUNITY COURT AREA PROHIBITED

(E) A person commits an offense if, after having been notified by a law enforcement officer that the conduct violates this section:

- (1) the person is asleep outdoors; or

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- (2) the person sits or lies down in the right-of-way between the roadway and the abutting property line or structure, or an object placed in that area; and
- (3) the person is:
 - (i) materially endangering the health or safety of another person or of themselves; or
 - (ii) intentionally or knowingly impeding the use of public property making usage of such property unreasonably inconvenient.

PART 4. This ordinance takes effect on _____, 2019.

PASSED AND APPROVED

_____ §
 _____ §
 _____, 2019 § _____
 Steve Adler
 Mayor

APPROVED: _____
 Anne L. Morgan
 City Attorney

ATTEST: _____
 Jannette S. Goodall
 City Clerk