

ORDINANCE NO. 20210302-001

AN ORDINANCE AMENDING ORDINANCE 20210209-003 ORDERING A SPECIAL MUNICIPAL ELECTION REGARDING A CRIMINAL OFFENSE AND A PENALTY FOR CAMPING IN PUBLIC AREAS WITHOUT A PERMIT, CERTAIN TYPES OF SOLICITATION, AND SITTING, LYING, OR SLEEPING OUTDOORS IN CERTAIN PUBLIC AREAS; AND DECLARING AN EMERGENCY.

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

PART 1. Through its adoption of Ordinance No. 20210209-003 on February 9, 2021, the City Council adopted ballot language for Proposition B, regarding a criminal offense and a penalty for camping in public areas without a permit, certain types of solicitation, and sitting, lying, or sleeping outdoors in certain public areas.

PART 2. A suit was filed in the Third Court of Appeals on February 16, 2021 challenging the ballot language for Proposition B.

PART 3. On February 24, 2021, the Third Court of Appeals denied the relators' application for a writ of mandamus, and the relators appealed to the Supreme Court of Texas. On March 2, 2021, the Supreme Court of Texas issued its opinion directing the City to modify the ballot language by deleting the word "anyone" where it appeared in the ballot language.

PART 4. Pursuant to that order, Ordinance No. 20210209-003 is amended to alter the ballot language of Proposition B to permit voting "Yes" or "No" on the proposition:

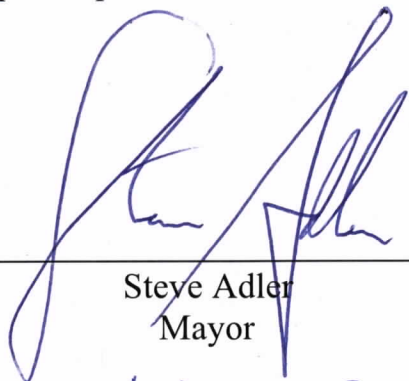
Proposition B: Shall an ordinance be adopted that would create a criminal offense and a penalty for sitting or lying down on a public sidewalk or sleeping outdoors in and near the Downtown area and the area around the University of Texas campus; create a criminal offense and penalty for solicitation, defined as requesting money or another thing of value, at specific hours and locations or for solicitation in a public area that is deemed aggressive in manner; create a criminal offense and penalty for camping in any public area not designated by the Parks and Recreation Department?

PART 5. Council finds that the need to adopt new ballot language constitutes an emergency. Because of this emergency, this ordinance takes effect immediately on its passage for the immediate preservation of the public peace, health, and safety.

PASSED AND APPROVED


_____, March 2, 2021

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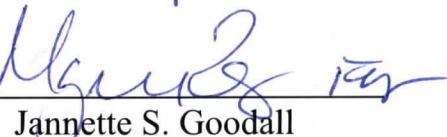
Steve Adler
Mayor

APPROVED:



Anne L. Morgan
City Attorney

ATTEST:



Jannette S. Goodall
City Clerk