

EXPLANATION: Matter underlined is new; matter in brackets and stricken [--] is material to be repealed.

BILL NO. ____

ORDINANCE NO. ____

AN ORDINANCE TO AMEND TITLE 8, CHAPTER 8.12, OF THE RENO MUNICIPAL CODE ENTITLED "OFFENSES AGAINST PUBLIC PEACE", PROHIBITING SITTING, LYING, SLEEPING OR CAMPING ON PUBLIC PLACE INCLUDING BUT NOT LIMITED TO SIDEWALKS, STREETS, ALLEYS, SENSITIVE AREAS OR WITHIN DOORWAYS PROHIBITED; AND OTHER MATTERS PROPERLY RELATING THERETO.

THE CITY COUNCIL OF THE CITY OF RENO DOES ORDAIN:

SECTION 1. Title 8, Chapter 8.12, § 8.12.011 of the Reno Municipal Code is hereby added to read as follows:

Sec. 8.12.011 – Sitting, lying, sleeping or camping on a public place including but not limited to sidewalks, streets, alleys, sensitive areas or within doorways prohibited.

- (a) No person may sit, lie, sleep or camp on a public place at any time. "Camp" shall be defined to include, but not be limited to; sitting, lying, storing belongings, placing a tent or other structure or furniture, making a fire, carrying on cooking activities, doing any digging or earth breaking on a public place. "Public Place" shall be defined to include, but not be limited to, sidewalks, streets, alleyways, doorways or other public space.
- (b) No person may sit, lie, sleep or camp in any pedestrian or vehicular entrance to public or private property abutting a public sidewalk.
- (c) No person may sit, lie, sleep or camp on a property designated as a sensitive use. For a property to be designated as a "sensitive use," the property must be a School, Childcare Facilities, Hospitals, Public Park, Public Library, City Facility, Governmental Facility located in the City of Reno, Warming and Cooling Centers, City-Permitted Shelters for the Unhoused or the Truckee River.
- (d) No person may use a motor vehicle on a public place for camping purposes unless specifically designated for such use.
- (e) The prohibition in (a) through (d) shall not apply to any person:
 - (1) Sitting or lying down due to a medical emergency;
 - (2) Who, as the result of a disability, utilizes a wheelchair, walker or similar device to move about the public;
 - (3) Operating or patronizing a commercial establishment conducted on the public place pursuant to a permit; or a person participating in or attending a parade, festival,

performance, rally, demonstration, meeting, or similar event conducted on the public place pursuant to a use or other applicable permit.

(4) Sitting on a chair or bench located on the public place which is supplied by a public agency or by the abutting private property owner; or

(5) Sitting on a public place with a bus stop zone while waiting for public or private transportation.

Nothing in any of these exceptions shall be construed to permit any conduct which is prohibited by section 8.12.042 of the Reno Municipal Code (blocking of sidewalks).

(f) No person shall be charged with a violation of this section unless the person engages in conduct prohibited by this section after having been notified by a City employee or designee that the conduct violates this section.

(g) In addition to any other remedy provided by law, any person found in violation of this section may be immediately removed from the premises.

(h) A violation of this ordinance is a misdemeanor.

Any individual charged with violation of this article, in lieu of being taken to jail may, at the election of the citing police officer and with the consent of the individual, when feasible, be taken to a facility providing social services related to mental health, housing, and/or substance abuse treatment.

As an alternative to a fine or jail sentence, the City would encourage the Court to grant diversion or probation with a condition the offender complete a rehabilitation program.

(i) The City shall adhere to all laws as it pertains to mobile and sidewalk vendors.

SECTION 2. The Reno City Council hereby finds that this ordinance is not subject to the requirements of Chapter 237 of NRS, Business Impact Statement process.

SECTION 3. This Ordinance shall be in effect from and after its passage, adoption and publication in one issue of a newspaper printed and published in the City of Reno.

SECTION 4. The City Clerk and Clerk of the City Council of the City of Reno is hereby authorized and directed to have this Ordinance published in one issue of the Reno-Gazette Journal, a newspaper printed and published in the City of Reno.

PASSED AND ADOPTED this ____ day of _____, 20____, by the following vote of the Council:

AYES:_____

NAYS:_____

ABSTAIN:_____ ABSENT:_____

APPROVED this ____ day of _____, 20____.

MAYOR OF THE CITY OF RENO

ATTEST:

CITY CLERK AND CLERK OF THE CITY COUNCIL
OF THE CITY OF RENO, NEVADA

EFFECTIVE DATE: