

ORDINANCE NO. 26-06 N.S.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RICHMOND AMENDING SECTION 11.96.030 OF THE CITY OF RICHMOND MUNICIPAL CODE TO PROVIDE FOR NOTIFICATION OF THE AVAILABILITY OF HOMELESS SHELTERS

Now, therefore, the City Council of the City of Richmond do ordain as follows:

SECTION 1. Section 11.96.030 of the City of Richmond Municipal Code is hereby amended to read as follows:

It shall be unlawful for any person to camp, sleep in or occupy camp facilities or use camp paraphernalia in the following areas, except as otherwise provided:

- (a) Any street;
- (b) Any parking lot, public area or open spaces, improved or unimproved;

Provided, however, that no person shall be in violation of this Section unless:

- (a) The person is informed of the whereabouts of homeless shelters in the City of Richmond;**
- (b) Such shelter is actually available to such person; and**
- (c) Such person willingly refuses to stay in such shelter.**

SECTION 2. Any provisions of the Richmond Municipal Code, or appendices thereto, or any other ordinances of the City inconsistent herewith, to the extent of such inconsistencies and no further, are hereby repealed.

SECTION 3. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid or unconstitutional.

SECTION 4. This Ordinance shall be effective 30 days after passage and adoption.

I certify that the foregoing was passed and adopted by the Council of the City of Richmond at a regular meeting held on June 27, 2006, by the following vote

AYES: Councilmembers Bates, Butt, Griffin, Marquez, McLaughlin, Rogers, Thurmond, Virmaontes, and Mayor Anderson

NOES: None

ABSTENTIONS: None

ABSENT: None

DIANE HOLMES
Clerk of the City of Richmond

(SEAL)

Approved:

IRMA L. ANDERSON
Mayor

Approved as to form:

JOHN EASTMAN
City Attorney

State of California }
County of Contra Costa : ss.
City of Richmond }

I certify that the foregoing is a true copy of Ordinance No. 26-06 N.S., finally passed and adopted by the Council of the City of Richmond at a regular meeting held on June 27, 2006, and published in accordance.