



Legislation Details (With Text)

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Title: Directing City Staff to Enforce Ordinances Within Reindahl Park

Sponsors: Gary Halverson

Indexes:

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Attachments: 1. 6-21 Written Public Comments Reindahl Park.pdf, 2. 7-12-21 RegistrantsReport-CCHIC.pdf, 3. 7-12-21 Written Public Comments CCHIC-66239.pdf, 4. 7-21 Written Public Comments Reindahl Park.pdf, 5. 8-21 Written Public Comment Reindahl Park.pdf

Date	Ver.	Action By	Action	Result
8/31/2021	1	COMMON COUNCIL	Place On File	Pass
8/12/2021	1	EQUAL OPPORTUNITIES COMMISSION	Return to Lead with the Recommendation to Place on File	Pass
7/12/2021	1	CITY-COUNTY HOMELESS ISSUES COMMITTEE	RECOMMEND TO COUNCIL WITH THE FOLLOWING RECOMMENDATIONS - REPORT OF OFFICER	Pass
7/6/2021	1	CITY-COUNTY HOMELESS ISSUES COMMITTEE	Refer	
7/6/2021	1	COMMON COUNCIL	Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25	Fail
7/6/2021	1	COMMON COUNCIL	Refer	Pass
6/30/2021	1	Council Office	RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF RULES 2.04, 2.05, 2.24, & 2.25 - MISC. ITEMS	

Fiscal Note

The Parks Division estimates that the total cost to clean-up the Reindahl Encampment could be approximately \$30,000 for contracted work and staff, material, and equipment costs. This estimate is for a one-time clean up and does not include costs for ongoing enforcement of the ordinances outlined in the resolution. Depending on total costs, an amendment could be required at year-end to support any overages in the Parks Division's Operating Budget incurred to support encampment operations.

If the Reindahl Encampment continues, Public Health Madison Dane County (PHMDC) may have the option to assess a \$749 fine for operating a campground without a license in addition to all applicable fees and any processing charges per ATCP 79.06(e). In addition, if PHMDC sends the campground a Cease to Operate order and the campground continues to operate without a license, PHMDC can assess an additional fine of \$749 plus fees per day for each day of ongoing operations. At this daily rate, one week (seven days) of fees could total \$5,243. Additional analysis is required to determine what entity would be considered the operator of the campground and would be assessed the fees, how much PHMDC staff time would be required to conduct enforcement, and whether there would be any other operational costs that would result in additional fees.

If handwashing and restroom stations are relocated from Reindahl Park to the proposed location on Dairy Drive, sufficient funding exists through Community Development Division. If the proposed units are in addition to existing units, additional funding would be required. The total amount is to be determined

Title

Directing City Staff to Enforce Ordinances Within Reindahl Park

Body

WHEREAS, the City has multiple ordinances that make it unlawful for persons to camp overnight or reside in the City's parks, including the following:

- Section 7.53, which adopts by reference Wis. Admin Code Ch ATCP 79 and the provisions therein that require the issuance of a campground license and certain standards to be met when land is designed, maintained, intended or used for the purposes of providing campsites offered with or without charge for temporary overnight sleeping accommodations. The City has no such campground licenses for its parks.
- Section 8.21, which sets park closure hours across the City's park system (generally from 10 p.m. to 4 a.m.) and makes it unlawful to be in or remain in a park after hours, except under some specific conditions that do not apply to those experiencing unsheltered homelessness.
- Section 8.265, which makes it unlawful for any person to lodge, live in for a time or take habitation in a City park.
- Chapter 28, the City's zoning code, where campgrounds are not a permitted or conditional use in the Park and Recreation zoning district.

NOW, THEREFORE, BE IT RESOLVED that City staff are directed to proceed with enforcing the City's ordinances at the Reindahl Park encampment, consistent with City ordinance and policy, and restoring the Park to its proper condition; and,

BE IT FURTHER RESOLVED that City staff are directed to setup temporary installations of restroom facilities and handwashing stations at 3218 Dairy Drive, Madison, WI 53718, utilizing existing funding to provide these services for use by those experiencing unsheltered homelessness. Restroom facilities and handwashing stations will be provided until October 30, 2021.