



## MEMO FROM COUNCIL OFFICE ON:

**Ordinance 21-06** - To Amend Title 2 (“Administration and Personnel”) of the Bloomington Municipal Code Re: Adding Chapter 2.87 (Protections for People Experiencing Homelessness)

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### Synopsis

This ordinance is sponsored by Councilmember Flaherty, Councilmember Rosenbarger, and Councilmember Piedmont-Smith, and amends the Bloomington Municipal Code to add a new Chapter 2.87 entitled “Protections for People Experiencing Homelessness.” The new chapter includes procedures to be followed by the city before displacing individuals experiencing homelessness from certain public spaces. The procedures applicable to the city would include a notice requirement, collaboration with relevant service providers, a prohibition on displacing individuals if there is insufficient available housing, storage of personal property, and the ability to designate certain limited areas where these procedures would apply.

### Relevant Materials

- Ordinance 21-06
- Memo from sponsors
- Relevant definitional sections from the Code of Federal Regulations
- Fiscal Impact Statement forthcoming

### Summary

Ordinance 21-06 proposes to add a new chapter to the Bloomington Municipal Code under Title 2 (“Administration and Personnel”). The new chapter 2.87 (“Protections for People Experiencing Homelessness”) would put several procedures in place that the city would need to follow before displacing individuals experiencing homelessness from certain public areas. The ordinance is largely modeled off of a similar Indianapolis ordinance that was adopted in 2016 (available in the Indianapolis-Marion County code online here:

[https://library.municode.com/in/indianapolis -  
marion county/codes/code of ordinances?nodeId=TITIORAD CH231DEMEDE ARTVPRH  
0](https://library.municode.com/in/indianapolis_-_marion_county/codes/code_of_ordinances?nodeId=TITIORAD_CH231DEMEDE_ARTVPRH0)).



The new Section 2.87.010 expresses the purpose and intent of the chapter, which is to lessen the adverse effects and conditions caused by a lack of housing.

The new Section 2.87.020 provides definitions for certain terms used throughout the chapter, many of which are defined by reference to the Code of Federal Regulations (CFR). The relevant CFR definitions are included in the materials herein.

The new Section 2.87.030 includes several subsections containing procedural requirements applicable to an action by the city to displace a person experiencing homeless (as defined) from a camp (as defined). The procedures would include:

- Written notice to be provided by the city to the individual experiencing homelessness, to the Bloomington Common Council, and to the Region 10 Continuum of Care Board (the regional planning council for Morgan, Owen, Greene, Monroe, Lawrence, Martin counties, tasked with the development and implementation of strategies for homelessness alleviation – more information available on the Indiana Housing & Community Development Authority website: <https://www.in.gov/ihcda/4147.htm>);
- Exceptions to the notice requirements in cases of emergency (as defined) or if the notice period lapses;
- Collaboration between the city and the Region 10 Continuum of Care Board to ensure the individuals to be displaced are offered available transitional housing (as defined) or permanent housing (as defined);
- A prohibition on displacing a person experiencing homelessness from a camp if there is insufficient available housing as described in the ordinance;
- Storage by the city of certain nonperishable personal items;
- The ability of the city to designate certain limited areas on public property where camps are allowed and where the procedures contained in the new chapter would apply.

As previously stated, this ordinance is largely based on a similar Indianapolis ordinance adopted in 2016. Both the sponsors of this ordinance and members of the administration have contacted Indianapolis officials in an effort to gather feedback about the effectiveness of Indianapolis's ordinance, to learn of potential challenges to its implementation, and to build on what the Indianapolis ordinance does well. Members of the administration may wish to voice concerns, both legal and practical, about the impact of this ordinance on city operations.

## Contact

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