

**CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY**



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Bill Type and Number: Ordinance 2024-687

Introducer/Sponsor(s): Council President at the request of the Mayor

Date of Introduction: August 27, 2024

Committee(s) of Reference: NCSPHS, R

Date of Analysis: August 26, 2024

Type of Action: *Ordinance Code* amendment

Bill Summary: This bill amends Sections 614.103 and 614.138, *Ordinance Code*.

Background Information: The purpose of this bill is to comply with the enforcement requirements of Section 125.0231, *Florida Statutes*, enacted by the Florida Legislature and signed by the Governor with an effective date of October 1, 2024. Per the statute, the City may not authorize or allow regular public camping and sleeping on public properties, including, but not limited to, any public building or its grounds and any public right of way. Commencing January 1, 2025, City residents, an owner of a business located in the City, and the Attorney General may file an injunction lawsuit against the City for authorizing or allowing regular public camping and sleeping.

With this amendment, it will be unlawful for any person to urinate or defecate in or upon any street, sidewalk, alleyway, park, beach, public building, publicly maintained facility or in any place open to the public or exposed to public view. The amendment also makes unlawful public camping or sleeping on or in any public property, public building, or public right-of-way under the jurisdiction of the City unless conducted on a public property the City has designated for such purpose. Violations of this section shall be a class B offense and enforced by the Sheriff. If JSO makes a physical arrest of any person under this subsection, personal property (items that recognizably belong to a person and have apparent utility or monetary value) belonging to the arrestee shall be retained by the City for thirty-five days after their arrest or five days after their release, whichever is less.

Per this ordinance, public camping or sleeping means lodging in a temporary outdoor dwelling or living space evidenced by the erection of a tent or other temporary shelter, the presence of bedding or pillows, or the storage of personal belongings; or residing in an outdoor space without a tent or other temporary shelter. Recreational camping in a designated area, and lodging in a registered and insured motor vehicle located in a place where it may lawfully be parked, are permitted.

Policy Impact Area: Public camping and sleeping on public properties

Fiscal Impact: Undetermined cost for enforcement

Analyst: Hampsey