

PROPOSED
ORDINANCE NO. 08-21

ORDINANCE NO. _____

AN ORDINANCE
TO BE ENTITLED:

AN ORDINANCE DECLARING A MORATORIUM ON THE EVICTION, DISPLACEMENT OR RELOCATION OF HOMELESS INDIVIDUALS WITHIN THE CITY OF PENSACOLA, FLORIDA; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Pensacola is in a state of emergency due to COVID-19 and has instituted various measures to address the spread of COVID-19; and

WHEREAS, there are approximately 50-75 homeless individuals encamped under the I-110 Bridge along Hayne Street; and

WHEREAS, the property is owned by the Florida Department of Transportation, which agency has been fully aware of the homeless encampments for several years; and

WHEREAS, the Centers for Disease Control guidelines recommend against removal of homeless camps due to COVID-19, it is not in the interest of the public to evict, displace or relocate homeless individuals who have no other shelter or suitable place to go; and

WHEREAS, the City Council finds it necessary to declare a moratorium against the eviction, displacement or relocation of the homeless individuals from the I-110 encampment within the city for the welfare, health and safety of the citizens of Pensacola; and

WHEREAS, this prohibition does not apply to any individual engaged in any criminal activity or conduct that poses a threat of harm to themselves or others.

BE IT ORDAINED BY THE CITY OF PENSACOLA, FLORIDA:

SECTION 1. The above-stated recitals are true and correct and incorporated herein by this reference.

SECTION 2. Due to COVID-19 and in accordance with Centers for Disease Control guidelines, there is a recommendation against the removal of homeless camps as it is not in the interest of the public to evict, displace, or relocate homeless individuals who have no other shelter or suitable place to go.

Therefore, a moratorium of 90-days shall be enacted to prohibit such evictions.

SECTION 3. In order to ensure sanitary conditions for those homeless individuals encamped under the I-110 overpass and within Hollice T. Williams Park, that cleanup take place without a total disruption of the encampment.

SECTION 4. The City Council hereby authorizes the Mayor to take all actions necessary to effectuate the provisions of this ordinance.

SECTION 5. If any word, phrase, clause, paragraph, section or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provision or applications of the ordinance which can be given effect without the invalid or unconstitutional provisions or application, and to this end the provisions of this ordinance are declared severable.

SECTION 6. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 7. This ordinance shall take effect on the fifth business day after adoption, unless otherwise provided, pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

Adopted: _____

Approved: _____
President of City Council

Attest:

City Clerk