

ORDINANCE NO. 3109

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PUYALLUP, WASHINGTON, imposing a one-hundred eighty (180) day moratorium with respect to the acceptance or processing of any and all land use or building applications or plans, or issuance of permits, and approvals, and uses or activities associated with emergency shelters, drop-in centers, and similar uses that provide social services to persons that are homeless in all zones located in the City of Puyallup.

Whereas, the City does not have any land use regulations pertaining to emergency shelters, drop-in centers, and similar uses that provides social services to homeless persons;

Whereas, the Puyallup City Council conducted a study session on March 8, 2016, and a regular meeting on March 22, 2016, during which City Council spent a considerable amount of time hearing public comment and deliberating on homelessness within the City;

Whereas, during the public comment portion of the City Council meeting numerous Puyallup residents spoke about the negative impacts such as sanitation, security, theft, littering, illegal drug use, indecent exposure, and other similar impacts that are occurring in and around the businesses and residential neighborhoods near an existing drop-in center that provides social services to homeless persons;

Whereas, homelessness is a regional and national issue that extends beyond the corporate boundaries of Puyallup;

Whereas, the City is continuing its efforts to work with and coordinate resources with Pierce County and regional social service agencies to address homelessness;

Whereas, the City needs time to review, research, and analyze its land use regulations and determine the nature and scope of potential regulatory amendments relative to emergency shelters, drop-in centers, and similar uses that provide social services to homeless persons;

Whereas, this ordinance is needed to preserve the health, safety, and welfare of the residents of Puyallup; and

NOW THEREFORE, the City Council of the City of Puyallup ordains as follows:

Section 1. Imposition of Moratorium. A moratorium is hereby imposed in all zones in the City of Puyallup with respect to the acceptance or processing of any and all land use or building applications or plans, or issuance of permits and approvals, and uses or activities associated with the operation of emergency shelters, drop-in centers, and any and all other similar land uses that provide social services to persons that are homeless. For purposes of this Section, “homeless” is defined as provided for in 24 CFR Part 91.5.

Section 2. Duration. The moratorium imposed by this ordinance shall be in effect for one-hundred eighty (180) days after adoption, unless repealed, extended or modified by the City Council.

Section 3. Public Hearing. The City Council shall hold a public hearing and enter findings of fact, as required by RCW 35A.63.220 and RCW 36.70A.390, within sixty (60) days of adopting this ordinance.

Section 4. Public emergency. The City Council hereby finds and declares that a public emergency exists, and that this ordinance is necessary for the protection of the health, safety, and welfare of residents within the City and, thus, should take effect upon adoption.

Section 5. Severability – Construction. If a section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance unless the invalidity destroys the purpose and intent of this ordinance. If the provisions of this ordinance are found to be inconsistent with other provisions of the Puyallup Municipal Code, this ordinance is deemed to control.

Section 6. Effective Date. In accordance with RCW 35A.13.190, this ordinance, as a public emergency ordinance, shall take effect and be in force immediately upon adoption.

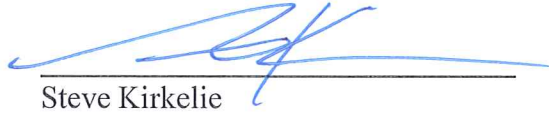
Passed and approved by City Council of the City of Puyallup at regularly scheduled open public meeting on the 22nd day of March, 2016.



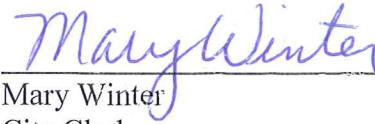
John Hopkins
Mayor

Approved as to form:

Attest:



Steve Kirelie
City Attorney



Mary Winter
City Clerk

Published: March 25, 2016, The News Tribune

Effective: March 22, 2016