

10 July 2019

To: Helena City Commission

From: The Helena Citizens Council



**Subject: HCC Support for Changes to City Code; Chapter 11, Sections 8.11-1 Parking Restricted (aka Abandoned Cars) and 8-11-11 Parking for Camping Purposes, and Improved Communications with Citizens with Respect to these Two Matters**

For more than 15 years, there have been complaints and discussions about abandoned cars and the impacts on neighborhoods. More recently, there have been complaints about people camping or living in cars on local neighborhood streets. These topics have been brought frequently to the attention of the HCC. Last year we submitted a report on abandoned vehicles with recommendations to the Commission.

City Attorney Jodoin and Police Chief Hagen attended our June 26, 2019 meeting and took part in a discussion with the HCC and three members of the public about these topics and our shared concerns about the inadequacy of current code provisions addressing these topics.

**Simply put – What we have been and are doing is not working!** The result is staff time diverted from other important issues and the quality of Helena’s neighborhood environments and life is being negatively affected. There is continuing citizen confusion, complaints and frustrations about the difficulties faced by citizens and City staff in dealing effectively with these ongoing issues.

At our meeting we discussed a wide range of issues and aspects of these concerns. We all agreed that a major overhaul of the code and some aspects of enforcement need to change in order to effectively provide the tools to improve enforcement. It is also important to recognize that not all “abandoned” vehicles are the same as is the case with people camping or living in vehicles. Furthermore, there are legal constraints to the approaches that can be used to address these matters. However, our discussion identified specific approaches and techniques that are acceptable.

Some of the topics discussed and approaches suggested, included:

- Clarify what is meant by an “abandoned” vehicle and “parking for camping purposes”.
- Consider whether the vehicle is operable and used by residents for infrequent use and can be voluntarily moved such as campers, trailers, pickups used seasonally, etc.
- Change the distance that a vehicle, which has a posted warning, has to move in order to avoid being towed and impounded. The current ordinance just says it has to be moved,

- Privatize towing and storage services for police-impounded vehicles as is the practice with public works impoundments for snow removal and other purposes.
- Address camping issues by removal of vehicles due to title, registration and other violations, including public health and safety.
- Provide support and assistance with housing and other needs for those citizens in crisis situations and are involuntarily “camping” in their vehicles.
- Improve communications with the public about what the City ordinances permit and what is not permitted with respect to enforcement. For example another City ordinance indicates that parking of some vehicles such as campers and trailers on local streets during the winter months is illegal. These vehicles can be towed and impounded; and it was suggested that this be applied to cars and trucks that violate the parking time limits on neighborhood streets, and are not moved to facilitate snow plowing. There are also other code provisions that can result in removal of cars and other parked vehicles that are blocking traffic and have other violations such as those related to title and registration of vehicles.

There was agreement that there are ways to address and improve City responses to these situations.

**In responding to expressed concerns about neighborhood quality and safety, the Helena Citizens Council, representing the City’s neighborhoods, requests that the City Commission give these matters a higher priority than they have been given in the past.**

**We support and recommend that the City Attorney’s Office, working with the Police Department, address the necessary code changes. We also recommend that the City improve communications with the citizens about the options available to address all aspects of responding to these two concerns – abandoned vehicles and camping in vehicles parked on public streets. The HCC is willing and interested in assisting with these efforts, including opportunities to review and comment on these efforts before they are submitted to the Commission.**

Thank you for your attention to these recommendations.