



Housing Action Subcommittee

Thursday, May 15, 2025

9:30 AM-11:00 AM

Tribal Conference Room – City Hall Lobby

Virtual meeting information below

TIMES GIVEN ARE AN ESTIMATE AND ARE SUBJECT TO CHANGE

	Land Acknowledgement + Welcome	
9:30 AM	<ul style="list-style-type: none">➤ Land Acknowledgement➤ Introductions + Announcements	
	Public Comment	
3 min. per speaker	Members of the public are invited to speak on any topic related to the Housing Action Subcommittee	
	Housing Action Subcommittee Work Session:	
9:35 AM PAGES 01-09 PAGES 10-19 PAGES 19-25 PAGES 26-28	<ul style="list-style-type: none">➤ H.O.M.E. Starts Here Initiative + Homelessness Ordinances<ul style="list-style-type: none">○ ORD C36691○ ORD C36692○ ORD C36693○ ORD C36694	
VIRTUAL MEETING INFORMATION:	MICROSOFT TEAMS VIRTUAL MEETING LINK: CLICK HERE TO JOIN THE MEETING NOW Meeting ID: 236 775 340 57 Passcode: 9pZ6RU9Q Join on a video conferencing device Tenant key: cityofspokane@m.webex.com Video ID: 118 231 372 6	DIAL IN BY PHONE: +1 424-566-7556,,866675536# United States, Beverly Hills Find a local number Phone conference ID: 866 675 536#
	AMERICANS WITH DISABILITIES ACT (ADA) INFORMATION: The City of Spokane is committed to providing equal access to its facilities, programs and services for persons with disabilities. The Council Briefing Center in the lower level of Spokane City Hall, 808 W. Spokane Falls Blvd., is wheelchair accessible and also is equipped with an infrared assistive listening system for persons with hearing loss. Headsets may be checked out (upon presentation of picture I.D.) through the meeting organizer. Individuals requesting reasonable accommodations or further information may call, write, or email Human Resources at 509.625.6237, 808 W. Spokane Falls Blvd, Spokane, WA, 99201; or mpiccolo@spokanecity.org. Persons who are deaf or hard of hearing may contact Human Resources through the Washington Relay Service at 7 1 1. Please contact us forty-eight (48) hours before the meeting date.	

**Agenda Sheet for City Council:****Committee:** Public Safety **Date:** 05/05/2025**Committee Agenda type:** Discussion**Date Rec'd**

5/1/2025

Clerk's File #

ORD C36691

Cross Ref #**Project #****Council Meeting Date:** 06/02/2025**Submitting Dept**

MAYOR

Bid #**Contact Name/Phone**

ADAM 6779

Requisition #**Contact E-Mail**

AMCDANIEL@SPOKANECITY.ORG

Agenda Item Type

First Reading Ordinance

Council Sponsor(s)

ZZAPPONE KKLITZKE PDILLON

Sponsoring at Administrators Request

NO

Lease? NO**Grant Related?** NO**Public Works?** NO**Agenda Item Name**

0520 ORDINANCE ESTABLISHING THE H.O.M.E. STARTS HERE INITIATIVE

Agenda Wording

This ordinance establishes the H.O.M.E. Starts Here initiative.

Summary (Background)

This ordinance outlines the City of Spokane's comprehensive approach to improving housing affordability and access while implementing strategic priorities that prevent homelessness through a focus on four pillars: healthcare, outreach and navigation, multidisciplinary engagement, and economic security. It also recognizes existing guiding plans utilized by the City of Spokane.

ORDINANCE NO. C36691

An ordinance establishing the H.O.M.E. Starts Here initiative; amending Chapter 18.05; adopting new Sections 18.05.06, 18.05.07, 18.05.08, and 18.05.09; and repealing Section 18.05.010 of the Spokane Municipal Code.

NOW, THEREFORE, the City of Spokane does ordain:

Section 1. That Chapter 18.05 of the Spokane Municipal Code is amended to read as follows:

Section 18.05 ((~~Protections for Homeless People~~)) HOME Starts Here Initiative

Section 2. That there is adopted a new Section 18.05.06 of the Spokane Municipal Code to read as follows:

Section 18.05.06 Definitions

<u>Term</u>	<u>Definition</u>
ALICE	Asset Limited, Income Constrained, Employed — households that earn above the Federal Poverty Level but cannot afford the basic cost of living in Spokane County. Despite struggling to make ends meet, ALICE households often do not qualify for public assistance.
Alternative Response Teams	Alternative response teams, led by the Spokane Police Department and Spokane Fire Department, co-deploy with embedded mental health clinicians to respond to behavioral health calls. Trained co-deployed teams successfully de-escalate and divert individuals in a behavioral health crisis from arrest or hospital emergency rooms while connecting them with a broad range of services provided by community-based partners.
Apple Health	Apple Health is the name of Medicaid in Washington.
Basic Food	Basic Food is Washington's name for the state's food assistance program, which includes the Supplemental Nutrition Assistance Program (SNAP) and the Food Assistance Program, which provides food

	assistance to legal immigrants who aren't eligible for federal Basic Food benefits solely because of their immigration status.
By-name List	A “By-Name List” (BNL) is a real-time list of all people in a subpopulation experiencing homelessness. By-name lists are a known best practice for homeless service systems because they can contain a robust set of data points that coordinate access and service prioritization at a household level, allow for easier case conferencing, are a collective tool of ownership and responsibility among differing agencies, and allow stakeholders to understand the homeless system inflow and outflow at a systems level.
Community Assistance Response Team (CARES)	CARES is a Spokane Fire Department social response initiative to improve quality of life and reduce unnecessary EMS use by addressing social determinants of health. This team responds to frequent users of the 911 emergency communications system by providing case management to stabilize individuals who are medically fragile and/or struggling with opioid use disorder, which reduces unnecessary contact with emergency systems.
Cost burdened	Cost burdened is when a person’s monthly housing costs (including utilities) exceed 30% of their monthly income.
Crisis Outreach, Response and Engagement (CORE)	CORE is a place-based proactive policing strategy that leverages partnerships between law enforcement, alternative response teams, and service providers to reduce criminal activity (and disorder) and increase the level of public safety by increasing visibility and presence, substance use treatment, engagement, housing-focused outreach, and navigation resources.
Diversion	Diversion is a person-centered approach that steers individuals away from the homelessness response system into alternative programs that meet the

	individual's unique needs and address the underlying reasons for homelessness.
Earned Income Tax Credit (EITC)	The Earned Income Tax Credit (EITC) is a federal tax credit program to support low- and moderate-income workers and families.
Outreach and Navigation System	The Outreach and Navigation System is the term used by the City of Spokane to represent the regional homeless crisis response system.
Progressive Engagement	Progressive engagement is the practice of helping households end their homelessness as rapidly as possible with minimal financial and support resources. More support is applied to those households who continue to struggle to stabilize.
Rapid Rehousing	Rapid re-housing provides short-term rental assistance and services to help people obtain housing quickly, increase self-sufficiency, and stay housed.
Racially restrictive real estate covenant	Racially restrictive real estate covenant is a recorded covenant or deed restriction that includes or included racial restrictions on property ownership or use against protected classes that are unlawful under RCW 49.60.224.
Redlining	Redlining is a discriminatory and illegal practice where people living in a certain area or neighborhood are not given the same access to loans and other credit services as people in other areas or neighborhoods based on race, color, national origin, or some other discriminatory reason, regardless of their ability to repay the loan.
Severe Cost Burdened	Severe Cost Burdened is when a person's monthly housing costs (including utilities) exceed 50% of their monthly income.
Working Families Tax Credit	The Washington Working Families Tax Credit is a refund of retail sales or use tax for low-to-moderate income Washington residents who meet eligibility requirements. The program is administered by the Washington State Department of Revenue.

Section 3. That there is adopted a new Section 18.05.07 of the Spokane Municipal Code to read as follows:

Section 18.05.07 Findings, Purpose, and Intent

A. The City of Spokane finds that population growth and the demand to live in the city of Spokane, along with decades of underbuilding and restrictive land use and zoning practices, have led to a housing affordability crisis.

B. The City of Spokane also finds that underlying historical injustices deepened by the COVID-19 pandemic have led to an unprecedented number of individuals facing behavioral health crises, economic insecurity, and barriers to housing and employment. Housing stability is fundamental to ensuring economic security and community safety.

C. The City of Spokane recognizes that each person at risk of homelessness or suffering from homelessness requires a targeted and comprehensive response that ultimately leads to an exit from the homeless crisis response system to housing stability.

D. The City of Spokane, through its limited powers enumerated in the Washington State Constitution and Washington state law, executes a comprehensive cross-sector/cross-agency, data-driven, and evidence-based regional approach to achieve housing stability, reduce and prevent homelessness, and ensure public health and safety:



E. The City of Spokane finds that achieving the following key indicators is likely to improve housing stability and economic security, prevent residents from becoming homeless, and reduce the number of individuals currently suffering from homelessness:

1. Reducing the number of Spokane residents who are housing cost-burdened or severely cost-burdened;
2. Growing the median household income to increase financial stability for all residents, especially ALICE households and those below the federal poverty line;
3. Adding new housing units to the city's housing supply at all income levels with an expansion of affordable housing options for the community's growing senior population and residents with disabilities;

4. Expanding the city's homeownership rate with a specific emphasis on increasing homeownership rates for people of color who have disproportionately been denied access to home mortgage financing and other homeownership opportunities; and
5. Increasing the percentage of the city's population who have health insurance to improve access to healthcare, including behavioral health and substance use treatment services.

Section 4. That there is adopted a new Section 18.05.08 of the Spokane Municipal Code to read as follows:

Section 18.05.08 H.O.M.E. Starts Here Initiative

The City of Spokane has identified the following strategic priorities to achieve housing stability, reduce and prevent homelessness, and ensure public health and safety:

A. Healthcare System

1. Prioritize access to quality behavioral health substance use disorder treatment services and coordinated case management that ends the cycle of "high utilizers" bouncing between the legal system, healthcare system, and homeless crisis response system.
2. Grow the City's proven alternative response models, including the Spokane Fire Department's CARES and alternative response teams that meet individuals in crisis where they are and divert them from the legal system and emergency healthcare system to substance use treatment services or other appropriate options.
3. Collaborate with local educational institutions, non-profits, and private-sector leaders to strengthen the service provider workforce by improving working conditions and eliminating the shortage of social workers, mental health counselors, and substance use outreach workers throughout the region.
4. Sustain the expanded street medicine partnership with local healthcare providers that provide primary care services to people experiencing homelessness to address wound care, foot care, referral coordination, resource navigation, and emergency services coordination.
5. Partner with Spokane County to leverage resources/relationships with local healthcare providers and institutions to build out a recovery campus where there is 'no wrong door' for individuals in crisis.
6. Support the development of additional medication-assisted treatment services, sobering beds, culturally specific treatment services, and crisis relief and stabilization facilities.

B. Outreach and Navigation

1. Achieve a percentage of exits from the homeless crisis response system to permanent housing at the level of the top-performing homeless crisis response systems nationwide.
2. Execute a best-practice navigation center model that provides humane, referral-first, emergency housing to individuals based on their specific subpopulation and needs at microsites geographically distributed throughout the region.
3. Expand and strengthen data-proven successful diversion and progressive engagement policies and programs that prevent homelessness, including rapid rehousing, emergency financial assistance, rental assistance, utility assistance, and eviction prevention.
4. Implement and maintain a performance-based project funding model and mobilize public, private, and non-profit resources to ensure taxpayers invest in interventions that verifiably achieve and exceed system targets and witness the positive outcomes of those interventions.
5. Utilize high-quality data, including but not limited to by-name lists and mapping technology, to identify micro-locations for housing-focused street outreach that navigate individuals through the homeless crisis response system and eventually to permanent housing.

C. Multidisciplinary Engagement

1. Engage in problem-solving, place-based, and person-focused policing that proactively addresses the underlying social causes of crime, in collaboration with community partners, as demonstrated through the City's CORE Program and Neighborhood Resource Officer program.
2. Increase diversion of non-emergent police calls for service to other resources, such as behavioral health and substance use treatment professionals, that free up patrol officers to attend to other emergent calls.
3. Coordinate law enforcement, code enforcement, housing-focused outreach, and street medicine resources to quickly engage people experiencing homelessness to resolve and prevent unauthorized encampments and navigate individuals voluntarily into diversion programs, trauma-informed care, and permanent housing solutions.
4. Safeguard Community Justice Services programs and therapeutic courts that have a documented and proven history of reducing recidivism, including

Community Court, Domestic Violence Intervention Treatment Court, Veterans' Enhanced Therapeutic Court, and the City/County Mental Health Court.

5. Partner with state and federal resources to detect, disrupt, and prosecute drug trafficking and serious narcotics offenses impacting residents and neighborhoods.

D. Economic Security

1. Reduce intergenerational poverty by leading regional economic development and workforce training efforts that grow and retain local businesses, improve economic competitiveness and readiness, and remove barriers to family-wage jobs that increase cash income and provide economic security through stable career paths.

2. Facilitate the building of all types of housing at all income levels through housing-focused zoning policies and innovative housing programs with an emphasis on enhancing:

(a) access to homeownership opportunities for first-time homebuyers and families that have been historically and disproportionately impacted by displacement, redlining, steering, racially restrictive real estate covenants, and zoning actions that have contributed to patterns of inequity; and

(b) accessible housing choices for fixed-income seniors and individuals with disabilities, especially affordable housing near transit lines.

3. Advance education efforts to improve awareness of and participation rates in earned benefit programs, such as the Working Families Tax Credit, Earned Income Tax Credit, Low Income Utility Credit program, and Senior Citizen Property Tax Exemption.

4. Advocate for the preservation and sustainability of critical state and federal programs that keep families economically secure, such as Social Security, Medicaid/Apple Health, Medicare, Supplemental Nutrition Assistance Program (SNAP)/Basic Food, Temporary Assistance for Needy Families (TANF), Low-Income Home Energy Assistance Program (LIHEAP), and the Housing Choice Voucher Program.

5. Bolster safe and cost-effective transportation choices that reduce commute times to school and employment opportunities and lessen the financial burden of transportation on households.

E. Accountability and Review

1. The City shall publish a biannual report evaluating the implementation of the H.O.M.E. Starts Here initiative.

2. The City Council may hold public hearings to review findings from the biannual report to adjust the H.O.M.E. Starts Here initiative as necessary to meet the objectives of achieving housing stability and economic security, preventing residents from becoming homeless, and reducing the number of individuals currently suffering from homelessness.

Section 5. That there is adopted a new Section 18.05.09 of the Spokane Municipal Code to read as follows:

Section 18.05.09 Guiding Plans and Documents

The City of Spokane will utilize the following formal plans and documents, as updated and amended from time to time, to guide the development and execution of policies and programs that meet the strategic priorities of this chapter:

- Comprehensive Plan for the City of Spokane
- City of Spokane Consolidated Plan – U.S. Department of Housing and Urban Development (HUD)
- City of Spokane Fair Housing Plan
- City of Spokane Housing Action Plan
- City of Spokane Sequential Intercept Map
- Spokane City/County Continuum of Care 5-year Strategic Plan to Prevent and End Homelessness
- Spokane Police Department Strategic Plan
- Spokane Region Comprehensive Economic Development Strategy (CEDS)

Section 6. That Section 18.05.010 of the Spokane Municipal Code is repealed.

PASSED by the City Council on _____

**Agenda Sheet for City Council:****Committee:** Public Safety **Date:** 05/05/2025**Committee Agenda type:** Discussion**Date Rec'd**

5/1/2025

Clerk's File #

ORD C36692

Cross Ref #**Project #****Council Meeting Date:** 06/02/2025**Submitting Dept**

MAYOR

Bid #**Contact Name/Phone**

ADAM 6779

Requisition #**Contact E-Mail**

AMCDANIEL@SPOKANECITY.ORG

Agenda Item Type

First Reading Ordinance

Council Sponsor(s)

PDILLON ZZAPPONE KKLITZKE

Sponsoring at Administrators Request

NO

Lease? NO**Grant Related?** NO**Public Works?** NO**Agenda Item Name**

0520 ORDINANCE CODIFYING BEST PRACTICES FOR SITING AND ACTIVATION

Agenda Wording

An ordinance codifying best practices for siting and activation of inclement weather centers and emergency and transitional housing facilities.

Summary (Background)

This ordinance changes the requirements for inclement weather activation from a temperature measure to a heat index and wind chill measure, codifies best practices for siting and activation of inclement weather centers, as well as emergency and transitional housing facilities, and establishes a requirement and process for Good Neighbor Agreements between the City and shelter providers.

ORDINANCE NO C36692

An ordinance codifying best practices for siting and activation of inclement weather centers and emergency and transitional housing facilities; adopting new Section 02.04.045; amending Sections 02.04.020, 12.05.005, 12.05.062, 12.05.063; and repealing Sections 18.05.010 and 18.05.020 of the Spokane Municipal Code.

NOW, THEREFORE, the City of Spokane does hereby ordain as follows:

Section 1. That Section 02.04.020 of the Spokane Municipal Code is amended to read as follows:

Section 02.04.020 Definitions

When used in this chapter, the following words, terms and phrases, and their derivations, shall have the meanings ascribed to them in chapter 38.52 RCW and this section, except where the context clearly indicates a different meaning:

- A. "Civil emergency" means a riot, unlawful assembly, insurrection, enemy attack, sabotage, acts of terrorism or other hostile action; or a natural or human caused disaster, including, but not limited to, fire, flood, storm, explosion, earthquake, volcanic disturbance or other natural cause.
- B. "Executive head" means the person designated by the City in conformity with state law and this chapter as the head of the city government for emergency management and disaster preparedness purposes pursuant to chapter 38.52 RCW.
- C. "Heat Index" means the apparent temperature, which is an accurate measure of how hot it feels when the relative humidity is added to the actual air temperature and is a measure of this effect, as predicted by the National Weather Service, Forecast Office Spokane, Washington.
- D. "Wind chill" means the apparent temperature where the factor at which increased wind speeds accelerate heat loss from exposed skin and is a measure of this effect, as predicted by the National Weather Service, Forecast Office Spokane, Washington.
- E. "Inclement weather centers" means one or more temporary shelters operated and/or funded by the City that are activated when the weather conditions set forth in SMC 02.04.045 occur or are expected to occur, and identified in the city's inclement weather plan.

Section 2. That there is adopted a new Section 02.04.045 of the Spokane Municipal Code to read as follows:

Section 02.04.045 Inclement Weather Centers

- A. The City may establish inclement weather centers, regardless of the declaration of a civil emergency, when necessary to protect vulnerable individuals and families from extreme cold, extreme heat, poor air quality conditions, and severe weather events.
- B. Consistent with prior budget appropriations, the City shall establish inclement weather centers based on the following criteria:
 - 1. Any day during which the wind chill is predicted by the National Weather Service to be thirty-two (32) degrees Fahrenheit or lower during the hours that the wind chill is lower than thirty-two (32) degrees Fahrenheit.
 - 2. Any day when the heat index is predicted by the National Weather Service to be 95 (ninety-five) degrees Fahrenheit or higher for two (2) consecutive days or more during all hours when the temperature is 95 (ninety-five) degrees Fahrenheit or higher.
 - 3. Any day when the Spokane Regional Clean Air Agency forecasts the current air quality index to reach 201 or higher.
 - 4. Any day in which an extreme storm or weather condition exists or is predicted to occur and which, in the determination of the Mayor or the Mayor's designee, poses a severe threat to the health or safety of vulnerable and unsheltered individuals and families in the city of Spokane.
- C. The Community, Housing, and Human Services ("CHHS") Department, in coordination with the City of Spokane's Director of Emergency Management, shall issue either a request for proposals, notice of funding availability, or both, no later than August 1 of each biennium or annually to establish specific locations to be used as inclement weather centers.
- D. The Community, Housing, and Human Services ("CHHS") Department, in coordination with City of Spokane Director of Emergency Management, shall publish and disseminate an annual inclement weather plan no later than September 30, designating specific locations to be used as inclement weather centers.
- E. Nothing shall prohibit the City from extending the hours of operation, increasing the activation threshold for warming centers, or lowering the activation threshold for cooling centers and clean air centers.

- F. Absent declaration of a civil emergency pursuant to this Chapter, the award and execution of contracts to operate and/or fund inclement weather centers shall be pursuant to Title 7 of the Spokane Municipal Code and the timelines set forth in this section.

Section 3. That section 12.05.005 of the Spokane Municipal Code is amended to read as follows:

Section 12.05.005 Definitions

- A. "Agent" means any person acting within the scope of employment by or acting on behalf of the City of Spokane including City-facility property managers.
- B. "Baby changing facility" means a table or other device suitable for changing the diaper of a child.
- C. "Employee" means any person holding a regularly compensated position of employment with the City of Spokane including elected officers.
- D. "Basic City Facility" or "Basic City Facilities" means public safety facilities, including fire and police stations~~((;))~~; City-owned water reservoirs~~((;))~~ and other utility facilities~~((;))~~; city-owned ~~((homeless shelters))~~ and city-funded facilities providing emergency shelter or transitional housing; and community centers. ~~((Provided that,))~~ For purposes of this chapter, utility facilities shall not include privately constructed utility facilities, stormwater facilities and conveyance systems, or water and wastewater utility transmission and distribution systems and related appurtenances, to include without limitation, pipe replacements and relocations; well upgrades; pump stations; lift stations, etc.
- E. "City-funded" facility with respect to an individual facility means a facility receiving \$50,000 in the aggregate in any calendar year from the City, including but not limited to the general fund expenditures, special revenue or tax funds, and grants, and including any funds for which the city is a fiscal or pass-thru agent. This term does not include any facility that provides services to domestic violence victims, as defined in RCW 70.123.020.
- F. "Emergency shelter" means a facility that provides a temporary shelter for individuals or families who are currently homeless. Emergency shelter may not require occupants to enter into a lease or an occupancy agreement. Emergency shelter facilities may include day and warming centers that do not provide

overnight accommodations. This term does not include any facility that provides services to domestic violence victims, as defined in RCW 70.123.020.

((E)) G. “Federal civil immigration enforcement operations” means an operation than has one of its objectives the identification or apprehension of a person or persons in order to investigate them for a violation of the immigration law and subject them to one or more of the following:

1. Civil immigration detention;
2. Removal proceedings; and
3. Removal from the United States

H. “Good neighbor agreement” means a supplemental written agreement as part of a City contract with a provider or operator to foster communication and collaboration among parties associated with the emergency shelter or transitional housing facility, which contains the following framework:

1. Establishment of a good neighbor communication team shall consist of the following stakeholders, each of whom commits to the requirements of the agreement:
 - a. Representative(s) of the operator of the emergency shelter or transitional housing facility; and
 - b. Representative(s) from the City’s Community, Housing, and Human Services (CHHS) Department; and
 - c. A representative from the City’s Office of Neighborhood Services;
2. The good neighbor communication team may include any of the following, each of whom commits to the requirements of the good neighbor agreement and to the terms of the executed Good Neighbor Agreement as conditions to participation on the communications team:
 - a. A resident of the emergency shelter or transitional housing subject to the Good Neighbor Agreement;
 - b. The council chair or designee of the neighborhood council representing the geographic area where the facility is located;
 - c. Property owners, residents, and tenants residing or operating a

business immediately adjacent to the facility;

d. The Spokane Police Chief or his/her designee;

e. A member or staff employee of the City Council;

f. A representative from the City's Code Enforcement and Parking Division; and

g. A representative from the local school district if school-age children are expected to be served.

3. A requirement that the communication team establish and maintain regular points of contact for communications on a seven-day, 24-hour basis, including name(s), telephone number(s), electronic mail address(es) and other means of communication to address any public health and safety issues arising from the operation of the facility.

4. A designated point-of-contact ensuring a shelter availability website is updated in coordination with the Community, Housing, and Human Services (CHHS) Department.

5. A commitment of the good neighbor communication team to attend, upon reasonable advance notice and request, meetings of the neighborhood council representing the geographic area where the facility is located.

6. The executed agreement shall include specified remedies and methods of dispute resolution in the event there is a breach of the terms of the Good Neighbor Agreement.

((F)) I. "LEED" is a green building rating and certification system developed by the U.S. Green Building Council to evaluate environmental performance from a whole building perspective, including sites, water efficiency, energy & atmosphere, materials & resources, indoor environmental quality, locations & linkages, awareness & education, innovation in design, and regional priority.

((G)) J. "Nonpublic" means any area of a ((city)) City facility or property that is not generally open and accessible to the general public, but instead requires prior to entry express permission, such as a valid ticket for a bona fide passenger, or permission by a ((city)) City employee or an employee of a tenant in a ((city)) City facility on an individual basis. Areas posted as "Restricted" in City facilities shall be considered to be non-public areas.((H)) K. "United States Citizenship and Immigration Services" means the agency of the United States Department of

Homeland Security and any successor agency charged with overseeing United States immigration laws.

K. “Transitional housing” means a project that provides housing and supportive services to homeless persons or families for up to two years and that has as its purpose facilitating the movement of homeless persons and families into independent living. The term does not include transitional housing with fewer than twenty residents.

((I)) L. “United States Customs and Border Protection” means the agency of the United States Department of Homeland Security and shall include any successor federal agency charged with border enforcement.

((K)) M. “United States Immigration and Customs Enforcement” means the agency of the United States Department of Homeland Security including Enforcement and Removal Operations and Homeland Security Investigations and shall include any successor federal agency charged with the enforcement of immigration laws.

((L)) N. “U.S. Green Building Council” is an organization serving as the nation’s foremost leaders from across the building industry working to promote buildings that are environmentally responsible, profitable, and healthy places to work and live.

Section 4. That section 12.05.062 of the Spokane Municipal Code is amended as follows:

Section 12.05.062 Siting of Basic City Facilities – Process

A. Prior to locating a Basic City Facility, or prior to locating a new city-owned or contracting for a city-funded emergency shelter or transitional housing, the ((I)) City shall ~~((undertake the following public process:–~~

~~1. Convene))~~ convene at least one public community meeting or open house and solicit written comment from members of the affected neighborhood council area(s) concerning the need(s) for the facility and the service(s) desired or required by the community, as well as identified service gap(s) to be addressed by the facility.

~~((2. Publish any alternative locations considered for the proposed new or relocated Basic City Facility, to enable the residents of the affected neighborhood(s) of the relative merits and compliance with SMC 12.05.063 of each proposed alternative location and solicit comment on the proposed alternative locations in at least one~~

~~open public meeting held in the affected neighborhood(s).))~~

~~((B. The Spokane City Council's Equity Subcommittee shall review all responsive proposals and make a recommendation to the City Council based on at least the following criteria, to be given equal weight:~~

- ~~1. effective demonstrably needed service to impacted neighborhood residents;~~
- ~~2. responsiveness of the location to the demonstrated needs of the residents of an impacted neighborhood; ((and))~~
- ~~3. financial sustainability of the location;))~~

B. Siting of any new or relocated city-funded Basic City Facility providing emergency shelter or transitional housing shall be consistent with the "special needs temporary housing" provisions of the City's approved comprehensive plan, as adopted pursuant to Title 17B of the Spokane Municipal Code, as such plan may be amended from time to time. In particular, siting shall place primary emphasis on satisfying the directive in the comprehensive plan to ensure that special needs housing facilities are evenly dispersed throughout all of the city's neighborhoods.

C. Other than city-funded facilities providing emergency shelter or transitional housing, ((City)) City services shall not be provided at ((the)) a Basic City Facility location unless the City Council has approved the location or relocation of a Basic City Facility.

D. The requirements of this section shall not apply to Basic City Facilities sited before the effective date of this section.

Section 5. That Section 12.05.063 of the Spokane Municipal Code is amended as follows:

Section 12.05.063 Basic City Facilities – Criteria

A. The following criteria shall be met before any decision to place a new or relocated Basic City Facility can be made:

1. For police precincts, the chosen location shall:
 - a. be visible to the public in a frequently-traveled location;
 - b. provide access for the public to onsite services and for officers responding to reports of crime;
 - c. be located within high visibility of patrol cars, foot and bicycle

community policing patrols; and

- d. provide adequate space and facilities for co-deployed services and reception provided through mutual agreement with Spokane C.O.P.S.

2. For utility facilities:

- a. the location must be designed to minimize conflicts with traffic to the extent consistent with efficient operations.
- b. the location must be designed and operated to minimize noise, odor, dust, or other negative impacts due to the operation of the facility to the extent consistent with efficient operations.

3. For city-owned (~~((homeless shelters))~~) and city-funded Basic City Facilities providing emergency shelter or transitional housing:

- a. the location shall not be located within (~~((three blocks))~~) 1000 feet of schools measured from the property line of the school to the property line of the Basic City Facility unless the facility is also serving school-age children;
- b. the location must be accessible by public transportation; and
- c. a good neighbor agreement must be executed and in place (~~((between the shelter provider and the surrounding businesses and the applicable neighborhood council)).~~

4. Nothing in sections 12.05.062 and 12.05.063 of this Chapter 12.05 shall be construed to restrict or regulate the siting or location of any emergency shelter or transitional housing in a manner inconsistent with state law, local development regulations, or a local or state emergency declaration.

5. The requirements of this section shall not apply to Basic City Facilities sited before the effective date of this section; provided, any current or new facility providing emergency shelter or transitional housing shall comply with subsection 3.c as a condition of award of a new City grant or contract.

Section 6. That Section 18.05.010 of the Spokane Municipal Code is repealed.

Section 7. That Section 18.05.020 of the Spokane Municipal Code is repealed.

Section 8. Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or

word of this ordinance.

Section 9. Clerical Errors. Upon approval by the city attorney, the city clerk is authorized to make necessary corrections to this ordinance, including scrivener's errors or clerical mistakes; references to other local, state, or federal laws, rules, or regulations; or numbering or referencing of ordinances or their sections and subsections.

PASSED by the City Council on _____

Council President

Attest:

Approved as to form:

City Clerk

City Attorney

Mayor

Date

Effective Date

**Agenda Sheet for City Council:****Committee:** Public Safety **Date:** 05/05/2025**Committee Agenda type:** Discussion**Date Rec'd**

5/2/2025

Clerk's File #

ORD C36693

Cross Ref #**Project #****Council Meeting Date:** 06/02/2025**Submitting Dept**

MAYOR

Bid #**Contact Name/Phone**

ADAM 6779

Requisition #**Contact E-Mail**

AMCDANIEL@SPOKANECITY.ORG

Agenda Item Type

First Reading Ordinance

Council Sponsor(s)

ZZAPPONE KKLITZKE PDILLON

Sponsoring at Administrators Request

NO

Lease? NO**Grant Related?** NO**Public Works?** NO**Agenda Item Name**

0520 ORDINANCE REGARDING OBSTRUCTING ACCESS TO AND

Agenda Wording

This ordinance streamlines the Spokane Municipal Code while preserving the principles of existing laws regarding Pedestrian or Vehicular Interference (SMC 10.60.010), Sitting, Lying on Sidewalk in a Designated Zone (SMC 10.60.020), Unauthorized Camping on Public Property (SMC 12.02.1010), and Removal of Unauthorized Encampments and Individual Camps (SMC 12.02.10111).

Summary (Background)

Feedback from roundtables, service providers, law enforcement, business leaders, property owners, and neighborhood leaders indicates that the current patchwork of public property ordinances lacks clarity and is inadequate in addressing the underlying causes of the conduct. The City of Spokane has a responsibility to uphold the intent of voters while implementing ordinances that are not only clear and an effective tool for law enforcement, but also prioritize connecting individuals subject to enforcement with proven, evidence-based solutions. This ordinance evolves the City's approach to engage individuals camping or obstructing access to public properties with navigation to emergency shelter or permanent housing solutions, or other resources. This ordinance creates a unified policy with clear standards applicable citywide while preserving the principles of existing laws regarding Pedestrian or Vehicular Interference (SMC 10.60.010), Sitting, Lying on Sidewalk in a Designated Zone (SMC 10.60.020), Unauthorized Camping on Public Property (SMC 12.02.1010), and Removal of Unauthorized Encampments and Individual Camps (SMC 12.02.10111).

ORDINANCE NO. C36693

An ordinance regarding obstructing access to and unauthorized camping upon public property; repealing Sections 10.60.010, 10.60.020, 12.02.1002, 12.02.1010, and 12.02.1011; amending Section 12.02.1002; and adopting new Sections 12.02.1001, 12.02.1007, and 12.02.10075 of the Spokane Municipal Code.

WHEREAS, feedback from roundtables, service providers, law enforcement, business leaders, property owners, and neighborhood leaders indicates that the current patchwork of public property ordinances lacks clarity and is inadequate in addressing the underlying causes of the conduct; and

WHEREAS, Spokane Police Officers need a straightforward tool with a clear standard for engaging, educating, and helping navigate individuals camping or obstructing access to public property to appropriate resources through an engagement-first and enforcement-second model; and

WHEREAS, prosecutors, defenders, and judges need clear standards to hold individuals accountable while protecting the rights of individuals subject to enforcement; and

WHEREAS, the City of Spokane has a responsibility to uphold the intent of voters while implementing ordinances that are not only clear and an effective tool for law enforcement, but also prioritize connecting individuals subject to enforcement with proven, evidence-based solutions; and

WHEREAS, in June of 2024, the U.S. Supreme Court issued its decision in City of Grants Pass v. Johnson, resulting in the ruling that local governments imposing civil and criminal penalties for camping on public land do not violate the Eighth Amendment; and

WHEREAS, regardless of the Grants Pass ruling, the City continues its efforts to assist those living unhoused within the community achieve temporary and permanent housing solutions; and

WHEREAS, the City is adopting this ordinance to evolve its approach to engage individuals camping or obstructing access to public properties with navigation to emergency shelter or permanent housing solutions, or other resources; and

WHEREAS, the City intends to establish intentional laws with clear standards for conduct on public property that are applicable citywide; and

WHEREAS, the City of Spokane seeks to streamline the Spokane Municipal Code while preserving the principles of existing laws regarding Pedestrian or Vehicular Interference (SMC 10.60.010), Sitting, Lying on Sidewalk in a Designated Zone (SMC 10.60.020), Unauthorized Camping on Public Property (SMC 12.02.1010), and Removal of Unauthorized Encampments and Individual Camps (SMC 12.02.1011).

NOW, THEREFORE, the City of Spokane does ordain:

Section 1. That Section 10.60.010 of the Spokane Municipal Code is repealed.

Section 2. That Section 10.60.020 of the Spokane Municipal Code is repealed.

Section 3. That there is adopted a new Section 12.02.1001 of the Spokane Municipal Code to read as follows:

Section 12.02.1001 Definitions

Term	Definition
Camp	Camp means to: 1. pitch, erect, occupy, or utilize camp equipment for the purposes of creating an outdoor accommodation for overnight shelter; or 2. to use a camper, recreational vehicle, trailer, or other vehicle for living accommodation purposes, or for the purpose of remaining overnight.
Camp Equipment	Camp Equipment includes but is not limited to tents, huts, temporary shelters, campers, recreational vehicles, trailers, tarpaulins, cots, beds, sleeping bags, hammocks, cooking facilities, or similar equipment.
Compliance	Compliance means to take substantial affirmative action to cease knowingly obstructing access to or use of public property.
Encampment	Encampment means a site on public property where one or more individuals or groups of persons temporarily reside outdoors with camp equipment.
First Responder	First Responders mean firefighters, law enforcement officers, and emergency medical personnel, as licensed or certificated by the State of Washington.
Knowingly Obstruct	Knowingly Obstruct means to: 1. Walk, stand, sit, lie, or place an object in such a manner as to impede the free passage of a person or vehicle or to require another person or a driver of a

	<p>vehicle to take action to avoid physical contact; or</p> <p>2. Camp in or upon any public property unless authorized by a local or state emergency declaration or pursuant to a permit.</p>
Park or Park Facility	<p>Park or Park Facility means any real property, building, structure, equipment, sign, shelter, swimming pool, vegetation, playground, or other physical property owned or controlled by the City for park purposes. Park or park facility includes all associated areas, including but not limited to parking lots for parks and pools. All park property, whether developed or undeveloped, including adjacent buffer lands, conservation lands, and natural areas, shall be considered to be a “park facility” for purposes of this chapter.</p>
Public Property	<p>Public Property means any City-owned property including but not limited to parks or park facilities, riverbanks, waterways, conservation areas, natural areas, rights of way, easements, buildings, bridges, or other land or physical structures owned or managed by the City.</p>
Right-of-Way	<p>Right-of-Way means any street, avenue, boulevard, highway, sidewalk, alley, passageway, viaduct, or other thoroughfare, whether abutting public or private property, used for vehicular or pedestrian travel.</p>

Section 4. That Section 12.02.1002 of the Spokane Municipal Code is repealed.

Section 5. That there is adopted a new Section 12.02.1007 of the Spokane Municipal Code to read as follows:

Section 12.02.1007 Obstructing Access to or Use of Public Property

- A. A person shall not knowingly obstruct access to or use of public property unless authorized by a local or state emergency declaration or pursuant to a permit.

- B. A person shall not camp in or upon public property unless authorized by a local or state emergency declaration or pursuant to a permit.
- C. The following shall not be considered camping or knowingly obstructing access to and use of public property:
1. Acts committed as a valid exercise of one's constitutional rights, which incidentally obstruct access to and use of public property to exercise that right;
 2. Summoning aid for an emergency;
 3. Obstructing access as a result of a sensory, mental, or physical disability;
 4. Obstructing access as a result of using a wheelchair, walker, or similar device;
 5. Operating or patronizing a licensed and permitted commercial establishment conducted on public property or waiting in a line to purchase tickets or attend a performance or public event, or to gain entry to a business or non-profit adjacent to public property;
 6. Participating in or attending a parade, festival, block party, performance, rally, demonstration, athletic event, meeting, or similar event conducted on public property pursuant to a special event or other applicable permit; or
 7. Resting while waiting for transportation or resting on a chair, bench, parklet, sidewalk café, or streetery supplied by a public agency or by the abutting private property owner or lessee for that purpose pursuant to a permit or license.
- D. A violation of this section is a misdemeanor.
- E. A person who complies after being notified by a Spokane Police Officer that their conduct violates this section shall not be subject to enforcement under this section. A person who initially complies but subsequently violates this section during the same law enforcement interaction may be subject to enforcement.
- F. A person engaged by a Spokane Police Officer for conduct in violation of this section, who is offered and accepts from a first responder or City-designated outreach provider, navigation and relocation assistance to an emergency or permanent housing solution, day center, crisis stabilization or crisis relief center, or substance use treatment facility shall not be subject to enforcement under this section.

G. A person seeking additional time or assistance in complying with this section shall be accommodated to the extent practicable.

H. It is the intent of the City that a person subject to enforcement under this section be referred to a therapeutic court.

Section 6. That there is adopted a new Section 12.02.10075 of the Spokane Municipal Code to read as follows:

Section 12.02.10075 Integrated Outreach | Encampment Removal and Prevention

A. A notice shall be posted up to seven (7) days prior to a citation issued under SMC 12.02.1007(B) so that the Spokane Homeless Outreach Team or a City-designated service provider may offer navigation and relocation assistance to services including but not limited to an emergency or permanent housing solution, day center, crisis stabilization or crisis relief center, or substance use treatment facility.

B. A notice shall not be required to remove an unauthorized encampment when there is a reasonable belief that there is a significant risk to life, public health or safety, or public property.

C. The City shall establish and maintain administrative policy and procedures that integrate housing-focused outreach and behavioral health services with the removal and prevention of encampments on public property while protecting the personal property rights of individuals subject to enforcement under this section.

Section 7. That Section 12.02.1010 of the Spokane Municipal Code is repealed.

Section 8. That Section 12.02.1011 of the Spokane Municipal Code is repealed.

PASSED by the City Council on _____

Council President

Attest:

Approved as to form:

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Sponsoring at Administrators Request

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Lease? NO**Grant Related?** NO**Public Works?** NO**Agenda Item Name**

0520 AN ORDINANCE REGARDING AGGRESSIVE SOLICITATION

Agenda Wording

This ordinance would recodify the existing prohibition on aggressive solicitation separately in a new section under SMC Chapter 10.60 if the existing Pedestrian or Vehicular Interference is repealed as a result the of the adoption of the obstructing access to and unauthorized camping upon public property ordinance that would streamline the Spokane Municipal Code regarding conduct on public property while preserving the principles of existing laws regarding Pedestrian or Vehicular Interference (SMC 10.60.010), Sitting, Lying on Sidewalk in a Designated Zone (SMC 10.60.020), Unauthorized Camping on Public Property (SMC 12.02.1010), and Removal of Unauthorized Encampments and Individuals Camps (SMC 12.02.10111).

Summary (Background)

There is a separate ordinance proposal regarding obstructing access to and unauthorized camping upon public property that would streamline the Spokane Municipal Code regarding conduct on public property while preserving the principles of existing laws regarding Pedestrian or Vehicular Interference (SMC 10.60.010), Sitting, Lying on Sidewalk in a Designated Zone (SMC 10.60.020), Unauthorized Camping on Public Property (SMC 12.02.1010), and Removal of Unauthorized Encampments and Individuals Camps (SMC 12.02.10111). Aggressive solicitation is regulated under SMC 10.60.010 - Pedestrian or Vehicular Interference. This ordinance will recodify the existing prohibition on aggressive solicitation separately in a new section under SMC Chapter 10.60 pending adoption of the proposed obstructing access to and unauthorized camping upon public property ordinance.

ORDINANCE NO. C36694

An ordinance regarding aggressive solicitation; adopting new Sections 10.60.005 and 10.60.015 of the Spokane Municipal Code.

WHEREAS, aggressive solicitation is regulated under SMC 10.60.010 – Pedestrian or Vehicular Interference; and

WHEREAS, there is an ordinance proposal regarding obstructing access to and unauthorized camping upon public property that would streamline the Spokane Municipal Code regarding conduct on public property while preserving the principles of existing laws regarding Pedestrian or Vehicular Interference (SMC 10.60.010), Sitting, Lying on Sidewalk in a Designated Zone (SMC 10.60.020), Unauthorized Camping on Public Property (SMC 12.02.1010), and Removal of Unauthorized Encampments and Individuals Camps (SMC 12.02.10111); and

WHEREAS, this ordinance will recodify the existing prohibition on aggressive solicitation separately in a new section under SMC Chapter 10.60 if the ordinance proposal regarding obstructing access to and unauthorized camping upon public property is adopted by the City Council.

NOW, THEREFORE, the City of Spokane does ordain:

Section 1. That there is adopted a new Section 10.60.005 of the Spokane Municipal Code to read as follows:

Section 10.60.005 Definitions

<u>Term</u>	<u>Definition</u>
Aggressive solicitation	Aggressive solicitation means to solicit anything of value and intentionally engage in conduct that would likely intimidate a reasonable person, including but not limited to touching, following, persistently soliciting anything of value after being refused, using violent or threatening language or gestures, or taking similar actions to induce compliance with the solicitation.
Solicit	Solicit and all derivative forms of “solicit” means to: a. ask, beg, or plead, whether orally, non-verbally, or in a written or printed manner, for the purpose of immediately receiving contributions, alms, charity, or gifts of

	<p>items of value for oneself or another person; or</p> <p>b. either orally, non-verbally or in a written or printed manner, to sell or offer for immediate sale goods, services or publications; or</p> <p>c. to distribute without remuneration goods, services, or publications; or</p> <p>d. to solicit signatures on a petition or opinions for a survey.</p>
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Section 2. That there is adopted a new Section 10.60.015 of the Spokane Municipal Code to read as follows:

Section 10.60.015 Aggressive Solicitation

A. No person shall engage in aggressive solicitation in the city of Spokane, as defined in SMC 10.60.005.

B. A violation of this section is a misdemeanor.

PASSED by the City Council on _____

Council President

Attest:

Approved as to form:

City Clerk

City Attorney

Mayor

Date