



City of Seattle
Mayor Edward B. Murray

MODIFIED CIVIL EMERGENCY ORDER

CREATING AN ENCAMPMENT AT 9701 MYERS WAY, SEATTLE

WHEREAS, on November 2, 2015, in my capacity as Mayor, I issued a Proclamation of Civil Emergency to address the homelessness crisis in The City of Seattle; and

WHEREAS, the facts stated in that Proclamation continue to exist and I am basing this Civil Emergency Order on the information and recitals contained in that Proclamation; and

WHEREAS, on March 30, 2014, the City Council unanimously passed legislation to allow up to three permitted sanctioned encampments on public or private property; and

WHEREAS, in November of 2015, The City of Seattle opened two new permitted encampments on City-owned property in the Ballard and Interbay areas and in March of 2016 stood up a third permitted encampment on private property in the Othello neighborhood; and

WHEREAS, on January 29, 2016, the One Night Count identified the number of individuals experiencing unsheltered homelessness in Seattle as 2,942; and

WHEREAS, all three of the existing City-sanctioned encampments have been at or near capacity for most of their existence; and

WHEREAS, the City released Pathways Home, a plan to transform our homeless service delivery system to a system that is person-centered, that invests in what works, and that addresses racial disparities so that homelessness is a rare, brief, and one-time experience for individuals and families; and

WHEREAS, the implementation of Pathways Home is complex and will take time, and we must better address the immediate needs of people who are living unsheltered in our community; and

WHEREAS, in order to begin immediately addressing the needs of people living outside, I have proposed Bridging the Gap to Pathways Home, an Interim Action Plan that will better meet these urgent needs; and

WHEREAS, the decisions to declare a civil emergency and to seek civil emergency orders are not taken lightly but are, I believe, extraordinary measures that are necessary to protect the public welfare; and

WHEREAS, this civil emergency necessitates the utilization of certain emergency powers granted to the Mayor pursuant to Seattle Municipal Code, Chapter 10.02 and RCW Chapter 38.52; and

WHEREAS, the conditions of this Civil Emergency Order are designed to provide the least necessary restriction on the rights of the public; and

BE IT PROCLAIMED BY THE MAYOR OF THE CITY OF SEATTLE, THE HONORABLE EDWARD B. MURRAY, THAT:

I, EDWARD B. MURRAY, MAYOR OF THE CITY OF SEATTLE, ACTING UNDER THE AUTHORITY OF SEATTLE MUNICIPAL CODE SECTIONS 10.02.020, 10.02.025, AND 10.02.030, AND MY MAYORAL PROCLAMATION OF CIVIL EMERGENCY, DATED NOVEMBER 2, 2015, HEREBY ORDER THE FOLLOWING:

SECTION 1

1. An encampment is hereby created at 9701 Myers Way. This encampment shall be purposed to serve between 60 and 70 persons experiencing homelessness.
2. The encampment established by this order shall be permitted for 12 months with an option to renew for an additional 12 months.
3. Encampment operation and outreach to nearby communities shall be informed by the post-application requirements of Seattle Municipal Code Section 23.42.056, Transitional Encampments as an Interim Use. At a minimum, encampment operations must include the following:
 - a. The encampment operator shall establish a Community Advisory Committee to provide advisory input on encampment operations including identifying methods for handling community complaints or concerns as it relates to the facility or facility clients. The committee shall include one individual identified by each stakeholder group in the geographic area where the proposed encampment would be located as best suited to represent their interests. The committee shall consist of no more than seven members. Encampment operator representatives shall attend committee meetings to answer questions and shall provide regular reports to the committee concerning encampment operations. City staff may attend the meetings.
 - b. The encampment operator shall prepare an Encampment Operations Plan that shall address: site management, site maintenance, provision of human and social services, referrals to service providers that can provide services to individuals under the age of 18 who arrive at an encampment unaccompanied by a parent or legal guardian, and public health and safety standards.

- c. The encampment operator shall provide toilets, potable or running water, and garbage collection according to the following standards:
 - o Provide and maintain chemical toilets as recommended by the portable toilet service provider or provide access to toilets in an indoor location;
 - o Provide potable or running water in an indoor location or alternatively, continuously maintain outdoor running water and discharge the water to a location approved by the City; and
 - o Remove garbage frequently, and no less than once weekly, to prevent overflow.

SECTION 2

All mayoral proclamations and orders presently in effect shall remain in full force and effect except that, insofar as any provision of any such prior proclamation is inconsistent with any provision of this Order, then the provision of this Order shall control.

SECTION 3

A copy of this Civil Emergency Order shall be delivered to the Governor of the State of Washington and to the County Executive of King County. To the extent practicable, a copy of this Civil Emergency Order shall be made available to all news media within the City and to the general public. In order to give the widest dissemination of this Civil Emergency Order to the public, as many other available means as may be practical shall be used, including but not limited to posting on public facilities and public address systems as set forth in SMC 10.02.100.

SECTION 4

This Civil Emergency Order shall immediately or as soon as practical be filed with the City Clerk for presentation to the City Council for ratification and confirmation, modification or rejection, and if rejected this Civil Emergency Order shall be void; however, any such rejection or modification shall not affect any actions previously taken. As set forth in SMC 10.02.020(B), if the City Council rejects this Civil Emergency Order, such rejection shall not affect the City's responsibility for any actions taken prior to the rejection of this Civil Emergency Order, including the City's responsibility for the actual costs incurred by those who were ordered by or entered into contracts with the City.

DATED this _____ day of _____, 2017, at _____ am/pm.

EDWARD B. MURRAY
MAYOR OF THE CITY OF SEATTLE