

ORDINANCE No. 187371 As Amended

*Declare a housing emergency to address increased homelessness, identify Council powers, specify one year duration, waive zoning code, and authorize request to Governor for an emergency declaration. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Portland's ongoing economic recovery has had a significant impact on rental housing, resulting in a more than 30% increase in average rents over the last five years, consistently low vacancy rates between 2.6% and 3.2% over the last three years, and high occupancy rates above 96.5% for the last five years. As noted in the City's 2015 Report on the State of Housing in Portland, in the last year average rents across the City increased between 8-9%, or roughly \$100 per month. At the same time, low-wage workers have experienced a decrease in inflation-adjusted wages and a reduced ability to find adequate and affordable rental housing.
2. Despite the improving economy, a 2015 point-in-time count of homelessness in Portland and Multnomah County found that on any given night in Multnomah County, more than 1,887 people experience homelessness without even basic emergency shelter. They were found sleeping on the streets or in parks, cars, abandoned buildings, or other places not meant for human habitation
3. More people are newly homeless - 33% of people who were unsheltered on the night of the 2015 point-in-time count reported being homeless for less than six months, a five percentage point increase over 2013. Moreover, the numbers of people using emergency shelter increased to 4,311 in FY 14-15 from 3,041 in FY13-14 – a 42% increase. There is an inadequate number of emergency shelters to accommodate the number of people experiencing homelessness, which is also expected to increase.
4. These combined circumstances are contributing to significant human suffering, creating an immediate need to provide adequate, safe, and habitable shelters for persons experiencing homelessness. The severe shortage of rental housing and shelter space arise from human-made events and circumstances, causing or threatening to cause human suffering and contributing to blight throughout the City.
5. It is appropriate for the Council to declare a housing emergency to allow for temporary housing, emergency mass shelters and day storage units to serve the homeless. The housing emergency has impacted areas throughout the entire City of Portland. Under state law, the Portland City Charter and Portland City Code, the Council has authority to declare a housing emergency for the purpose of addressing the shelter needs of the homeless on a short-term basis, and protecting the public health, safety and welfare.

6. Areas throughout the City are experiencing large camps of homeless persons. These camps occur without appropriate sanitation facilities or proper trash receptacles. These conditions pose potential health and safety threats for both the campers and the surrounding communities. Because the camps are makeshift, there are also no secure facilities for storage of personal items, creating additional hardships for the campers.
7. The City currently pays for on-going cleanup of campsites occurring on City-owned public property. During the duration of the housing emergency, the City will work with public, private and non-profit entities on a pilot program for day storage units. The program will attempt to address basic humanitarian needs at areas around the City with significant concentrations of homeless campers.
8. The day storage units will be self-contained and portable, capable of being moved to address transitory needs as circumstances arise throughout the City. The pilot program will combine these units with contract services to provide users secure, dry storage facilities for personal belongings during daytime hours. The day storage units will also have sanitation facilities and trash containers, as well as allowing for the safe disposal of sharps waste, which include biohazardous used needles.
9. The storage units are designed for simplicity and movability when the designated area of needed services changes. Storage units will have self-contained power equipment to provide lights to operate the storage area and safety lights for toilets. The anticipated storage intake hours for the pilot program will be in the morning, with time in the evening for pickup.
10. Providing storage units will serve to reduce potential threats to public health and safety, decrease the personal safety issues for campers through temporary property storage, and reduce City expenditures for campsite cleanup. Given the short-term, temporary use of the day storage units in the pilot program, it is in the public interest to waive the application of certain City regulations to these situations.

NOW, THEREFORE, the Council directs:

- a. There is a state of emergency presented by the homeless situation throughout the City of Portland, requiring declaration of a housing emergency under Portland City Code Title 15 for the entire City.
- b. The duration of the housing emergency shall be for a period of one year from the effective date of this ordinance, unless extended by the Council as provided in Portland City Code subsection 15.04.030.B, or terminated sooner by the Council as provided in Portland City Code subsection 15.04.030.G.
- c. For the duration of the housing emergency, the City may otherwise exercise such authority as is provided in Portland City Code Section 15.08.025.
- d. The Portland Bureau of Emergency Management Director may submit a request to the Governor, through Multnomah County, to declare a housing emergency in Portland, Oregon.

The request may identify that the City is seeking assistance regarding state assistance with provision of services for the homeless on health and mental health services and to direct state agencies to utilize and employ state personnel, equipment, and facilities for activities designated to alleviate the circumstances giving rise to the emergency for the protection of the health and safety of residents affected by the emergency. The Director's request may also seek a temporary waiver of application of aspects of the Building Code regarding locating mass shelters and day storage containers for the duration of the emergency, not otherwise affecting life/safety requirements, for the duration of the housing emergency. No other specific state assistance is necessary or requested at this point in the housing emergency.

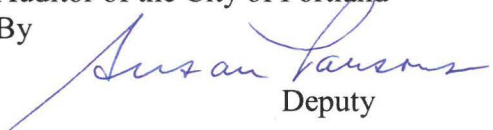
- e. For the duration of the housing emergency, the Council waives all applicable provisions of Title 33, other than the temporary activities general regulations (Portland City Code Section 33.296.040), to allow the City to site up to two day storage units at various locations responding to homeless issues.
- f. The Mayor's Office shall submit written reports to the Council Offices biweekly providing status updates on efforts to implement the Council's directions on the housing emergency, and identifying any further Council directives that may be needed.

Section 2. The Council declares that an emergency exists because there are urgent and unmet needs to provide safe, warm, and habitable shelters for persons experiencing homelessness; therefore, this ordinance shall be in full force and effect on and after its date of passage.

Passed by the Council: OCT 07 2015

Mayor Charlie Hales
Prepared by: JAlpert/RWiggins
Date Prepared: October 1, 2015

Mary Hull Caballero
Auditor of the City of Portland
By


Deputy

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 an

INTRODUCED BY Commissioner/Auditor: Mayor Hales	CLERK USE: DATE FILED <u>OCT 02 2015</u>
COMMISSIONER APPROVAL Mayor—Finance and Administration Hales	Mary Hull Caballero Auditor of the City of Portland
Position 1/Utilities - Fritz	By: Deputy
Position 2/Works - Fish	
Position 3/Affairs - Saltzman	
Position 4/Safety - Novick	
BUREAU APPROVAL Bureau: Mayor Bureau Head: Mayor Hales	ACTION TAKEN:
Prepared by: B. Walters Date Prepared: 10/1/15	
Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>	
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
City Auditor Office Approval: required for Code Ordinances	
City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter	
Council Meeting Date 10/7/15	

AGENDA 2 of 2
TIME CERTAIN <input checked="" type="checkbox"/> Start time: 2:00 PM Total amount of time needed: 3 hours (for presentation, testimony and discussion)
CONSENT <input type="checkbox"/>
REGULAR <input checked="" type="checkbox"/> Total amount of time needed: _____ (for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	✓	
4. Novick	4. Novick	✓	
Hales	Hales	✓	

IMPACT STATEMENT

Legislation title: *Declare a housing emergency to address increased homelessness, identify Council powers, specify one year duration, waive zoning code, and authorize request to Governor for an emergency declaration. (Ordinance)

Contact name: Rachael Wiggins

Contact phone: 503-823-3119

Presenter name: Josh Alpert and Marc Jolin

Purpose of proposed legislation and background information:

The purpose of this legislation is to declare, as the City Council, a housing emergency to address increased homelessness in the City of Portland.

Portland's ongoing economic recovery has had a significant impact on rental housing, resulting in a more than 30% increase in average rents over the last five years, consistently low vacancy rates between 2.6% and 3.2% over the last three years, and high occupancy rates above 96.5% for the last five years. As noted in the City's 2015 Report on the State of Housing in Portland, in the last year average rents across the City increased between 8-9%, or roughly \$100 per month. At the same time, low-wage workers have experienced a decrease in inflation-adjusted wages and a reduced ability to find adequate and affordable rental housing.

Despite the improving economy, a 2015 point-in-time count of homelessness in Portland and Multnomah County found that on any given night in Multnomah County, more than 1,887 people experience homelessness without even basic emergency shelter. They were found sleeping on the streets or in parks, cars, abandoned buildings, or other places not meant for human habitation

More people are newly homeless - 33% of people who were unsheltered on the night of the 2015 point-in-time count reported being homeless for less than six months, a five percentage point increase over 2013. Moreover, the numbers of people using emergency shelter increased to 4,311 in FY 14-15 from 3,041 in FY13-14 – a 42% increase. There is an inadequate number of emergency shelters to accommodate the number of people experiencing homelessness, which is also expected to increase.

These combined circumstances are contributing to significant human suffering, creating an immediate need to provide adequate, safe, and habitable shelters for persons experiencing homelessness. The severe shortage of rental housing and shelter space arise from human-made events and circumstances, causing or threatening to cause human suffering and contributing to blight throughout the City.

It is appropriate for the Council to declare a housing emergency to allow for temporary housing, emergency mass shelters and day storage units to serve the homeless. The housing emergency has impacted areas throughout the entire City of Portland. Under state law, the Portland City Charter and Portland City Code, the Council has authority to declare a housing emergency for the purpose of addressing the shelter needs of the homeless on a short-term basis, and protecting the public health, safety and welfare.

Areas throughout the City are experiencing large camps of homeless persons. These camps occur without appropriate sanitation facilities or proper trash receptacles. These conditions pose potential

health and safety threats for both the campers and the surrounding communities. Because the camps are makeshift, there are also no secure facilities for storage of personal items, creating additional hardships for the campers.

The City currently pays for on-going cleanup of campsites occurring on City-owned public property. During the duration of the housing emergency, the City will work with public, private and non-profit entities on a pilot program for day storage units. The program will attempt to address basic humanitarian needs at areas around the City with significant concentrations of homeless campers.

By declaring a state of emergency, the city has the ability to exercise the authority provided in City Code Section 15.08.025, seek assistance from the State of Oregon for services and certain non-health and safety building code waivers, as well as waiving applicable provision of Title 33, allowing for the siting of up to two day storage units within the City.

Financial and budgetary impacts:

There are no direct financial implications tied to this declaration. There is the potential for future financial and budgetary impact, but at this time that amount, if any, is not quantifiable.

Community impacts and community involvement:

By declaring a housing emergency the city will be able to utilize tools and methods not currently available to provide adequate, safe and habitable shelters for persons experiencing homelessness, many of whom are our community's most vulnerable people.

Budgetary Impact Worksheet

Does this action change appropriations?

- YES: Please complete the information below.
- NO: Skip this section

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Sponsored Program	Amount

Agenda Item 1030

187371

Amend directive d. to read as follows:

- d. The Portland Bureau of Emergency Management Director ~~shall~~may submit a request to the Governor, through Multnomah County, to declare a housing emergency in Portland, Oregon. The request ~~shall~~may identify that the City is seeking assistance regarding state assistance with provision of services for the homeless on health and mental health services and to direct state agencies to utilize and employ state personnel, equipment, and facilities for activities designated to alleviate the circumstances giving rise to the emergency for the protection of the health and safety of ~~citizens~~residents affected by the emergency. The Director's request ~~shall~~may also seek a temporary waiver of application of aspects of the Building Code regarding locating mass shelters and day storage containers for the duration of the emergency, not otherwise affecting life/safety requirements, for the duration of the housing emergency. No other specific state assistance is necessary or requested at this point in the housing emergency.

Insert a new directive f. to read as follows:

- f. The Mayor's Office shall submit written reports to the Council Offices biweekly providing status updates on efforts to implement the Council's directions on the housing emergency, and identifying any further Council directives that may be needed.