

# ORDINANCE No. 187370

\*Amend Title 15, Emergency Code, to authorize Council to declare a housing emergency under specified circumstances, and define duration and Council powers during a housing emergency. (Ordinance; amend Code Sections 15.04.030–15.04.040 and add Section 15.08.025)

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. 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. This number is virtually unchanged from a similar count conducted in 2013 and shows no signs of diminishing.
3. During fiscal year 2014-2015 (July 1, 2014 – June 30, 2015) more than 4,311 people used publicly funded emergency shelter in Multnomah County, a 42% increase over the previous fiscal year. There is an inadequate number of emergency shelters to accommodate the number of people experiencing homelessness, which is also expected to increase.
4. Title 15, the City’s Emergency Code, identifies the natural and human-made events or circumstances that can constitute an emergency, but fails to include housing. The Council finds the lack of safe, warm, and habitable shelter for Portland citizens experiencing homelessness can constitute a housing emergency and it is appropriate to amend Title 15 to authorize the Council to declare a housing emergency.
5. In contrast to natural disasters, which can be intense but of a shorter duration, a housing emergency may require more time to locate and make operational suitable short-term shelter space, and to initiate more permanent housing options and solutions for individuals experiencing homelessness. To address the unique temporal nature of a housing emergency, it is appropriate to authorize a one-year initial duration when the Council declares a housing emergency and successive six-month extensions of the emergency as may be necessary. To avoid any regulatory conflict and effectively focus resources on addressing these needs, it is also appropriate to amend Title 15 to clarify that a housing emergency is a health and safety emergency for which mass shelters are allowed as a temporary activity under Title 33, Planning and Zoning.

6. In addition to addressing short-term housing emergencies, there is a longer-term need to consider additional regulatory options to address unmet housing needs, particularly for persons experiencing homelessness and persons transitioning from homelessness to more stable housing. Specifically, the Council finds it is necessary and appropriate to review and amend the zoning code to remove obstacles that prevent mass shelters and other short-term housing options from being located in appropriate zones.

NOW, THEREFORE, the Council directs:

- a. Title 15, Sections 15.04.030 and 15.04.040, is amended as shown in Exhibit A.
- b. Title 15 is amended by adding a new section, Section 15.08.025, as shown in Exhibit B.

Section 2. The Council declares that an emergency exists because the city code lacks tools to address circumstances where there is an urgent and unmet need to provide safe, warm, and habitable shelter 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

Commissioner: Mayor Hales  
Prepared by: Kathryn Beaumont  
Date Prepared: 10/01/2015

**Mary Hull Caballero**  
Auditor of the City of Portland

By

  
Deputy

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<p><b>INTRODUCED BY</b> Commissioner/Auditor: <b>Mayor Hales</b></p> <p><b>COMMISSIONER APPROVAL</b></p> <p>Mayor—Finance and Administration <i>Hales</i></p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Novick</p> <p><b>BUREAU APPROVAL</b></p> <p>Bureau: Bureau Head:</p> <p>Prepared by: K. Beaumont Date Prepared: 10/01/2015</p> <p>Financial Impact Statement &amp; Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p> <p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input type="checkbox"/> <i>✓ Toni cc</i></p> <p><b>City Attorney Approval:</b> required for contract, code, easement, franchise, comp plan, charter <i>✓</i></p> <p>Council Meeting Date <b>10/07/2015</b></p>	<p style="text-align: right; color: blue;"><b>OCT 02 2015</b></p> <p>CLERK USE: DATE FILED _____</p> <p style="text-align: right;">Mary Hull Caballero Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> Deputy</p> <p><b>ACTION TAKEN:</b></p>
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<b>AGENDA</b> <i>1 of 2</i>
<p><b>TIME CERTAIN</b> <input checked="" type="checkbox"/> Start time: <b>2:00 PM</b></p> <p><b>Total amount of time needed: 3 hours</b> (for presentation, testimony and discussion)</p>
<p><b>CONSENT</b> <input type="checkbox"/></p>
<p><b>REGULAR</b> <input checked="" type="checkbox"/> <b>Total amount of time needed: _____</b> (for presentation, testimony and discussion)</p>

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