

## **LEGISLATIVE DIGEST**

[Police Code - Process for Removal of Encampments and Transition to Housing]

**Ordinance amending the Police Code to provide a process for the removal of encampments when housing or shelter is available for encampment residents, and authorizing the Department of Homelessness and Supportive Housing to develop protocols governing the removal and storage of personal property when removing an encampment.**

### Existing Law

City law does not provide a process governing the City's removal of tent encampments.

### Amendments to Current Law

This ordinance will create a process the City must follow when exercising its existing legal authority to order the permanent removal of an encampment. For purposes of this ordinance, an encampment is defined as "a tent, tarpaulin, or other non-permanent structure used as temporary living quarters for sleeping and shelter."

Prior to ordering the permanent removal of an encampment, the City must identify and offer specific shelter, transitional housing, or other stable housing opportunities to the residents of the encampment. The City must also provide encampment residents with at least 7 days' advance notice of the City's action to remove the Encampment. Such notice must be in writing and must be delivered to the encampment residents personally if they are present at the time the City attempts to serve the notice. The notice must also be posted on or near the encampment.

When the City orders the removal of a group of at least six encampments that are all located within 200 feet of one another, in addition to identifying and offering shelter and providing advance notice of the removal, the City also must develop a written relocation plan outlining the steps that will be taken to relocate the Encampment residents, and must notify residential and commercial neighbors within one block of the group of encampments of the City's plans. Where the City orders the removal of a group of at least six encampments, it must present a report to the Local Homeless Coordinating Board including information about the factors that informed the City's decision to take action regarding the specific group of encampments, the number of encampments that were removed, the number of residents who were relocated, and the status of any housing plans developed on behalf of those residents.

The City will not be required to follow the removal process outlined in the ordinance when it is requiring encampments to move temporarily in order to permit City operations, such as street

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cleaning. In addition, the City will not be required to provide seven days' advance notice of the removal order if the City finds that the immediate relocation of residents is necessary due to a public health or safety emergency.

The ordinance will require the Department of Homelessness and Supportive Housing to develop a protocol governing the removal, storage and retrieval of personal property located in an encampment at the time the City orders its permanent removal.

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