

Attachment D

ORDINANCE NO. _____

AN ORDINANCE RELATED TO ZONING, AMENDING SECTION 20.03.040 OF THE THURSTON COUNTY CODE, AND ADDING NEW SECTIONS 20.35, 21.35, 22.35, 23.35 TO THE THURSTON COUNTY CODE TO ADOPT DEVELOPMENT STANDARDS FOR HOMELESS ENCAMPMENTS.

WHEREAS, there are no regulations in place and the County does not properly address homeless encampments; and

WHEREAS, the regulations will also ensure that the aesthetic character of neighborhoods is protected ; and

WHEREAS, according to the Growth Management Act 36.70A RCW, the Thurston County Comprehensive Plan may only be amended once per year; and

WHEREAS, it is necessary to amend the Comprehensive Plan to facilitate proposed changes to the Thurston County Code to address homeless encampments; and

WHEREAS, the Board included on the 2009 Official Docket of Comprehensive Plan Amendments to focus on amending the Thurston County Comprehensive Plan to address homeless encampments; and

WHEREAS, the Comprehensive Plan supports implementing standards to minimize health and safety impacts and to protect the character of neighborhoods from homeless encampments; and

WHEREAS, the Board of County Commissioners deems it to be in the best interest of the public health, safety, and welfare to provide for development standards governing homeless encampments.

NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF THURSTON COUNTY HEREBY ORDAINS AS FOLLOWS:

SECTION 1: Section 20.03.040 of the Thurston County Code is hereby amended to add new definitions to read as follows:

Deleted Text:	Strikethrough	Proposed Changes:	<u>Underlined</u>
Staff Comments:	<i>Italics</i>	Unaffected Omitted Text:	(...)

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67.5 “Homeless encampment” means an outdoor area used for a transitional emergency shelter for homeless people, hosted by a church or other organization.

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68.1 “Host agency” means a property owner such as the County, a church, or other organization that provides property for a homeless encampment. A host agency may join in an application with a sponsoring agency, or also be a sponsoring agency if it is assuming responsibility for providing basic services and support to temporary emergency homeless encampment residents, such as hot meals, coordination of other needed donations and services.

...

129.5 “Sponsoring Agency” means an agency such as the County, a church, or other organization that joins in an application with a host agency for an application for a homeless encampment and assumes responsibility for providing basic services and support to temporary emergency homeless encampment residents, such as hot meals, coordination of other needed donations and services.

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SECTION 2. Title 20 of the Thurston County Code is hereby added to read as follows:

A. Add to the table of contents of Title 20 as follows:

Chapters:

...

20.35 Homeless Encampments.

...

B. Add a new chapter to read as follows:

Chapter 20.35, 21.35, 22.35, 23.35

HOMELESS ENCAMPMENTS

Sections:

20.35.020 Purpose.

20.35.040 Approval Authority.

20.35.060 Homeless Encampment – Initiation – Procedure.

20.35.070 Neighborhood Meeting Required.

20.35.080 Requirements for Approval.

20.35.090 Operations and Security Plan Required.

20.35.100 Timing.

20.35.110 Inspections.

20.35.120 Termination.

20.35.020 Purpose.

The purpose of this chapter is to provide standards to assure that homeless encampments can be accommodated while maintaining conformance with minimum health and safety standards.

20.35.040 Approval Authority.

Emergency homeless encampments are permitted as a temporary use for which the approval authority shall be the director, subject to the requirements of this chapter when sponsored by a church or other organization.

20.35.060 Homeless Encampment – Initiation - Procedure – Notice.

- A. The host and/or sponsoring agency shall send a notice of application and a notice of the public informational meeting to establish the proposed homeless encampment a minimum of thirty (30) days prior to the proposed date of establishment for the homeless encampment.
- B. The public informational meeting as described TCC 20.35.070 shall be held within 10 days of the notice of application.
- C. The notice of application and public informational meeting shall contain the following information:
 - 1. Host and sponsoring agency contact and location information;
 - 2. The maximum number of residents;
 - 3. The proposed opening date of the homeless encampment; and
 - 4. The proposed location of the public informational meeting.
- D. If the sponsoring agency is not the host agency of the site, the sponsoring agency shall submit a written agreement from the host agency allowing the homeless encampment.
- E. All Public Schools Notified. Upon receipt of an application, the department shall send a copy of the application to the administrative office of the school district in which the homeless encampment will be located for its review and consideration.
- F. The host and/or sponsoring agency shall provide notice of the application by posting two signs or placards on the site, or in a location immediately adjacent to the site, that provide visibility to motorists using adjacent streets. Timing for placing signs shall coincide with other notification requirements described above. The director shall establish standards for size, color, layout, design, placement, and timing of installation and removal of the signs or placards.

20.35.070 Public informational meeting.

- A. The sponsoring agency shall conduct at least one (1) neighborhood meeting at the location of the proposed homeless encampment, or at a location close to the proposed homeless encampment site.

- B. The time and location of the meeting shall be agreed upon between the department, host agency, and sponsoring agency.
- C. The host and/or sponsoring agency shall provide notice of the neighborhood meeting by publishing in a newspaper of general circulation within the affected neighborhood not less than fourteen (14) days prior to the date of the neighborhood meeting. The publication shall specify the time and place of the neighborhood meeting, and the information required for the notice of application under 20.35.060(C) to establish a homeless encampment.
- D. At minimum, all property owners within one thousand (1,000) feet of the proposed homeless encampment location shall be notified a minimum of fourteen (14) days in advance of the meeting by the host and/or sponsoring agency.

20.35.080 Requirements for Approval.

- A. Each camping site shall be a minimum of 1,000 square feet in size, and each camping unit separated by a minimum of ten feet from any property line and have necessary onsite facilities, including, but not limited to the following:
 - 1. Sanitary portable toilets in the number required to meet capacity guidelines;
 - 2. Hand washing stations by the toilets and by the food areas;
 - 3. Refuse receptacles;
 - 4. Food tent and security tent.
- B. The host and sponsoring agencies shall provide adequate water source to the Homeless Encampment, as approved by the local Water District and the County.
- C. No Homeless Encampment shall be located within a Critical Area or its buffer.
- D. No permanent structures shall be constructed for the Homeless Encampment.
- E. No more than 100 residents shall be allowed. The County may further limit the number of residents as site conditions dictate.
- F. Adequate onsite parking shall be provided for the Homeless Encampment. No offsite parking will be allowed. The number of vehicles used by Homeless Encampment residents shall be provided. If the Homeless Encampment is located on a site with another use, it shall be shown that the Homeless Encampment parking will not create a shortage of onsite parking for the other use/s on the property as estimated by the host.

- G. The Homeless Encampment shall be within a quarter (1/4) mile of a bus stop with seven days per week service, whenever possible. If not located within a quarter mile of a bus stop, the sponsoring agency must demonstrate the ability for residents to obtain access to the nearest public transportation stop (such as carpools or shuttle buses).
- H. The Homeless Encampment shall be adequately screened from any adjacent right of way and residence. Screening shall be a minimum height of six feet and may include, but is not limited to, a combination of sight obscuring fencing, landscaping, or the placement of the homeless encampment behind buildings. The type of screening shall be approved by the department.
- I. All sanitary portable toilets shall be screened from adjacent properties and rights of way. The type of screening shall be approved by the County and may include, but is not limited to, a combination of fencing and/or landscaping.
- J. All temporary structures within the Homeless Encampment shall conform to all Building Codes.
- K. At minimum, the homeless encampment shall conform to the following Fire requirements:
1. Material used as roof covering and walls shall be of flame retardant material;
 2. There shall be no open fires for cooking or heating;
 3. No heating appliances, except electric heaters, within the individual camping units or temporary structures are allowed;
 4. No cooking appliances other than microwave appliances are allowed within the individual camping units or temporary structures;
 5. An adequate number and appropriate rating of fire extinguishers shall be provided as approved by the Fire Department;
 6. Adequate access for fire and emergency medical apparatus shall be provided. This shall be determined by the Fire Department;
 7. Adequate separation between camping units and other structures shall be maintained as determined by the Fire Department, but in no case, less than ten (10) feet, and
 8. Electrical service shall be in accordance with recognized and accepted practice; Electrical cords are not to be strung together and any cords used must be approved for exterior use.

- L. No homeless encampment shall be permitted on public rights-of-way.
- M. Because a homeless encampment is a non-traditional living arrangement and therefore provides less privacy and more complex living arrangements than traditional homes, a distance requirement that provides visual separation and buffering from other sensitive land use activities is considered appropriate. To satisfy this concern, no shelter shall be permitted within 300 feet of a licensed child daycare facility or any public or private pre-school or elementary, middle, or high school. However, in the event that a daycare or school is located within the property of a potential Host Agency, this requirement may be waived by the director if the owner of the daycare or principal of the school agrees to the waiving of the distance requirement.

20.35.090. Operations and Security Plan Required.

- A. The host and/or sponsoring agency shall submit an Operations and Security plan to the department as part of the permit application for the homeless encampment.
- B. The host agency shall provide to all residents of the Homeless Encampment a “Code of Conduct” for living at the Encampment. A copy of the “Code of Conduct” shall be submitted as part of the Operations and Security Plan.
- C. All Homeless Encampment residents must sign an agreement to abide by the Code of Conduct. Failure to abide by the Code of Conduct and the Operations and Security Plan shall result in the noncompliant resident’s immediate and permanent expulsion from the property.
- D. The sponsoring agency shall keep a log of all people who stay overnight in the encampment, including names and birth dates, and dates of stay. Logs shall be kept for a minimum of 6 months and made available to the County upon request.
- E. The sponsoring agency shall take all reasonable and legal steps to obtain verifiable ID, such as a driver’s license, government issued identification card, military identification or passport from prospective and existing encampment residents.
- F. The Host Agency shall ensure there is a security tent with an operational telephone or cell phone that is manned 24 hours a day 7 days a week. The security tent shall be staffed by a volunteer, encampment resident, Executive Committee member, or other responsible person.
- G. The sponsoring agency will use identification to obtain sex offender and warrant checks from the Thurston County Sheriff’s Office.

1. If said warrant and sex offender checks reveal either (1) an existing or outstanding warrant from any jurisdiction in the United States for the arrest of the individual who is the subject of the check; or (2) the subject of the check is a sex offender, required to register with the County Sheriff or their county of residence pursuant to RCW 9A.44.130, then sponsoring agency will reject the subject of the check for residency to Homeless Encampment or eject the subject of the check if that person is already a Homeless Encampment resident.
 2. The sponsoring agency shall immediately contact the Thurston County Sheriff's office if the reason for rejection or ejection of an individual from the Homeless Encampment is an active warrant or if, in the opinion of the on duty Executive Committee member or the on duty security staff, the rejected/ejected person is a potential threat to the community.
- H. The sponsoring agency shall self police and self manage its residents and shall prohibit alcohol, drugs, weapons, fighting, and abuse of any kind, littering or disturbing neighbors while located on the property.
- I. The sponsoring agency will appoint an Executive Committee member to serve on duty at all times to serve as a point of contact for the Thurston County Sheriff's Office and will orient the deputies as to how the security tent operates. The names of the on duty Executive Committee members will be posted daily in the security tent. The County shall provide contact numbers of non-emergency personnel which shall be posted at the security tent.
- J. Visitors: Visitors to the encampment must meet the following procedures and requirements:
1. Visitors to the encampment must be invited and accompanied by a resident and must be able to show picture ID.
 2. Visitors may be at the encampment only between the hours of 9:00 A.M. and 10:00 P.M.
 3. Visitors may not stay overnight unless they get permission from the host and complete the same background check requirements as required for residents.
- K. The Host Agency shall show proof of general liability insurance with minimum limits of \$1,000,000.00 per occurrence.

20.35.100 Timing.

- A. No more than one Homeless Encampment may be located in each of the Sheriff districts in Thurston County at any time.
- B. Duration of the homeless encampment shall not exceed ninety (90) days.

C. No Host Agency shall host a homeless encampment on the same or nearby lot, as defined at TCC 20.03.040 (83) (d), more than one time in any 12 month period, beginning on the date the homeless encampment locates on a parcel of property.

20.35.110 Inspections.

The sponsoring and host agencies shall permit inspections by Thurston County, the applicable fire district, and other health and safety agencies at reasonable times without prior notice for compliance with the conditions of the permit for the homeless encampment.

20.35.120 Termination.

If the sponsoring agency fails to take action against a resident who violates the terms and conditions of this permit, it may result in immediate termination of the permit. If the County learns of acts of violence by residents of the encampment and the sponsoring agency has not adequately addressed the situation, the permit may be immediately terminated.

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SECTION 3. Title 21 of the Thurston County Code is hereby amended to read as follows:

A. Add to the table of contents of Title 21 as follows:

Chapters:

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21.35 Homeless Encampments.

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HOMELESS ENCAMPMENTS

Sections:

21.35.020 Purpose.

21.35.040 Approval Authority.

21.35.060 Homeless Encampment – Initiation – Procedure.

21.35.070 Neighborhood Meeting Required.

21.35.080 Requirements for Approval.

21.35.090 Operations and Security Plan Required.

21.35.100 Timing.

21.35.110 Inspections.

21.35.120 Termination.

20.35.020 Purpose.

21.35.020 Purpose.

The purpose of this chapter is to provide standards to assure that homeless encampments can be accommodated while maintaining conformance with minimum health and safety standards.

21.35.040 Approval Authority.

Emergency homeless encampments are permitted as a temporary use for which the approval authority shall be the director, subject to the requirements of this chapter when sponsored by a church or other organization.

21.35.060 Homeless Encampment – Initiation - Procedure – Notice.

- A. The host and/or sponsoring agency shall send a notice of application and a notice of the public informational meeting to establish the proposed homeless encampment a minimum of thirty (30) days prior to the proposed date of establishment for the homeless encampment.
- B. The public informational meeting as described TCC 20.35.070 shall be held within 10 days of the notice of application.
- C. The notice of application and public informational meeting shall contain the following information:
1. Host and sponsoring agency contact and location information;
 2. The maximum number of residents;
 3. The proposed opening date of the homeless encampment; and
 4. The proposed location of the public informational meeting.
- D. If the sponsoring agency is not the host agency of the site, the sponsoring agency shall submit a written agreement from the host agency allowing the homeless encampment.
- E. All Public Schools Notified. Upon receipt of an application, the department shall send a copy of the application to the administrative office of the school district in which the homeless encampment will be located for its review and consideration.
- F. The host and/or sponsoring agency shall provide notice of the application by posting two signs or placards on the site, or in a location immediately adjacent to the site, that provide visibility to motorists using adjacent streets. Timing for placing signs shall coincide with other notification requirements described above. The director shall establish standards for size, color, layout, design, placement, and timing of installation and removal of the signs or placards.

21.35.070 Public informational meeting.

- A. The sponsoring agency shall conduct at least one (1) neighborhood meeting at the location of the proposed homeless encampment, or at a location close to the proposed homeless encampment site.
- B. The time and location of the meeting shall be agreed upon between the department, host agency, and sponsoring agency.
- C. The host and/or sponsoring agency shall provide notice of the neighborhood meeting by publishing in a newspaper of general circulation within the affected neighborhood not less than fourteen (14) days prior to the date of the neighborhood meeting. The publication shall specify the time and place of the neighborhood meeting, and the information required for the notice of application under 20.35.060(C) to establish a homeless encampment.
- D. At minimum, all property owners within one thousand (1,000) feet of the proposed homeless encampment location shall be notified a minimum of fourteen (14) days in advance of the meeting by the host and/or sponsoring agency.

21.35.080 Requirements for Approval.

- A. Each camping site shall be a minimum of 1,000 square feet in size, and each camping unit separated by a minimum of ten feet from any property line and have necessary onsite facilities, including, but not limited to the following:
 - 1. Sanitary portable toilets in the number required to meet capacity guidelines;
 - 2. Hand washing stations by the toilets and by the food areas;
 - 3. Refuse receptacles;
 - 4. Food tent and security tent.
- B. The host and sponsoring agencies shall provide adequate water source to the Homeless Encampment, as approved by the local Water District and the County.
- C. No Homeless Encampment shall be located within a Critical Area or its buffer.
- D. No permanent structures shall be constructed for the Homeless Encampment.
- E. No more than 100 residents shall be allowed. The County may further limit the number of residents as site conditions dictate.
- F. Adequate onsite parking shall be provided for the Homeless Encampment. No offsite parking will be allowed. The number of vehicles used by Homeless Encampment residents shall be provided. If the Homeless Encampment is located

on a site with another use, it shall be shown that the Homeless Encampment parking will not create a shortage of onsite parking for the other use/s on the property as estimated by the host.

- G. The Homeless Encampment shall be within a quarter (1/4) mile of a bus stop with seven days per week service, whenever possible. If not located within a quarter mile of a bus stop, the sponsoring agency must demonstrate the ability for residents to obtain access to the nearest public transportation stop (such as carpools or shuttle buses).
- H. The Homeless Encampment shall be adequately screened from any adjacent right of way and residence. Screening shall be a minimum height of six feet and may include, but is not limited to, a combination of sight obscuring fencing, landscaping, or the placement of the homeless encampment behind buildings. The type of screening shall be approved by the department.
- I. All sanitary portable toilets shall be screened from adjacent properties and rights of way. The type of screening shall be approved by the County and may include, but is not limited to, a combination of fencing and/or landscaping.
- J. All temporary structures within the Homeless Encampment shall conform to all Building Codes.
- K. At minimum, the homeless encampment shall conform to the following Fire requirements:
 - 1. Material used as roof covering and walls shall be of flame retardant material;
 - 2. There shall be no open fires for cooking or heating;
 - 3. No heating appliances, except electric heaters, within the individual camping units or temporary structures are allowed;
 - 4. No cooking appliances other than microwave appliances are allowed within the individual camping units or temporary structures;
 - 5. An adequate number and appropriate rating of fire extinguishers shall be provided as approved by the Fire Department;
 - 6. Adequate access for fire and emergency medical apparatus shall be provided. This shall be determined by the Fire Department;
 - 7. Adequate separation between camping units and other structures shall be maintained as determined by the Fire Department, but in no case, less than ten (10) feet, and

8. Electrical service shall be in accordance with recognized and accepted practice; Electrical cords are not to be strung together and any cords used must be approved for exterior use.
- L. No homeless encampment shall be permitted on public rights-of-way.
- M. Because a homeless encampment is a non-traditional living arrangement and therefore provides less privacy and more complex living arrangements than traditional homes, a distance requirement that provides visual separation and buffering from other sensitive land use activities is considered appropriate. To satisfy this concern, no shelter shall be permitted within 300 feet of a licensed child daycare facility or any public or private pre-school or elementary, middle, or high school. However, in the event that a daycare or school is located within the property of a potential Host Agency, this requirement may be waived by the director if the owner of the daycare or principal of the school agrees to the waiving of the distance requirement.

21.35.090. Operations and Security Plan Required.

- A. The host and/or sponsoring agency shall submit an Operations and Security plan to the department as part of the permit application for the homeless encampment.
- B. The host agency shall provide to all residents of the Homeless Encampment a “Code of Conduct” for living at the Encampment. A copy of the “Code of Conduct” shall be submitted as part of the Operations and Security Plan.
- C. All Homeless Encampment residents must sign an agreement to abide by the Code of Conduct. Failure to abide by the Code of Conduct and the Operations and Security Plan shall result in the noncompliant resident’s immediate and permanent expulsion from the property.
- D. The sponsoring agency shall keep a log of all people who stay overnight in the encampment, including names and birth dates, and dates of stay. Logs shall be kept for a minimum of 6 months and made available to the County upon request.
- E. The sponsoring agency shall take all reasonable and legal steps to obtain verifiable ID, such as a driver’s license, government issued identification card, military identification or passport from prospective and existing encampment residents.
- F. The Host Agency shall ensure there is a security tent with an operational telephone or cell phone that is manned 24 hours a day 7 days a week. The security tent shall be staffed by a volunteer, encampment resident, Executive Committee member, or other responsible person.

G. The sponsoring agency will use identification to obtain sex offender and warrant checks from the Thurston County Sheriff's Office.

1. If said warrant and sex offender checks reveal either (1) an existing or outstanding warrant from any jurisdiction in the United States for the arrest of the individual who is the subject of the check; or (2) the subject of the check is a sex offender, required to register with the County Sheriff or their county of residence pursuant to RCW 9A.44.130, then sponsoring agency will reject the subject of the check for residency to Homeless Encampment or eject the subject of the check if that person is already a Homeless Encampment resident.

2. The sponsoring agency shall immediately contact the Thurston County Sheriff's office if the reason for rejection or ejection of an individual from the Homeless Encampment is an active warrant or if, in the opinion of the on duty Executive Committee member or the on duty security staff, the rejected/ejected person is a potential threat to the community.

H. The sponsoring agency shall self police and self manage its residents and shall prohibit alcohol, drugs, weapons, fighting, and abuse of any kind, littering or disturbing neighbors while located on the property.

I. The sponsoring agency will appoint an Executive Committee member to serve on duty at all times to serve as a point of contact for the Thurston County Sheriff's Office and will orient the deputies as to how the security tent operates. The names of the on duty Executive Committee members will be posted daily in the security tent. The County shall provide contact numbers of non-emergency personnel which shall be posted at the security tent.

J. Visitors: Visitors to the encampment must meet the following procedures and requirements:

1. Visitors to the encampment must be invited and accompanied by a resident and must be able to show picture ID.

2. Visitors may be at the encampment only between the hours of 9:00 A.M. and 10:00 P.M.

3. Visitors may not stay overnight unless they get permission from the host and complete the same background check requirements as required for residents.

K. The Host Agency shall show proof of general liability insurance with minimum limits of \$1,000,000.00 per occurrence.

21.35.100 Timing.

A. No more than one Homeless Encampment may be located in each of the Sheriff districts in Thurston County at any time.

- B. Duration of the homeless encampment shall not exceed ninety (90) days.
- C. No Host Agency shall host a homeless encampment on the same or nearby lot, as defined at TCC 20.03.040 (83) (d), more than one time in any 12 month period, beginning on the date the homeless encampment locates on a parcel of property.

21.35.110 Inspections.

The sponsoring and host agencies shall permit inspections by Thurston County, the applicable fire district, and other health and safety agencies at reasonable times without prior notice for compliance with the conditions of the permit for the homeless encampment.

21.35.120 Termination.

If the sponsoring agency fails to take action against a resident who violates the terms and conditions of this permit, it may result in immediate termination of the permit. If the County learns of acts of violence by residents of the encampment and the sponsoring agency has not adequately addressed the situation, the permit may be immediately terminated.

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SECTION 4. Title 22 of the Thurston County Code is hereby amended to read as follows:

- A. Add to the table of contents of Title 22 as follows:

Chapters:

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22.35 Homeless Encampments.

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HOMELESS ENCAMPMENTS

Sections:

22.35.020 Purpose.

22.35.040 Approval Authority.

22.35.060 Homeless Encampment – Initiation – Procedure.

22.35.070 Neighborhood Meeting Required.

22.35.080 Requirements for Approval.

22.35.090 Operations and Security Plan Required.

22.35.100 Timing.

22.35.110 Inspections.

22.35.120 Termination.

22.35.020 Purpose.

22.35.020 Purpose.

The purpose of this chapter is to provide standards to assure that homeless encampments can be accommodated while maintaining conformance with minimum health and safety standards.

22.35.040 Approval Authority.

Emergency homeless encampments are permitted as a temporary use for which the approval authority shall be the director, subject to the requirements of this chapter when sponsored by a church or other organization.

22.35.060 Homeless Encampment – Initiation - Procedure – Notice.

- A. The host and/or sponsoring agency shall send a notice of application and a notice of the public informational meeting to establish the proposed homeless encampment a minimum of thirty (30) days prior to the proposed date of establishment for the homeless encampment.
- B. The public informational meeting as described TCC 20.35.070 shall be held within 10 days of the notice of application.
- C. The notice of application and public informational meeting shall contain the following information:
 - 1. Host and sponsoring agency contact and location information;
 - 2. The maximum number of residents;
 - 3. The proposed opening date of the homeless encampment; and
 - 4. The proposed location of the public informational meeting.
- D. If the sponsoring agency is not the host agency of the site, the sponsoring agency shall submit a written agreement from the host agency allowing the homeless encampment.
- E. All Public Schools Notified. Upon receipt of an application, the department shall send a copy of the application to the administrative office of the school district in which the homeless encampment will be located for its review and consideration.
- F. The host and/or sponsoring agency shall provide notice of the application by posting two signs or placards on the site, or in a location immediately adjacent to the site, that provide visibility to motorists using adjacent streets. Timing for placing signs shall coincide with other notification requirements described above. The director shall establish standards for size, color, layout, design, placement, and timing of installation and removal of the signs or placards.

22.35.070 Public informational meeting.

- A. The sponsoring agency shall conduct at least one (1) neighborhood meeting at the location of the proposed homeless encampment, or at a location close to the proposed homeless encampment site.
- B. The time and location of the meeting shall be agreed upon between the department, host agency, and sponsoring agency.
- C. The host and/or sponsoring agency shall provide notice of the neighborhood meeting by publishing in a newspaper of general circulation within the affected neighborhood not less than fourteen (14) days prior to the date of the neighborhood meeting. The publication shall specify the time and place of the neighborhood meeting, and the information required for the notice of application under 20.35.060(C) to establish a homeless encampment.
- D. At minimum, all property owners within one thousand (1,000) feet of the proposed homeless encampment location shall be notified a minimum of fourteen (14) days in advance of the meeting by the host and/or sponsoring agency.

22.35.080 Requirements for Approval.

- A. Each camping site shall be a minimum of 1,000 square feet in size, and each camping unit separated by a minimum of ten feet from any property line and have necessary onsite facilities, including, but not limited to the following:
 - 1. Sanitary portable toilets in the number required to meet capacity guidelines;
 - 2. Hand washing stations by the toilets and by the food areas;
 - 3. Refuse receptacles;
 - 4. Food tent and security tent.
- B. The host and sponsoring agencies shall provide adequate water source to the Homeless Encampment, as approved by the local Water District and the County.
- C. No Homeless Encampment shall be located within a Critical Area or its buffer.
- D. No permanent structures shall be constructed for the Homeless Encampment.
- E. No more than 100 residents shall be allowed. The County may further limit the number of residents as site conditions dictate.

- F. Adequate onsite parking shall be provided for the Homeless Encampment. No offsite parking will be allowed. The number of vehicles used by Homeless Encampment residents shall be provided. If the Homeless Encampment is located on a site with another use, it shall be shown that the Homeless Encampment parking will not create a shortage of onsite parking for the other use/s on the property as estimated by the host.
- G. The Homeless Encampment shall be within a quarter (1/4) mile of a bus stop with seven days per week service, whenever possible. If not located within a quarter mile of a bus stop, the sponsoring agency must demonstrate the ability for residents to obtain access to the nearest public transportation stop (such as carpools or shuttle buses).
- H. The Homeless Encampment shall be adequately screened from any adjacent right of way and residence. Screening shall be a minimum height of six feet and may include, but is not limited to, a combination of sight obscuring fencing, landscaping, or the placement of the homeless encampment behind buildings. The type of screening shall be approved by the department.
- I. All sanitary portable toilets shall be screened from adjacent properties and rights of way. The type of screening shall be approved by the County and may include, but is not limited to, a combination of fencing and/or landscaping.
- J. All temporary structures within the Homeless Encampment shall conform to all Building Codes.
- K. At minimum, the homeless encampment shall conform to the following Fire requirements:
1. Material used as roof covering and walls shall be of flame retardant material;
 2. There shall be no open fires for cooking or heating;
 3. No heating appliances, except electric heaters, within the individual camping units or temporary structures are allowed;
 4. No cooking appliances other than microwave appliances are allowed within the individual camping units or temporary structures;
 5. An adequate number and appropriate rating of fire extinguishers shall be provided as approved by the Fire Department;
 6. Adequate access for fire and emergency medical apparatus shall be provided. This shall be determined by the Fire Department;

7. Adequate separation between camping units and other structures shall be maintained as determined by the Fire Department, but in no case, less than ten (10) feet, and
 8. Electrical service shall be in accordance with recognized and accepted practice; Electrical cords are not to be strung together and any cords used must be approved for exterior use.
- L. No homeless encampment shall be permitted on public rights-of-way.
- M. Because a homeless encampment is a non-traditional living arrangement and therefore provides less privacy and more complex living arrangements than traditional homes, a distance requirement that provides visual separation and buffering from other sensitive land use activities is considered appropriate. To satisfy this concern, no shelter shall be permitted within 300 feet of a licensed child daycare facility or any public or private pre-school or elementary, middle, or high school. However, in the event that a daycare or school is located within the property of a potential Host Agency, this requirement may be waived by the director if the owner of the daycare or principal of the school agrees to the waiving of the distance requirement.

22.35.090. Operations and Security Plan Required.

- A. The host and/or sponsoring agency shall submit an Operations and Security plan to the department as part of the permit application for the homeless encampment.
- B. The host agency shall provide to all residents of the Homeless Encampment a “Code of Conduct” for living at the Encampment. A copy of the “Code of Conduct” shall be submitted as part of the Operations and Security Plan.
- C. All Homeless Encampment residents must sign an agreement to abide by the Code of Conduct. Failure to abide by the Code of Conduct and the Operations and Security Plan shall result in the noncompliant resident’s immediate and permanent expulsion from the property.
- D. The sponsoring agency shall keep a log of all people who stay overnight in the encampment, including names and birth dates, and dates of stay. Logs shall be kept for a minimum of 6 months and made available to the County upon request.
- E. The sponsoring agency shall take all reasonable and legal steps to obtain verifiable ID, such as a driver’s license, government issued identification card, military identification or passport from prospective and existing encampment residents.
- F. The Host Agency shall ensure there is a security tent with an operational telephone or cell phone that is manned 24 hours a day 7 days a week. The security

tent shall be staffed by a volunteer, encampment resident, Executive Committee member, or other responsible person.

G. The sponsoring agency will use identification to obtain sex offender and warrant checks from the Thurston County Sheriff's Office.

1. If said warrant and sex offender checks reveal either (1) an existing or outstanding warrant from any jurisdiction in the United States for the arrest of the individual who is the subject of the check; or (2) the subject of the check is a sex offender, required to register with the County Sheriff or their county of residence pursuant to RCW 9A.44.130, then sponsoring agency will reject the subject of the check for residency to Homeless Encampment or eject the subject of the check if that person is already a Homeless Encampment resident.

2. The sponsoring agency shall immediately contact the Thurston County Sheriff's office if the reason for rejection or ejection of an individual from the Homeless Encampment is an active warrant or if, in the opinion of the on duty Executive Committee member or the on duty security staff, the rejected/ejected person is a potential threat to the community.

H. The sponsoring agency shall self police and self manage its residents and shall prohibit alcohol, drugs, weapons, fighting, and abuse of any kind, littering or disturbing neighbors while located on the property.

I. The sponsoring agency will appoint an Executive Committee member to serve on duty at all times to serve as a point of contact for the Thurston County Sheriff's Office and will orient the deputies as to how the security tent operates. The names of the on duty Executive Committee members will be posted daily in the security tent. The County shall provide contact numbers of non-emergency personnel which shall be posted at the security tent.

J. Visitors: Visitors to the encampment must meet the following procedures and requirements:

1. Visitors to the encampment must be invited and accompanied by a resident and must be able to show picture ID.

2. Visitors may be at the encampment only between the hours of 9:00 A.M. and 10:00 P.M.

3. Visitors may not stay overnight unless they get permission from the host and complete the same background check requirements as required for residents.

K. The Host Agency shall show proof of general liability insurance with minimum limits of \$1,000,000.00 per occurrence.

22.35.100 Timing.

- A. No more than one Homeless Encampment may be located in each of the Sheriff districts in Thurston County at any time.
- B. Duration of the homeless encampment shall not exceed ninety (90) days.
- C. No Host Agency shall host a homeless encampment on the same or nearby lot, as defined at TCC 20.03.040 (83) (d), more than one time in any 12 month period, beginning on the date the homeless encampment locates on a parcel of property.

22.35.110 Inspections.

The sponsoring and host agencies shall permit inspections by Thurston County, the applicable fire district, and other health and safety agencies at reasonable times without prior notice for compliance with the conditions of the permit for the homeless encampment.

22.35.120 Termination.

If the sponsoring agency fails to take action against a resident who violates the terms and conditions of this permit, it may result in immediate termination of the permit. If the County learns of acts of violence by residents of the encampment and the sponsoring agency has not adequately addressed the situation, the permit may be immediately terminated.

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SECTION 5. Title 23 of the Thurston County Code is hereby amended to read as follows:

- A. Add to the table of contents of Title 23 as follows:

Chapters:

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23.35 Homeless Encampments.

...

HOMELESS ENCAMPMENTS

Sections:

23.35.020 Purpose.

23.35.040 Approval Authority.

23.35.060 Homeless Encampment – Initiation – Procedure.

23.35.070 Neighborhood Meeting Required.

23.35.080 Requirements for Approval.

23.35.090 Operations and Security Plan Required.

23.35.100 Timing.

23.35.110 Inspections.

23.35.120 Termination.

23.35.020 Purpose.

23.35.020 Purpose.

The purpose of this chapter is to provide standards to assure that homeless encampments can be accommodated while maintaining conformance with minimum health and safety standards.

23.35.040 Approval Authority.

Emergency homeless encampments are permitted as a temporary use for which the approval authority shall be the director, subject to the requirements of this chapter when sponsored by a church or other organization.

23.35.060 Homeless Encampment – Initiation - Procedure – Notice.

- A. The host and/or sponsoring agency shall send a notice of application and a notice of the public informational meeting to establish the proposed homeless encampment a minimum of thirty (30) days prior to the proposed date of establishment for the homeless encampment.
- B. The public informational meeting as described TCC 20.35.070 shall be held within 10 days of the notice of application.
- C. The notice of application and public informational meeting shall contain the following information:
 - 1. Host and sponsoring agency contact and location information;
 - 2. The maximum number of residents;
 - 3. The proposed opening date of the homeless encampment; and
 - 4. The proposed location of the public informational meeting.
- D. If the sponsoring agency is not the host agency of the site, the sponsoring agency shall submit a written agreement from the host agency allowing the homeless encampment.
- E. All Public Schools Notified. Upon receipt of an application, the department shall send a copy of the application to the administrative office of the school district in which the homeless encampment will be located for its review and consideration.
- F. The host and/or sponsoring agency shall provide notice of the application by posting two signs or placards on the site, or in a location immediately adjacent to the site, that provide visibility to motorists using adjacent streets. Timing for placing signs shall coincide with other notification requirements described above.

The director shall establish standards for size, color, layout, design, placement, and timing of installation and removal of the signs or placards.

23.35.070 Public informational meeting.

- A. The sponsoring agency shall conduct at least one (1) neighborhood meeting at the location of the proposed homeless encampment, or at a location close to the proposed homeless encampment site.
- B. The time and location of the meeting shall be agreed upon between the department, host agency, and sponsoring agency.
- C. The host and/or sponsoring agency shall provide notice of the neighborhood meeting by publishing in a newspaper of general circulation within the affected neighborhood not less than fourteen (14) days prior to the date of the neighborhood meeting. The publication shall specify the time and place of the neighborhood meeting, and the information required for the notice of application under 20.35.060(C) to establish a homeless encampment.
- D. At minimum, all property owners within one thousand (1,000) feet of the proposed homeless encampment location shall be notified a minimum of fourteen (14) days in advance of the meeting by the host and/or sponsoring agency.

23.35.080 Requirements for Approval.

- A. Each camping site shall be a minimum of 1,000 square feet in size, and each camping unit separated by a minimum of ten feet from any property line and have necessary onsite facilities, including, but not limited to the following:
 - 1. Sanitary portable toilets in the number required to meet capacity guidelines;
 - 2. Hand washing stations by the toilets and by the food areas;
 - 3. Refuse receptacles;
 - 4. Food tent and security tent.
- B. The host and sponsoring agencies shall provide adequate water source to the Homeless Encampment, as approved by the local Water District and the County.
- C. No Homeless Encampment shall be located within a Critical Area or its buffer.
- D. No permanent structures shall be constructed for the Homeless Encampment.

- E. No more than 100 residents shall be allowed. The County may further limit the number of residents as site conditions dictate.
- F. Adequate onsite parking shall be provided for the Homeless Encampment. No offsite parking will be allowed. The number of vehicles used by Homeless Encampment residents shall be provided. If the Homeless Encampment is located on a site with another use, it shall be shown that the Homeless Encampment parking will not create a shortage of onsite parking for the other use/s on the property as estimated by the host.
- G. The Homeless Encampment shall be within a quarter (1/4) mile of a bus stop with seven days per week service, whenever possible. If not located within a quarter mile of a bus stop, the sponsoring agency must demonstrate the ability for residents to obtain access to the nearest public transportation stop (such as carpools or shuttle buses).
- H. The Homeless Encampment shall be adequately screened from any adjacent right of way and residence. Screening shall be a minimum height of six feet and may include, but is not limited to, a combination of sight obscuring fencing, landscaping, or the placement of the homeless encampment behind buildings. The type of screening shall be approved by the department.
- I. All sanitary portable toilets shall be screened from adjacent properties and rights of way. The type of screening shall be approved by the County and may include, but is not limited to, a combination of fencing and/or landscaping.
- J. All temporary structures within the Homeless Encampment shall conform to all Building Codes.
- K. At minimum, the homeless encampment shall conform to the following Fire requirements:
1. Material used as roof covering and walls shall be of flame retardant material;
 2. There shall be no open fires for cooking or heating;
 3. No heating appliances, except electric heaters, within the individual camping units or temporary structures are allowed;
 4. No cooking appliances other than microwave appliances are allowed within the individual camping units or temporary structures;
 5. An adequate number and appropriate rating of fire extinguishers shall be provided as approved by the Fire Department;

6. Adequate access for fire and emergency medical apparatus shall be provided. This shall be determined by the Fire Department;
 7. Adequate separation between camping units and other structures shall be maintained as determined by the Fire Department, but in no case, less than ten (10) feet, and
 8. Electrical service shall be in accordance with recognized and accepted practice; Electrical cords are not to be strung together and any cords used must be approved for exterior use.
- L. No homeless encampment shall be permitted on public rights-of-way.
- M. Because a homeless encampment is a non-traditional living arrangement and therefore provides less privacy and more complex living arrangements than traditional homes, a distance requirement that provides visual separation and buffering from other sensitive land use activities is considered appropriate. To satisfy this concern, no shelter shall be permitted within 300 feet of a licensed child daycare facility or any public or private pre-school or elementary, middle, or high school. However, in the event that a daycare or school is located within the property of a potential Host Agency, this requirement may be waived by the director if the owner of the daycare or principal of the school agrees to the waiving of the distance requirement.

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- E. The sponsoring agency shall take all reasonable and legal steps to obtain verifiable ID, such as a driver’s license, government issued identification card, military identification or passport from prospective and existing encampment residents.

- F. The Host Agency shall ensure there is a security tent with an operational telephone or cell phone that is manned 24 hours a day 7 days a week. The security tent shall be staffed by a volunteer, encampment resident, Executive Committee member, or other responsible person.
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1. If said warrant and sex offender checks reveal either (1) an existing or outstanding warrant from any jurisdiction in the United States for the arrest of the individual who is the subject of the check; or (2) the subject of the check is a sex offender, required to register with the County Sheriff or their county of residence pursuant to RCW 9A.44.130, then sponsoring agency will reject the subject of the check for residency to Homeless Encampment or eject the subject of the check if that person is already a Homeless Encampment resident.
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Section 6. Severability. If any section, subsection, sentence, clause, phrase or other portion of this Ordinance or its application to any person is, for any reason, declared invalid, illegal or unconstitutional in whole or in part by any court or agency of competent jurisdiction, said decision shall not affect the validity of the remaining portions hereof.

Section 7. Effective Date. This Ordinance shall take effect immediately upon adoption.

ADOPTED: _____

ATTEST:

Clerk of the Board

BOARD OF COUNTY COMMISSIONERS
Thurston County, Washington

Chairman

APPROVED AS TO FORM:

EDWARD G. HOLM
PROSECUTING ATTORNEY

Commissioner

Jeffrey G. Fancher
Deputy Prosecuting Attorney

Commissioner