

**Selected Key Elements in the Administrative Rule and Executive Order
Regarding Unauthorized Encampments on City Property**

	Elements	January Draft	Final
		Administrative Rule	Administrative Rule
1.	Departments involved	Parks, City Light, Public Utilities, Transportation, Fleets & Facilities; Neighborhoods, Seattle Center	Adds Office of Housing
2.	Definition of encampment	Includes all camping, meaning “to erect a tent or other shelter, or to assemble on City property camping equipment and personal property, that to a reasonable person evidences that a person has remained, or intends to remain, in an area overnight or when the area is closed to the public”	Focuses on three (3) or more unauthorized structures in an identifiable area which appear to be being used for unauthorized camping. An identifiable area includes areas where the structures are in sight of each other and/or areas where each of the structures is located within approximately 300 feet of another structure.
3.	Definition of personal property	Defines “Personal Property” to mean “an item that is: 1) reasonably recognizable as belonging to a person; 2) in its present condition has apparent utility; and 3) is not hazardous material.”	Adds examples: “Examples of personal property include, but are not limited to, tents, bicycles, radios or other electronic equipment, eyeglasses, prescription medications, photographs, jewelry, crutches, wheelchairs, and any items that reasonably appear to be of more than \$25 in value. Personal property does not include building materials such as wood products, metal, or rigid plastic.” Also requires that the “authorizing official should resolve a reasonable doubt as to whether an item is personal property in favor of deciding the item is personal property and treat it accordingly under these rules.”
4.	Advance Notice Requirement	Mandates that a written notice be posted in the area at least 48 hours before removing personal property from the area.	Changes: (1) Notice increased to a minimum of 72 hours before personal property removed from encampment.. (2) Provides for permanent posting for recurring encampments defined to mean” encampments observed in the area at least three times within any 60 day period.” (3) Provides for an occupant of an encampment to have reasonable opportunity to enter a posted area to in order to remove personal property (See 7.4.1.1).

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5.	Exception to Advance Notice Requirement	The provisions regarding notice apply only to items that are not subject to summary removal and disposal.	The Notice procedures do not apply to: (1) any items that are not personal property or are obstructions, or (2) to any encampment in which the authorizing official has reasonable suspicion that a person in the encampment is engaged in (a) a violent crime, (b) a felony drug delivery, or is in possession of weapons in the encampment.
6.	Storage of Personal Property	Mandates that personal items taken shall be stored; a notice informing individuals where they may claim removed personal property will shall be posted in the area; under certain circumstances, an attempt shall be made to contact owner; unclaimed items may be disposed of in 60 days.	No change
7.	Notice of Exclusion	The authorizing official of all City departments may issue an Administrative Notice of Exclusion and delegate to sworn SPD personnel the authority to enforce these notices and any other applicable written or posted rules.	No change
		Procedures	Executive Order
8.	Subject of the procedures	All unauthorized encampments.	No change
9.	Coordinator	Customer Service Bureau	No change
10.	Target for cleaning encampments	10 business days after notification by CSB States that the responsible department shall inspect the area immediately and proceed with removal procedures in coordination with other departments.	Change: 21 days after notification by CSB Adds: (1) Re-establishes the Unauthorized Encampment Workgroup, which consists of the contact person/liaison from each department that owns City property, HSD, CSB, and SPD. (2) States that the responsible department shall inspect the area immediately and assess, in consultation with the Workgroup, the site's priority for removal.
11.	Outreach and Additional Shelter	The Human Services Department will be responsible for arranging outreach prior to removal of the encampment. It also will establish additional interim/overflow shelter beds, as necessary, for	No change

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		occupants of unauthorized encampments.	
12.	Documentation	States that when an encampment has been removed from the property, the department will provide CSB with a report on the results, e.g. number of people assisted, the type of assistance provided and the amount of debris removed.	Adds and enhances documentation requirements for the following: <ul style="list-style-type: none"> - the initial inspection - at posting the 72-hour notice - for outreach process - for the results of the encampment removal
13.	Property Storage	States how personal items with identifying information and that are not contaminated, illegal, or hazardous will be labeled for storage and how the city will make an effort to contact owners. Also, storage is limited to 60 days.	Clarifies that the responsible department is responsible for not only labeling and storing the appropriate personal items, but also for attempting to contact owners. No change in storage limit.
14.	Preventing re-establishment of encampments	States that staff from the department will revisit the site in one week, and periodically, thereafter, to make sure an encampment has not been re-established. If major encampments in the area persist, the responsible department will consider the site for routine cleanup.	Adds provision for permanent posting in areas where there are recurring encampments as set forth in the administrative rule.