

## **RESOLUTION NO. 2020-4**

### **A RESOLUTION DECLARING A STATE OF EMERGENCY RELATING TO UNSHELTERED RESIDENTS IN THE CITY OF SALEM**

**Whereas**, Salem, like many communities within Oregon and nationwide, has many residents who lack permanent, affordable, housing;

**Whereas**, the City of Salem and the Housing Authority of the City of Salem, have aggressively pursued a “housing first” model to address the community wide shortage of affordable housing;

**Whereas**, the City’s and the Authority’s efforts have resulted in many unsheltered residents obtaining permanent affordable housing;

**Whereas**, The City and the Authority are continuing efforts to create additional affordable housing, and increase access and lower barriers to services for those in need;

**Whereas**, despite the efforts of the City, the Authority, private affordable housing developers, and social service providers, there continues to be a significant number of residents in the city that lack safe and affordable housing;

**Whereas**, social service providers in Salem provide a variety of shelter alternatives, however, these alternatives often operate at, or near, capacity, and unsheltered residents either are unable, or unwilling, to stay at available shelters;

**Whereas**, many unsheltered residents maintain tents or other improvised shelters in public areas such as undeveloped publicly owned property, right-of-way, and sidewalks (“camping”);

**Whereas**, public areas are not intended for camping, and lack the minimum facilities for habitation, such as access to toilets, water, personal hygiene facilities, cooking facilities, and electricity;

**Whereas**, public camping often causes problems or conflicts with users of abutting property and users of public areas, through incidents of trespassing, accumulation of waste, and other illegal conduct;

**Whereas**, seasonal winter temperatures, wind, and precipitation can pose a threat to the health and safety of unsheltered people;

**Whereas**, the City Council desires to expand available shelter capacity and provide the opportunity for unsheltered residents with vehicles to legally overnight camp in their vehicles on private property with the permission of the property owner, and have access to water, toilets, and waste disposal;

**Whereas**, The United Way of the Mid-Willamette Valley has opened a women’s shelter, named Safe Sleep, that has capacity for up to 19 women;

**Whereas**, the City's land use regulations limit occupancy at the Safe Sleep shelter to a maximum of ten people, unless a conditional use permit is granted, in which case Safe Sleep could expand occupancy to 19 people;

**Whereas**, United Way has not yet applied for conditional use approval and review and approval of the conditional use will take several months;

**Whereas**, the City Council has identified Pringle Community Hall, located in Pringle Park, as a feasible location for a temporary, overnight, shelter for up to 37 people through March 31, 2020, however the zoning for Pringle Park does not allow a temporary overnight shelter, and;

**Whereas**, there is an urgent need for additional shelter capacity, particularly for women, however the City's land use regulations prohibit the use of certain properties for temporary shelter or vehicle camping, or limit the number of individuals that can be served at a temporary shelter.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SALEM, OREGON,  
RESOLVES AS FOLLOWS:

**Section 1.** There is declared a state of emergency within the city of Salem related to unsheltered residents, pursuant to Salem Revised Code (SRC) 2.660-2.680.

**Section 2.** The emergency or threatened conditions are:

- a) Adverse seasonal weather conditions, including cold temperatures, precipitation, and wind, create the potential for a threat to the health and safety of unsheltered people,
- b) A substantial increase in the number of unsheltered residents in the community, and
- c) A lack of shelter capacity and barriers to access to shelter.

**Section 3.** The damage or potential damage is:

- a) Threats to the health and safety of unsheltered residents of the city.
- b) Threats to public health and safety and the existence of a public nuisance created through illegal camping.

**Section 4.** The location or geographic area affected is: the city of Salem.

**Section 5.** The resources committed and actions initiated by the City are:

- a) The City Manager, or designee, is authorized to utilize Pringle Community Hall for a temporary, overnight shelter through March 31, 2020,
- b) The City Manager, or designee, is authorized to enter into an agreement with a service provider to operate and manage the shelter at Pringle Community Hall,
- c) The City Manager, or designee, shall issue an order implementing the actions authorized under this declaration, including the establishment of certain minimum standards for the operation of the shelter at Pringle Community Hall,
- d) The City Manager, or designee, shall issue an order authorizing a pilot program for vehicle camping, subject to standards that are consistent with the best practices outlined in that certain staff report, dated January 13, 2020 concerning vehicle camping,

- e) The City Manager, or designee, shall issue an order waiving certain land use regulations for the Safe Sleep shelter, located at 1910 Front Street, to allow overnight occupancy for up to 19 people,
- f) The City Council previously approved up to \$213,000 to be used to expand the capacity of the existing warming centers to allow for durational operation. Because the durational warming centers did not occur, this money may be used for the operation of the Pringle Community Hall temporary shelter.
- g) The City Manager, or designee, under the Manager's authority as Emergency Program Manager, may issue orders to undertake any of the actions authorized in SRC 2.680 or as otherwise authorized by law consistent with this declaration, including the waiver or suspension of City procurement procedures, and provisions of the Salem Revised Code.

**Section 6.** This declaration shall terminate, unless expressly extended by the Salem City Council, on **APRIL 14, 2020**.

**Section 7.** This resolution is effective upon adoption.

ADOPTED by the City Council this \_\_\_\_ day of \_\_\_\_\_, 2020.

ATTEST:

City Recorder

Approved by City Attorney: \_\_\_\_\_