Dear City of Sammamish,

As you prepare to draft your own ordinance on encampments, I thought it would be helpful for you to have some background on the history of ordinances of this type in King County.

When Tent City 4 wanted to move to Temple B’Nai Torah in November 2005, Bellevue’s new permitting process limited the hosting to 40 residents and 60 days duration. The host congregation, the Church Council of Greater Seattle, and SHARE filed a lawsuit against the City of Bellevue to challenge the rules. The parties negotiated a consent decree where TC4 and its supporters acknowledged that Bellevue was within its rights to adopt these code changes in exchange for allowing TC4 to stay 90 days at the Temple and St Luke's sites in Bellevue and agreeing not to return to the city for one year.

This set a precedent which has haunted homeless encampments in East King County ever since.

In 2009-2010 the state legislature passed ESHB 1956, which says:

"(2) A county may not enact an ordinance or regulation or take any other action that:

(a) Imposes conditions other than those necessary to protect public health and safety and that do not substantially burden the decisions or actions of a religious organization regarding the location of housing or shelter for homeless persons on property owned by the religious organization;" The King County ordinance and the ordinances of other municipalities which were modeled to some degree on the Bellevue Consent Decree and the county ordinance are now out of compliance with state law wherever they impose restrictions on frequency and duration of encampments, as these are not related to public health or safety.

From the encampment perspective, the patchwork of a variety of different municipal ordinances with varying restrictions has made finding hosts sites rather difficult. Some sites are not suitable in every season and will only be able to invite an encampment during their best season. Sometimes there is a hiccup in plans and either a short extension or an alternative short-term site is needed. Bellevue has better transportation and a larger number of suitable sites than Issaquah or Woodinville, but their ordinance allows only one encampment per year. Now that there are two encampments moving about the Eastside, finding sites not impacted by these restrictions is getting exceedingly difficult and lead time for community preparation is often lost in the crisis of emergency moves. There is also the matter that very frequent moves are wasteful of resources.
The Seattle City ordinance does not impose these restrictions on frequency and duration. It has been working quite well for several years now. I therefore urge the Sammamish City Council to look to the Seattle ordinance and not to the County ordinance which is out of compliance with state law and is going to be re-written later this year.

Sammamish has an opportunity to get ahead of the curve, and be a leader on the Eastside!

Sincerely,

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