

Amendment to Council Bill 23-1960 concerning the removal of shelter when the outside temperature is predicted to be thirty-two degrees Fahrenheit or lower

Council member Parady

January 29, 2024

Councilmembers,

I move to amend **CB23-1960** as follows:

1. On page 2, strike line 1 and replace with “period when the removal will occur.”
2. On page 2, strike lines 2-5 and replace with the following:

“(1) It shall be an exception to this subsection (b) if the manager has memorialized in writing in the order of removal the Department’s conclusion that enforcement is or was necessary to mitigate a condition that would cause greater imminent peril to the health or safety of any person than the threat to health posed by exposure to existing weather conditions and facts supporting that conclusion.”
3. On page 2, strike lines 18-21 and replace with the following:

“(2) The manager of the department of public health and environment has memorialized in writing the department’s conclusion that enforcement is or was necessary to mitigate a condition that would cause greater imminent peril to the health or safety of any person than the threat to health posed by exposure to existing weather conditions and facts supporting that conclusion; and”
4. On page 3, strike line 21 and replace with “period when the removal will occur.”
5. On page 3, strike lines 22-25 and replace with the following:

“(1) It shall be an exception to this subsection (b) if the manager of the department of public health and environment has memorialized in writing

the department's conclusion that removal of the shelter is or was necessary to mitigate a condition that would cause greater imminent peril to the health or safety of any person than the threat to health posed by exposure to existing weather conditions and facts supporting that conclusion."

PURPOSE OF THE AMENDMENT

The purposes of the amendment are to restate in plain language the requirement that DDPHE memorialize the reasons for any shelter removal during freezing temperatures in writing, and to remove the requirement that temperatures remain above freezing for two hours after shelters are removed.

If the amendment passes it will not require a delay in publication