

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

Councilmember Parady

January 8, 2023

Councilmembers,

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

1. On page 1, line 34 strike "86.2(d)(1)" and replace with "86.2(e)(1)"
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 certifies in the order of removal, by reasons of facts stated in writing, that removal of a shelter is 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.

(2) Nothing in this subsection (b) shall prohibit an agency or department from offering medical or human services assistance, including but not limited to, mental health treatment, drug or alcohol rehabilitation, homeless services assistance, or temporary or permanent housing solutions regardless of the external ambient temperature."

3. On page 2, after line 33, add the following:

"(d) Nothing in subsection (c) above shall be construed to prohibit an agency or department from offering medical or human services assistance, including but not limited to, mental health treatment, drug or alcohol rehabilitation, homeless services assistance, or temporary or permanent housing solutions regardless of the external ambient temperature.

(de)"

3. On page 3, line 10, strike "86.2(d)(1)" and replace with "86.2(e)(1)"
4. On page 3, strike lines 13-17 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 certified, by reasons of facts stated in writing, that removal of a 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.

“(2) Nothing in this subsection (b) shall prohibit an agency or department from offering medical or human services assistance, including but not limited to, mental health treatment, drug or alcohol rehabilitation, homeless services assistance, or temporary or permanent housing solutions regardless of the external ambient temperature.”

PURPOSE OF THE AMENDMENT

The amendment clarifies that the City’s current practice of offering services such as temporary and permanent housing during encampment resolutions can continue when the temperature is predicted to be thirty-two degrees Fahrenheit or lower.

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