

RESOLUTION NO. 215 - 2021

ADOPTING AN UNAUTHORIZED ENCAMPMENT RESPONSE POLICY FOR COUNTY PROPERTY

WHEREAS, Kitsap County owns real property that contain open spaces, parks, play and picnic equipment, trails, and improvements for other public purposes, such as stormwater or wetland mitigation; and

WHEREAS, Kitsap County, like many jurisdictions in the region and nationwide, has experienced an increase in homelessness and unauthorized encampments on its properties; and

WHEREAS, unauthorized encampments pose concerns to the public's and County employee's health, safety and welfare due to the presence of human waste, garbage, potential exposure to communicable diseases and threats of violence; and

WHEREAS, the presence of unauthorized encampments on County property is inconsistent with the governmental services being provided; and

WHEREAS, the County recognizes that individuals experiencing homelessness have a need for services that may help mitigate these concerns; and

WHEREAS, the County's 2020 Point-in-Time Count showed that homelessness is increasing in Kitsap County with a 15% increase of unsheltered individuals since 2019; and

WHEREAS, recent case law and the advent of the COVID-19 pandemic has changed how jurisdictions address unauthorized encampments, warranting notification of encampment clean up actions and the careful handling of personal property found at the camps during clean-up activities; and

WHEREAS, there is a need to set forth clear, consistent, and uniform guidelines for addressing unauthorized encampments on County property; and

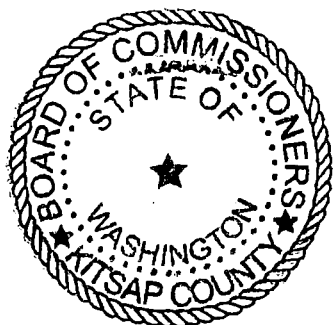
WHEREAS, guidelines were developed to provide a consistent, coordinated, and compassionate response to address the needs of individuals experiencing homelessness while attempting to balance the interests of encampment residents with the rights of other community residents and the need to maintain public health and safety; and

WHEREAS, the Unauthorized Encampment Response Policy on County Property ("Policy") has been developed as a resource for consistently responding to incidents where the presence of homeless individuals or encampments on County property may be inconsistent with the property's purpose or use.

NOW THEREFORE IT IS HEREBY RESOLVED the Board of Kitsap County Commissioners adopts the Unauthorized Encampment Response Policy labeled Attachment A to this resolution and directs the County's Human Services Department to develop processes and procedures for implementing the Policy.


Dated this 24th day of November, 2021

**BOARD OF COUNTY COMMISSIONERS
COUNTY, WASHINGTON**






ROBERT GELDER, Chair



EDWARD E. WOLFE, Commissioner



CHARLOTTE GARRIDO, Commissioner

ATTEST:



Dana Daniels, Clerk of the Board

Unofficial Copy



KITSAP COUNTY

Countywide:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Policy Name:	Unauthorized Encampment Response Policy on County Property	
Approval Authority:	Board of Commissioners	Original Adoption: 11/24/21 Supersedes N/A
Responsible Executive:	Department of Human Services	Revised: N/A
Responsible Office:	Housing and Homelessness	Contact: Commissioners Office

TABLE OF CONTENTS

1.0	Background
2.0	Purpose
3.0	Authority
4.0	Applicability
5.0	Definitions
5.1	Abandoned personal property
5.2	Abandoned encampment
5.3	Authorized encampment
5.4	Cleanup Team
5.5	Contraband
5.6	County Property
5.7	Encampment
5.8	Encampment Response Plan
5.9	Habitation
5.10	Hazard
5.11	Homeless Encampment Action Response Team (HEART)
5.12	HEART Coordinator
5.13	Obstruction
5.14	Personal property
5.15	Shelter
5.16	Unauthorized encampment
6.0	Homeless Encampment Action Response Team
7.0	Procedures for Encampments

- 7.1 Notice and Intake of Unauthorized Encampment
- 7.2 Encampment Response Plan
- 7.3 Compassionate Outreach
- 7.4 Response Options
- 7.5 Notice of Intent to Close
- 7.6 Notice to Vacate
- 7.7 Cleanup and Disposal
- 7.8 Personal Property Storage and Recovery
- 7.9 Obstructions and Immediate Hazards
- 7.10 Delivery and Posting of all Notices

Attachment A: Guidelines for Personal Property Identification

1.0 BACKGROUND

Kitsap County owns parcels of real property that are managed by various departments, including but not limited to Public Works, Parks, Facilities, Community Development, Administrative Services and Commissioners Office. These parcels consist of both developed and undeveloped properties. Developed properties include parks, trails, and improvements for other public purposes, such as stormwater or wetland mitigation, and may include buildings. The County also owns or maintains opened rights of ways through the Roads Division of Public Works.

Over the years, Kitsap County, like many jurisdictions in the region and nationwide, has experienced an increase in homelessness and unauthorized encampments on its properties. Often, these encampments pose concerns to the public's and County employee's health, safety, and welfare due to human waste, garbage, exposure to communicable diseases, violence, and other human health issues. Unauthorized encampments can also present potential obstructions to providing governmental services.

The County recognizes that individuals experiencing homelessness have a need for services that may help mitigate these concerns and that there have been changes in the law regarding how jurisdictions have traditionally addressed encampments or other elements of homelessness. This Unauthorized Encampment Response Policy on County Property ("Policy") has been developed as a resource for consistently responding to incidents where the presence of homeless individuals or encampments on County property may be inconsistent with the property's purpose or use.

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2.0 PURPOSE

The purpose of this Policy is to set forth clear, consistent, and uniform guidelines for addressing unauthorized encampments on County property. The Policy is also intended to provide a consistent, coordinated, and compassionate response to address the needs of individuals experiencing homelessness. Finally, this Policy seeks to balance the interests of encampment residents with the rights of other community residents and the need to maintain public health and safety.

3.0 AUTHORITY

Kitsap County has broad authority under state law to purchase and hold lands like private property owners and to do all other necessary and lawful acts in relation to that property. The County also has a legitimate governmental and public safety purpose to keep its property free from conditions that present a danger to the general public as well as those within unauthorized encampments, and a legitimate interest in keeping the rights of way free and clear of trash, debris, and obstructions. The actions taken under this Policy must be undertaken in accordance with the growing body of law surrounding homelessness and the rights and obligations afforded under the Washington and United States Constitutions as well as the applicable local, state, and federal laws and regulations.

4.0 APPLICABILITY

The following procedures are intended to be used primarily by the staff in the Housing and Homelessness Division of the Human Services Department, as well as staff in County departments, when dealing with unauthorized and unabandoned encampments on County property. This Policy does not apply to private property, to abandoned encampments, or to inhabited vehicles or RVs on opened rights of way. If questions arise, please contact the County Prosecuting Attorney's Office, Civil Division.

5.0 DEFINITIONS

- 5.1. "Abandoned personal property" means personal property for which it appears, based on the totality of the circumstances, that the owner intentionally relinquished the right to possess by action, verbal and/or written disclaimer, lapse of time, or non-use of the same.
- 5.2. "Abandoned encampment" means a site or location that a reasonable person would conclude is no longer in use. Factors to consider in determining whether an encampment is no longer in use include, but are not limited to, whether the only remaining material is reasonably believed to be garbage, debris, or waste, and the length of time the material has not moved. Abandoned encampments will be addressed under an Abandoned Encampment Response Policy.
- 5.3. "Authorized encampment" means an encampment that has been approved

consistent with requirements in chapter 17.505 of Kitsap County Code, “Transitory Accommodations.”

- 5.4. “Cleanup Team” means the group of individuals or an entity that has completed County approved training to cleanup homeless encampments and is acting at the direction of the HEART Coordinator to cleanup an unauthorized encampment.
- 5.5. “Contraband” means an item that is illegal or is illegal to possess. Contraband will not be stored under this Policy.
- 5.6. “County property” means any real property, opened right of way, or County facility in which the County has any form of ownership or title. Unopened rights of way may be County Property depending on the circumstances.
- 5.7. “Encampment” means a place where one or more temporary shelters are used for the purposes of habitation, along with personal property.
- 5.8. “Encampment Response Plan” or “Response Plan” means a tailored social and human services, mental health, and public safety response plan to address an unauthorized encampment based upon site-specific and individual resident circumstances.
- 5.9. “Habitation” means the appearance of currently residing in a location as evidenced by the presence of bedding materials, campfires, cooking materials, storage of clothing, or other personal property gathered together in such a manner that a reasonable person would believe that the site is being used for residential purposes.
- 5.10. “Hazard” or “hazardous” means a situation that presents a potential to cause damage, harm, or adverse health effects on something or someone, or any substance or material that is flammable, corrosive, toxic, or reactive.
- 5.11. “Homeless Encampment Action Response Team” or “HEART Team” means a coalition of applicable government agencies, social providers, non-profits, and faith-based groups that regularly meet for the purposes of working collaboratively to address unauthorized encampments.
- 5.12. “HEART Coordinator” means one or more designated staff in the Housing and Homelessness Division of the Human Services Department who is trained and qualified to lead the response, coordination and cleanup efforts delineated in this Policy. As may be necessary, the HEART Coordinator may delegate specific responsibilities to another person or entity trained and qualified to perform such responsibility.

- 5.13. "Obstruction" means an interference with the pedestrian or transportation purposes of County property or the interference with areas of County property that are necessary for, or essential to, the intended use of the property.
- 5.14. "Personal property" means any item that is immediately and reasonably recognized as belonging to a person and holds an apparent utility in purpose in its present condition.
- a. Examples of personal property include, but are not limited to, forms of identification, personal papers, tents, items used for camping, bicycles, eyeglasses, prescription medications, photographs, jewelry, and wheelchairs.
 - b. Items that are contraband or evidence of a crime are not personal property.
 - c. Items that are solid waste under RCW 70A.205.015 (22) or hazardous are not personal property.
 - d. Where reasonable doubt exists, under the totality of the circumstances, the item shall be treated as personal property under this Policy.
- 5.15. "Shelter" means a structure giving temporary protection from weather that is not on a permanent foundation. Shelters can be made of membrane materials, such as a tent or tarp, or made of wood, composites, metal or other materials.
- 5.16. "Unauthorized encampment" means an encampment that is not approved or permitted to be located on County property under chapter 17.505 KCC.

6.0 THE HOMELESS ENCAMPMENT ACTION RESPONSE TEAM

It is the intent of this Policy to establish the Homeless Encampment Action Response Team (HEART) as a group of entities with a collaborative goal of providing a consistent, coordinated, and compassionate response to address the needs of people experiencing homelessness and providing advice and direction to address unauthorized encampments as provided in this Policy. The HEART Team should meet at regular intervals as necessary to understand the roles and responsibilities of each member of the HEART Team as well as the HEART Coordinator. If necessary, the HEART Team may establish bylaws for their operation. The HEART Team is not a separate legal entity and shall be administered by the Housing and Homelessness Division of the Kitsap County Human Services Department. Each agency that participates in HEART is to do so in accordance with the budget and resources of that agency unless contracted otherwise by Kitsap County.

The HEART Coordinator shall perform the task in this Policy in consultation with the HEART Team and in accordance with any procedures developed by the HEART Team to implement this Policy.

The initial members of the HEART Team are representatives from the following agencies, as

designated by that agency. Membership may change as needs and focus change.

COUNTY DEPARTMENT OR OFFICE	ROLE
Kitsap County Human Services	HEART Coordinator
Kitsap Public Health District	Public Health Concerns
Kitsap County Sheriff	Safety Concerns; Illegal Activity
Kitsap County Risk Manager	Management of Risk
Kitsap County Parks	Addressing Park property
Kitsap County Public Works	Addressing Public Works property
Kitsap County DCD	Addressing DCD Property
Kitsap County Commissioner's Office	Information
COMMUNITY PARTNERS	ROLE
Kitsap Community Resources	Housing Solutions Center Outreach Teams
Salvation Army	Potential Shelter Options
Kitsap Rescue Mission	Potential Shelter Options
Kitsap Mental Health	Behavioral Health Assistance

7.0 PROCEDURES FOR ENCAMPMENTS

7.1 Notice and Intake of Unauthorized Encampment

When the HEART Coordinator has been notified of an unauthorized encampment, through any means including Kitsap 1 Customer Service, employee identification, direct community complaint or otherwise, the HEART Coordinator will initiate the procedures identified in this Policy. The HEART Coordinator shall first investigate ownership of the property on which the unauthorized encampment is alleged to be sited. If the property is not County property, the HEART Coordinator may send a letter to the property owner identified in County Assessor records to inform them of the encampment. If the property is County property, the HEART Coordinator shall schedule a site visit with the Housing Solutions Center of Kitsap Community Resources to include one or more members of the HEART Team as needed. During or following the site visit, the HEART Team shall determine whether the unauthorized encampment is abandoned or active. If abandoned, the Abandoned Encampment Response Policy, when finalized, shall be followed. If active, this Policy shall be followed.

Upon the conclusion of the site visit to an active unauthorized encampment, the HEART Coordinator shall develop a written Incident Report that includes the following information:

- a. The location or address of the unauthorized encampment, along with an area map (e.g., from Kitsap County Parcel Search or Google).
- b. Identification of the County department managing the property.
- c. Number of shelters within the unauthorized encampment.
- d. Number of people living in the unauthorized encampment, including the number

- of children and/or youth.
- e. Observed site conditions (e.g., the presence of human waste, drug paraphernalia, drug use or sale, garbage, criminal activity, obstructions, and any other information related to public health and/or safety, including evidence showing whether the encampment is abandoned).
 - f. Other observations applicable to developing an appropriate and effective Response Plan.
 - g. Digital recording (photo or video) showing the conditions of the unauthorized encampment.

Upon completion, the HEART Coordinator shall share a copy of the Incident Report and all supporting information to the HEART Team and set a meeting to determine the next steps for addressing the unauthorized encampment.

7.2 Encampment Response Plan

The HEART Team will meet to discuss the Incident Report and to formulate an Encampment Response Plan. If appropriate, some or all members of the HEART Team may visit the encampment to gather more information and may offer information about housing, services, resources, and alternatives directly to the encampment residents. Safety for members of the HEART Team is paramount.

The primary goal of the Encampment Response Plan is to identify appropriate housing and social services options available to the residents of the unauthorized encampment and help the residents connect with and receive these housing and services. A secondary goal of the Response Plan is to provide a plan of action for the unauthorized encampment, such as whether to conduct only debris removal, to provide health/safety measures (e.g., portable toilets, wash stations or garbage removal services), or to limit or close an unauthorized encampment. When formulating a Response Plan, the HEART Team should consider the resources available, including staff or volunteer capacity and storage capacity for personal property, as well as the overarching goal of protecting the public health, safety and welfare of the encampment and community. Any action shall be undertaken with compassion and respect for all residents and their property and with the primary goal of public health and safety in mind.

The Heart Coordinator will draft the Response Plan, which shall, at a minimum, contain the following information:

- a. History of the encampment and a summary of past outreach efforts/contacts.
- b. Planned outreach efforts.
- c. Hierarchy of response steps to be taken regarding the unauthorized encampment. See Section 7.4. If closure of the encampment is an identified option, the HEART Coordinator shall coordinate with the department or office of

Kitsap County in charge of managing the property to ensure documentation of authority for such closure.

- d. Potential timeframes for completing the steps identified.
- e. Available resources for funding and logistics.
- f. Identification of appropriate alternative housing.
- g. Identification of appropriate social services.
- h. Identification of governing jurisdiction (i.e., city or county)
- i. Identification of any specific geographic needs and considerations.
- j. If needed, prioritization of the encampment response timeframes and allocation of resources when applicable, in accordance with the criteria below.
- k. A summary of any visit conducted after the preparation of the Incident Report, along with identification of participants and documentation of site conditions.
- l. Any other relevant information.

When prioritizing response strategies, actions and timeframes among encampments, the following criteria, in no particular order, may be considered by the HEART Team:

- a. Objective perils, such as proximity to moving vehicles and steep slopes.
- b. Criminal activity.
- c. Quantities of solid waste.
- d. Other active health hazards to occupants or the surrounding neighborhood.
- e. Imminent work scheduled at the site for which the encampment will pose an obstruction.
- f. Size of the encampment.
- g. Damage to environmentally critical areas.
- h. The proximity of homeless individuals to uses of special concern, including schools or facilities for the elderly.
- i. Number of complaints received.

The HEART Team may reprioritize actions at a particular encampment at any time for any reason in its discretion, including but not limited to, because new encampments have been identified or new information about an encampment's condition becomes known. Nothing in this section requires the HEART Team to remove encampments in a particular order.

7.3 Compassionate Outreach

As part of the development of the Response Plan, the HEART Coordinator shall organize outreach efforts to provide the residents of the unauthorized encampment with options for alternative shelters and social and health services. Outreach should be conducted as often as reasonably possible, preferably at least once a week. Following the development of the

Response Plan, the HEART Team shall continue the compassionate outreach effort as well as any tasks identified in the Response Plan.

7.4 Response Options

Response options for unauthorized encampments can vary depending on the specific situation and can range in complexity. The Response Plan should consider a full range of options in a stepwise, progressive fashion. Closing an encampment is generally undertaken after earlier interventions have been tried. Options include providing outreach and alternative housing options (including shelters and authorized encampments), garbage cleanup, providing short term or long-term garbage receptacles, providing bathroom facilities, monitoring use, and ultimately full closure. If any task includes a full or partial cleanup of the site but is short of a full closure, the requirements of this Policy regarding cleanup and storage of personal property shall apply.

7.5 Notice of Intent to Close

If or when full closure of the unauthorized encampment is identified as the appropriate next step, the HEART Coordinator shall distribute and post a *Notice of Intent to Close* as provided in Section 7.10 of this Policy.

Notice of Intent to Close templates shall be used and shall, at a minimum, contain the following information:

- a. The date of posting/distribution.
- b. A statement that a Response Plan has been developed in accordance with this Policy.
- c. A statement that further actions to close the encampment will be taken after at least two weeks, with the calculated date specifically identified.
- d. Contact information for the responsible department and potential housing and service providers.

During the period identified in the *Notice of Intent to Close*, the HEART Coordinator will continue to organize outreach efforts to find alternative housing, services, and other applicable resources for the residents in accordance with the Response Plan. Notice of the anticipated closure shall also be provided to the local law enforcement agency and to the governing jurisdiction if the property is not within unincorporated Kitsap County.

7.6 Notice to Vacate

If residents or personal property remain in the unauthorized encampment after the closure date identified in *Notice of Intent to Close* has passed, and full closure is still identified as the appropriate next step, the HEART Coordinator shall post and distribute a *Notice to*

Vacate in compliance with Section 7.10 as follows:

- First Notice to Vacate: At least seven (7) calendar days prior to closure date.
- Second Notice to Vacate: No less than 72 hours prior to the start of closure.

Notices to Vacate are required prior to cleanup and closure of the unauthorized encampment.

Notice to Vacate templates shall be used shall, at a minimum, contain the following information:

- a. The date and time of posting and any distribution.
- b. The scheduled date and approximate start time of the cleanup, along with the words, "The cleanup will start within seven (7) days of the scheduled date and time, or no later than [X date]. If cleanup does not start by [X date] another Notice to Vacate will be posted and distributed in accordance with Section 7.10."
- c. Direction to encampment residents to remove all their personal property and clear the site by the scheduled cleanup date and start time. A clear statement that medications will not be stored shall be included.
- d. An explanation of the actions that will be taken during the cleanup and how loss of property may be avoided.
- e. Information that commencement of cleanup will not prevent individuals from entering the encampment for the sole purpose of removing their personal property and any garbage, and that individuals may identify another person to remove the individuals' personal property.
- f. Information about where personal property will be stored if removed, how it can be retrieved, and how long it will be stored before disposal.
- g. Contact information for the HEART Coordinator and an opportunity to appeal in writing.
- h. Contact information for potential housing and service providers.

During the *Notice to Vacate* period and at the time of cleanup, outreach shall continue for any remaining residents to offer alternative housing and services. If available, bags should be provided to residents along with *Notice to Vacate* so that residents can remove their own personal property.

7.7 Cleanup and Disposal

On the scheduled date and start time of cleanup provided in the *Notice to Vacate*, or as soon thereafter within the seven (7) day window, the HEART Coordinator shall begin the process to clean up the unauthorized encampment as follows:

7.7.1 Coordination and documentation

The HEART Coordinator shall assemble and manage a Cleanup Team in coordination with the Kitsap County Risk Management Office, the Kitsap Public Health District and the Kitsap County Public Works Solid Waste Division to ensure proper identification and disposal requirements are met. The HEART Coordinator may also request assistance from members of HEART and any other relevant agencies, and identify who should be present at the start of the cleanup process. The HEART Coordinator shall ensure that all members of the Cleanup Team have received County approved training for encampment cleanups.

The Cleanup Team is encouraged to arrive on site one hour prior to the official start time of the cleanup effort to provide garbage bags and other refuse containers for residents' use in packing their own belongings, disposing of garbage, and vacating the site.

The Cleanup Team shall take digital recordings of the unauthorized encampment immediately prior to the start of the official cleanup effort to document beginning site conditions. All digital recordings shall be sent to the HEART Coordinator to include with the Response Plan documentation.

7.7.2 Segregation of personal property

The Cleanup Team shall take reasonable steps to segregate personal property from items that are not personal property, provided the segregation does not pose a safety risk to the person segregating. For purposes of identifying personal property, items must be carefully considered under the totality of the circumstances and any reasonable question resolved in favor of classification of the item as personal property. Items that are reasonably believed to be garbage or that cannot be safely stored shall be disposed of in an appropriate manner and at appropriate garbage or recycling facility. **Attachment A** is a guideline for separating items.

If any member of the Cleanup Team determines that an item is hazardous or a biohazard (e.g., blood, urine, human waste), such item should be properly disposed of consistent with applicable disposal and recycling regulations. If such items cannot be immediately removed, the Cleanup Team shall make the area as safe as possible until proper disposal can occur.

Law enforcement personnel shall be called to the site when there is reason to believe items may be evidence of a crime, a firearm or other weapon, or contraband.

Prior to any action involving a vehicle or RV, the County Prosecuting Attorney's

Office Civil Division should be contacted.

7.7.3 Labeling and documentation

During cleanup, the Cleanup Team shall digitally record and label the personal property (individually or in a group) to be stored with sufficient identifying details to enable later identification and condition upon storage.

Care should be applied when sorting, gathering, labeling, and transporting personal property to avoid damage.

An Inventory Log of all items to be stored shall be prepared. The Log shall identify the item by description and by encampment location. For retrieval purposes, the Log shall also include space for indicating who the property was released to, the date of release and, for personal property not claimed, the date of proposed destruction or disposal.

7.7.4 Notice of Storage

Upon completion of the cleanup, if there are items to be stored, a *Notice of Storage* shall be posted at the encampment site in accordance with Section 7.10 for a minimum of 10 calendar days.

Notice of Storage templates shall be used and shall, at a minimum, contain the following information:

- a. The dates personal property was removed from the site.
- b. Location and address of where personal property is stored, and the days and hours the storage location will be open for retrieval.
- c. Contact information on how to retrieve personal property, including email and phone number.
- d. How long items will be stored at the location and when items will be disposed if not retrieved.
- e. Resource information about how to seek alternative shelter and services.

7.7.5 Residents who remain or refuse to leave during cleanup

If residents are present in the encampment at the start of cleanup or return during cleanup, and do not appear to be actively removing personal property, the HEART Coordinator should provide a final warning and reasonable opportunity to leave. At all times, the HEART Coordinator has the discretion to request law enforcement to be present for the duration of an encampment removal, or until determined a law enforcement presence is no longer necessary. If a resident refuses to leave, cleanup may proceed or continue if it can be performed in a safe manner.

If a resident presents a danger or is in violation of a county code or state law, law enforcement may be requested to respond, if not already on site, to take appropriate action which may include removing the resident. Depending on the circumstances, cleanup may continue after the individual is no longer present or may be rescheduled if needed under Section 7.6.

If, during a cleanup, a resident protests removal of a non-hazardous item, the HEART Coordinator may provide a reasonable opportunity for the individual to remove it themselves. However, the individual should be advised that encampment cleanup will continue and that if the individual fails to remove the item before cleanup is complete, such item, if it is personal property, will be removed by the Cleanup Team and may be retrieved later from storage. If available, a *Notice of Storage* shall be provided to the individual. If such item is not considered personal property under this Policy, the individual should be advised that during the cleanup process the item must be removed or it will be disposed. Prior to any disposal of such item, a digital recording shall be taken of the item for record keeping purposes.

7.8 Personal Property Storage and Recovery

The HEART Coordinator shall arrange for temporary storage of personal property in compliance with this section.

7.8.1 Storage Facility requirements.

All storage facilities shall be in locations reasonably accessible by public transportation and within the same geographic areas as the encampment (e.g., north, central or south county). The facilities must be open for property retrieval by appointment and by a set number of days and hours for walk-ins. The HEART Coordinator may establish multiple temporary locations or may work towards more centrally located permanent storage sites. Prior to initiation of any cleanup of an encampment, the HEART Coordinator shall ensure that there is a storage facility available that has sufficient capacity to store personal property from that encampment.

7.8.2 Storage procedures.

Personal property shall be stored for 30 calendar days after the *Notice of Storage* is posted on the site at no cost to the owner. The property should be kept in as good of condition as was found in the encampment, and may be stored in bags, boxes or other means for organization and security. Should any property be later discovered to be in a condition that makes continued storage unsafe or unsanitary (e.g., post-storage discovery of a wet item or insects), the HEART Coordinator may dispose of

the property consistent with applicable disposal and recycling regulations. Documentation of the damage and disposal shall be noted on the Inventory Log, along with a digital recording of the item.

7.8.3 Retrieval procedures.

Individuals may claim their personal property by calling or emailing the contact person identified on the *Notice of Storage* to arrange a date and time, or by appearing at the storage facility during the days and times identified on the *Notice of Storage*. To claim personal property, an individual must describe in detail its contents or description. Legal identification may be requested (such as driver's license) but is not required to claim property. Prior to returning the property, the claimant's name (as provided by the claimant), contact information if available, a description of the property that was retrieved, and the date of release shall be documented on the Inventory Log. A Release stating that the property is theirs or that they have authority to pick it up on behalf of another person shall be signed by the claimant and retained with the Inventory Log.

7.8.4 Disposal procedures.

If any stored property is not retrieved within 30 days, the HEART Coordinator may dispose of the property consistent with applicable disposal and recycling regulations. The date of disposal shall be entered into the Inventory Log.

7.8.5 Inventory Log.

An Inventory Log shall be kept regarding the encampment, including the cleanup date, itemization of personal property to be stored, the storage location, the date of any disposal or retrieval, the name and contact information of any person retrieving property, and any other relevant information. The Inventory Log shall be retained for the period required by applicable retention schedules.

7.9 Obstructions and Immediate Hazards

If at any time an item or items within an unauthorized encampment obstruct the public's use of an opened right of way or presents an immediate hazard within a right of way, park or other County property, the HEART Coordinator may remove such item(s) immediately without prior notice.

If the obstruction or hazard is determined to be under the control of an individual present at the site, the HEART Coordinator shall orally request that the individual immediately move or remove the obstruction or hazard. If the individual refuses, the HEART Coordinator may remove such item or items immediately without further notice.

The HEART Coordinator shall document and make a digital recording of all items that have been removed under this section and the reason such items constituted an obstruction or hazardous condition.

If the obstruction or hazard is not immediately removed, for whatever reason, the HEART Coordinator shall affix a *Notice of Obstruction or Hazard* to the item or post such notice immediately adjacent to the obstruction or hazard as soon as reasonably possible. *Notice of Obstruction or Hazard* templates shall be used and shall, at a minimum, contain the following information:

- a. The date the notice was affixed or posted.
- b. Direction to immediately remove the obstructive or hazardous property.
- c. Notice that the obstructive or hazardous property will be removed without further notice.
- d. Whether the property will be stored in accordance with Section 7.8. For personal property that is an obstruction but not otherwise hazardous, the HEART Coordinator shall store the property and provide in the *Notice of Obstruction or Hazard* the information required in the *Notice of Storage*.

If the HEART Coordinator believes the obstruction or hazard is evidence of a crime or criminal activity, contraband, firearm or other weapon, the HEART Coordinator shall contact law enforcement to respond to the site and remove the item. If any questions exist about the lawfulness of removal, please contact the Prosecuting Attorney's Office Civil Division.

Nothing in this policy is intended to prohibit the County from taking any and all actions necessary at any time, with or without notice, to enforce state and local laws in circumstances that pose an imminent threat to the health, safety, or welfare of any individual or the public.

7.10 Delivery and Posting of all Notices

All notices shall be weatherproof, provided in languages reasonably believed to be spoken by the majority of the impacted individuals, and written in a clear manner that is simple to understand.

All notices required under this Policy shall be posted in conspicuous locations in the unauthorized encampment, including near obvious entrances and exits of the encampment and other areas visible to shelters. No specific number of notices are required, but as many as needed to be reasonably likely to be seen or noticed by the residents.

All notices shall also be distributed to residents of the unauthorized encampment to the extent possible. If notices cannot be hand delivered to residents, they may be left on shelters in a way that does not damage the shelter or may be left in any place reasonably

likely to be noticed by residents. Care should be taken to consider the placement of additional notices likely to be seen or noticed by any new residents coming to the unauthorized encampment after the distribution and posting.

The distribution and posting of notices shall be logged by the HEART Coordinator. The Notice Log will describe to whom the notice was delivered, the locations of the posted notices, and date and time of delivery and posting. Time and date-stamped digital recordings of the postings shall be taken of the posted notices to evidence the date, time, and location in which they were posted. A copy of the notice, the Notice Log, and digital recording shall be maintained by the HEART Coordinator with a copy of the Response Plan.

The preparation and delivery/posting of all notices and cleanup are the responsibility of the HEART Coordinator.

ATTACHMENT A

Guidelines for Personal Property Identification

1. Priority items to take to storage. The following are examples of items that may be reasonably considered to be personal property. These will be taken to storage unless they fall into a category within section 2 below.

Any personal identification	Eyeglasses	Stoves (without gas)
Purses/backpacks/briefcases	Tents	Generators (without gas)
Photos/Photo Albums	Suitcases	Tools (necessary ones)
Tax/medical records	Radios & Electronics	Jewelry
Fully intact and functioning bicycles and bike trailers	Phones/computers/tablets and their charging devices	Lanterns, flashlights & other lighting devices

2. Items that will not be taken to storage. The following items are considered to be garbage or are unsafe for storage:

Dirty or Soiled: items that smell or are stained with urine, bodily waste, mud, dirt, or food. This includes wet or dirty bedding, sleeping bags, mattresses, sleeping mats, or tents.
Perishable: open food containers or food products that will spoil or rot in storage.
Biohazard: items used for hygiene or present other biohazard risks (e.g., used toothbrushes, hairbrushes, washcloths, and underwear).
Hazardous or Explosive: items that are flammable, corrosive, toxic or reactive and their containers, regardless of whether full or empty (e.g., batteries).
Broken or Disassembled: items broken, damaged or stripped of parts (e.g., electronics stripped for copper, flat tires, torn up clothes).
Drugs, Paraphernalia, Weapons: Law enforcement will be contacted to remove weapons, ammunition, explosives, controlled or illegal substances, or drug paraphernalia.
Medications: over-the-counter medicines or prescription medications
Alcohol: liquor, beer, or wine.
Garbage: Food/beverage wrappers, tissue/paper napkins, open household product containers.
Contaminated: items contaminated or suspected to be contaminated with vermin, bugs, insects, etc.
Liquids: liquids, containers with liquid, or any water-logged items.
Food of any type
Shopping carts
Building material: items that have been placed together for shelter including cardboard, wood, tarps, etc.