



SCHEEREN DEDMAN
SEATTLE CITY CLERK

PROPOSED INITIATIVE PETITION SUBMITTAL RECEIPT

Initiative No. 138

On Tuesday, July 29 at 11:20 0 a.m./p.m., I filed one paper and one electronic copy of a proposed Initiative Petition with the Seattle City Clerk.

Signed

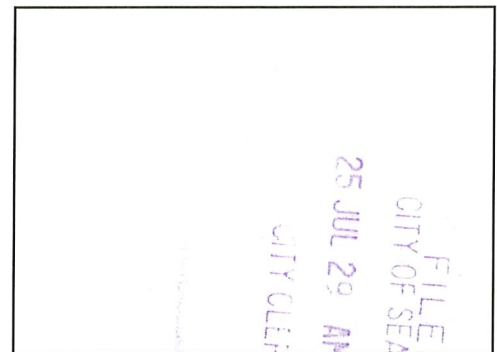
Richard Savage

Print Name

RACHAEL SAVAGE

CITY CLERK ACKNOWLEDGEMENT OF RECEIPT

Date/Time Stamp:



Received by (signature)

[Signature]

Received by (printed name and title)

Sarah Polata, Information Services Supervisor

An equal opportunity employer

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CITY OF SEATTLE
25 JUL 29 AM 11:23
CITY CLERK

Petition for Initiative

To the City Clerk of the City of Seattle:

We, the undersigned registered voters of the City of Seattle, petition to submit the following proposed ordinance to the City Council and, if not enacted, to the voters of Seattle for approval or rejection at the next regular municipal election, pursuant to Article IV, Section 1 of the Seattle City Charter and SMC 2.08.

Title

AN ORDINANCE relating to public space regulation; repealing and replacing Seattle Municipal Code Sections 18.12.250 and 15.48.040 to prohibit residing, camping, or storing personal property in all public spaces, regardless of shelter availability; establishing misdemeanor penalties and authorizing arrests; providing for the removal of personal property; and declaring an emergency for immediate effect.

Summary

This ordinance repeals and replaces SMC 18.12.250 and SMC 15.48.040 to establish a unified prohibition on residing, camping, or storing personal property, including tents, blankets, or vehicles used for habitation, in any public space within Seattle, including parks, sidewalks, and streets, regardless of shelter availability, consistent with *City of Grants Pass v. Johnson* (2024). Violations are misdemeanors, punishable by fines up to \$1,000 or imprisonment up to 90 days, with law enforcement authorized to issue citations or effect arrests. Shelter or service offers are discretionary, not required. The ordinance defines terms like “camp,” “reside,” and “public space” for clarity. Personal property in violation may be removed per existing City procedures. Declared an emergency to address public safety, sanitation, and accessibility concerns, it takes effect immediately.

Proposed Ordinance

CITY OF SEATTLE ORDINANCE NO. [Insert Number]

AN ORDINANCE relating to public space regulation; repealing and replacing Seattle Municipal Code Sections 18.12.250 and 15.48.040 to prohibit residing, camping, or storing personal property in all public spaces, regardless of shelter availability; establishing misdemeanor penalties and authorizing arrests; providing for the removal of personal property; and declaring an emergency for immediate effect.

WHEREAS, the City of Seattle seeks to promote public safety, ensure accessibility and cleanliness of public spaces, and encourage the use of available services for unhoused individuals; and

WHEREAS, the U.S. Supreme Court’s decision in *City of Grants Pass v. Johnson* (2024) clarifies that prohibitions on camping in public spaces do not violate the Eighth Amendment, regardless of shelter availability; and

WHEREAS, the City of Seattle finds it necessary to repeal and replace SMC 18.12.250 and SMC 15.48.040 to establish a comprehensive, unified ban on residing, camping, or storing personal property in all public spaces;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Purpose

This ordinance repeals and replaces Seattle Municipal Code Sections 18.12.250 and 15.48.040 to establish a unified prohibition on residing, camping, or storing personal property in any public space within the City of Seattle, regardless of shelter availability, to ensure public safety, accessibility, and order.

Section 2. Repeal and Replacement of SMC 18.12.250 and SMC 15.48.040

Seattle Municipal Code Sections 18.12.250 and 15.48.040 are hereby repealed and replaced with the following:

18.12.250 – Prohibition on Residing or Camping in Public Spaces

A. Definitions

For purposes of this section, the following definitions, apply:

- **Camp or Camping:** To reside, sleep, or dwell temporarily or permanently in a public space, with or without camp paraphernalia, including but not limited to setting up or remaining in a camp facility or vehicle for the purpose of sleeping or residing.
- **Camp Facility:** Any tent, tarp, lean-to, sleeping bag, bedroll, blanket, or any form of cover or protection from the elements or ground cover, other than clothing worn by a person.
- **Camp Paraphernalia:** Any personal property used for residing, sleeping, or dwelling in a public space, including but not limited to tents, tarps, bedding, sleeping bags, blankets, cooking equipment, or other items used to support camping.
- **Public Space:** Any real property or structures owned, leased, or managed by the City of Seattle, including but not limited to parks, sidewalks, streets, alleys, plazas, parking lots, publicly owned or managed parking strips, public rights-of-way, and other public property.
- **Reside:** To use a public space for living accommodation purposes, such as sleeping, storing personal property, or making preparations to sleep, including the laying down of camp paraphernalia or bedding for the purpose of sleeping.
- **Store:** To place, leave, or deposit camp paraphernalia or personal property in a public space for more than one hour, except as otherwise permitted by law.
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- **Vehicle:** Any device capable of being moved or lived in, including but not limited to cars, trucks, recreational vehicles, trailers, or campers, whether or not operational.

B. Prohibition

- It shall be unlawful for any person to camp, reside, or store camp paraphernalia or personal property in any public space within the City of Seattle at any time.
- This prohibition includes, but is not limited to:
 - a. Sleeping or preparing to sleep in a public space.
 - b. Erecting, maintaining, or occupying a camp facility in a public space.
 - c. Storing camp paraphernalia or personal property in a public space.
 - d. Parking or occupying a vehicle in a public space for the purpose of camping or residing.
 - e. Sitting or lying in a public space in a manner that constitutes residing or camping, as defined in this section.
- This prohibition applies regardless of the availability of shelter, housing, or other services and extends to all public spaces, including parks, sidewalks, streets, and rights-of-way.

C. Enforcement

- A violation of this section is a misdemeanor, punishable by a fine not exceeding \$1,000 or imprisonment not exceeding 90 days, or both.
- Law enforcement officers may issue citations or effect arrests for violations of this section. Officers may, at their discretion, offer shelter, housing, or other services prior to enforcement, but such offers are not required, and refusal of services does not preclude enforcement.
- This section does not create a right to shelter, housing, or services, nor does it require the City to provide such services as a condition of enforcement.
- Camp paraphernalia or personal property stored in violation of this section may be removed by the City, with notice and storage procedures consistent with existing Seattle Municipal Code regulations for property removal.

Section 3. Severability

The provisions of this ordinance are declared to be separate and severable. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance, or its application to other persons or circumstances, shall not be affected.

Section 4. Effective Date

This ordinance, being an exercise of the police power necessary for the immediate preservation of the public peace, health, and safety, shall take effect and be in force immediately upon its approval by the Mayor or, if not approved and returned by the Mayor within ten days after presentation, upon the expiration of the time prescribed by the Seattle City Charter.

Passed by the City Council of the City of Seattle the ____ day of _____, 2025, and signed by me in open session in authentication of its passage this ____ day of _____, 2025.

President _____ of the City Council
Approved by me this ____ day of _____, 2025.

Mayor
Filed by me this ____ day of _____, 2025.

City Clerk

WARNING: Every person who signs this petition with any other than their true name, or who knowingly signs more than one of these petitions, or who signs this petition when they are not a legal voter, or who makes herein any false statement, shall be guilty of a misdemeanor."

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[illegible]