

Recover Seattle

Please return signed petition forms to:
Recover Seattle
505 Broadway East #265
Seattle, WA 98102

Telephone: 206-619-5427
Email: recoverseattle2025@gmail.com

WARNING: Ordinance 94289 provides as follows: Section 1. It is unlawful for any person: 1. To sign or decline to sign any petition for a City initiative, referendum, or Charter amendment, in exchange for any consideration or gratuity or promise thereof; or 2. To give or offer any consideration or gratuity to anyone to induce him or her to sign or not to sign a petition for a City initiative, referendum, or Charter amendment; or 3. To interfere with or attempt to interfere with the right of any voter to sign or not to sign a petition for a City initiative, referendum, or Charter amendment by threat, intimidation or any other corrupt means or practice; or 4.To sign a petition for a City initiative, referendum, or Charter amendment with any other than his or her true name, or to knowingly sign more than one (1) petition for the same initiative, referendum or Charter amendment measure, or to sign any such petition knowing that he or she is not a registered voter of The City of Seattle." Section 2. Any person violating any of the provisions of this ordinance shall upon conviction thereof be punishable by a fine of not more than Five Hundred Dollars (\$500) or by imprisonment in the City Jail for a period not to exceed six (6) months, or by both such fine and imprisonment.

INITIATIVE PETITION FOR SUBMISSION TO THE SEATTLE CITY COUNCIL

To the City Council of The City of Seattle: We, the undersigned registered voters of The City of Seattle, State of Washington, propose and ask for the enactment as an ordinance of the measure known as Initiative Measure No. 138 entitled: City of Seattle Initiative Measure 138 concerns prohibiting residing, camping, or storing personal property in public spaces. This measure would make it a criminal misdemeanor for any person to camp, reside, or store personal property in any public space in Seattle, regardless of shelter availability. The misdemeanor replaces civil penalties for sitting or lying down on public sidewalks in Downtown and Neighborhood Commercial zones, and for unauthorized camping on park property. Officers may still offer shelter or services prior to enforcement. The City’s existing regulations and procedures for property removal and storage would still apply.

Should this measure be approved?

Yes_____

No_____

A full, true and correct copy of which is included herein, and we petition the Council to enact said measure as an ordinance; and, if not enacted within forty-five (45) days from the time of receipt thereof by the City Council, then to be submitted to the qualified electors of The City of Seattle for approval or rejection at the next regular election or at a special election in accordance with Article IV, Section 1 of the City Charter; and each of us for himself or herself says: I have personally signed this petition; I am a registered voter of The City of Seattle, State of Washington, and my residence address is correctly stated.

Petitioner's Signature	Printed Name	Residence Address Street and Number	Date Signed
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			

THE CITY OF SEATTLE INITIATIVE MEASURE NUMBER 138

City of Seattle Initiative Measure 138 concerns prohibiting residing, camping, or storing personal property in public spaces. This measure would make it a criminal misdemeanor for any person to camp, reside, or store personal property in any public space in Seattle, regardless of shelter availability. The misdemeanor replaces civil penalties for sitting or lying down on public sidewalks in Downtown and Neighborhood Commercial zones, and for unauthorized camping on park property. Officers may still offer shelter or services prior to enforcement. The City’s existing regulations and procedures for property removal and storage would still apply.

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

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.

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.