

**Proposed Changes that would need to be made – noting there is a difference between a resolution and a law, and the intent herein does not trump or set aside any city, state or federal law; and takes out the reference to public sidewalks.**

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Supports an Unsheltered Declaration of Rights

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***Resolved by the Council of the City of Allentown, That***

WHEREAS, Allentown City Council recognizes and supports the rights and dignity all individuals, and recognizes individuals that are unsheltered should not be prohibited from enjoying the rights we all enjoy; and

WHEREAS, A number of states and municipalities have adopted Homeless Bill of Rights – Rhode Island, Connecticut, Puerto Rico and New York City; and

WHEREAS, Allentown City Council finds the criminalization of homelessness and mental health is unacceptable; and

WHEREAS, Allentown City Council recognizes the support of such rights and dignity of all individuals does not supersede or set aside and any city, state or federal law – all such laws and regulations are and will remain applicable; and

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Allentown that Allentown City Council hereby supports the following Unsheltered Declaration of Rights.

### **Unsheltered Declaration of Rights**

Every person, in the same manner as any other person or groups and without discrimination on the basis of housing status, has the following rights:

- a) The Right to Housing. The right to safe and affordable, appropriate housing for people experiencing homelessness, because housing is a basic human right, as stated in Article 25 of the Universal Declaration of Human Rights: "Everyone has the right to a standard of living adequate for the health and well-being of [themselves] and of [their] family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond [their] control.";

- b) The Right to Enjoy Public Space. The right to use and move freely in public spaces, including sitting, lying down, and resting in public spaces, both individually and while assembling in groups, which shall include but not be limited to ~~public sidewalks~~, public parks, public transportation, and public buildings, in accordance with city laws;
- c) The Right to Employment Fairness. The right not to face discrimination in seeking, obtaining, or maintaining employment due to the lack of a permanent residence or a permanent mailing address, or because the mailing address is that of a homeless shelter, or a homeless or social services provider;
- d) The Right to Medical Care and Dignity in Meeting Basic Needs. The right to medical care, free from discrimination based on housing status. The opportunity to perform basic needs, such as appropriate use of public restrooms, and to access clean water and other living necessities, in public locations and facilities, which includes public parks and buildings, with dignity and relative privacy under hygienic circumstances and conditions, in clean, safe, highly accessible facilities, free to all persons regardless of housing status;
- e) The Right to Vote. The right to vote, register to vote, and receive any documentation required by law to prove identity for voting, without discrimination due to housing status;
- f) The Right to Personal Property and Privacy. The right to protection of personal property includes:
  - 1. the right to a reasonable expectation of privacy in an individual's personal property to the same extent as personal property in a permanent residence, in accordance with city laws; and
  - 2. the preservation and safeguarding of un-housed peoples' property, including personal identification and records, including documentation of government benefits, legal proceedings, and familial records in accordance with city laws;
- g) The Right to Personal Safety. The right to personal safety, which shall include protection from violence based upon housing status and effective law enforcement response to such incidents; 2) the right to seek temporary shelter during extreme weather;
- h) The Right to Sit. The right to sit, rest or sleep in temporary shelter, such as any legally-parked motor or recreational vehicle or a self-erected shelter (e.g., a tent), on private property with the owner's permission, for the purpose of immediate survival of persons, and their pets, without harassment by law enforcement officers or others; and the right to reasonable notice before encampments illegally created are swept;
- i) The Right to Social Exchange. The right to give and accept resources such as money, food, beverages, and shelter, in public spaces or elsewhere, and to connect with organizations that provide shelter or transitional housing and social services, such as mental health or substance abuse counseling, medical care, and employment assistance while in public spaces, and to communicate to others in other reasonable ways for other similar purposes, in accordance with city laws;
- j) The Right to Equal Treatment. The right to equal treatment under the law by all City of Allentown municipal agencies, without discrimination on the basis of housing status or source of income, and equal protection of the laws and due process by law enforcement and prosecuting agencies and the courts;
- k) The Right to Housing Fairness. The right to obtain housing free from discrimination including based on housing status, source of income, arrest record, conviction, or lack of a fixed or permanent mailing address;

- j) The Right to Education. The right for children and families who experience homelessness to be provided limited disruption and in accordance with the child's or youth's best interest, the right to continue the child's or youth's education in the Allentown School District as their school of origin for the duration of homelessness in any case in which a family becomes homeless between academic years or during an academic year; and for the remainder of the academic year, if the child or youth becomes permanently housed outside the district during an academic year, in accordance with McKinney- Vento Assistance Federal Act.