

Issues:

- Preference for placing in the code – within the context of the Homeless Commission – perhaps noting they will have some type of oversight over it
- Need to submit formal LSR to Solicitor's Office

ORDINANCE NO.

FILE OF CITY COUNCIL

BILL NO. - 2020

AN ORDINANCE

Amending the Administrative Code by establishing a Homelessness Bill of Rights

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALLENTOWN:

Section One: Amending Article 180C, Homeless Commission, by adding Section 180C.05 Bill of Rights and to read as follows:

180C.05 BILL OF RIGHTS

BILL OF RIGHTS:

Every person, regardless of their housing status, has the following rights:

- a) The Right to Enjoy Public Space. The right to use and move freely in public spaces, including sitting, lying down, sleeping, or 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 the same manner as any other person or groups and without discrimination on the basis of his or her housing status;
- b) 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;
- c) 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 to defecate, urinate, 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;
- d) 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;
 - e) 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 his or her personal property to the same extent as personal property in a permanent residence; 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;
 - f) 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 temporary shelter during extreme (hot or cold) weather; and 3) the right for families to stay together in shelters.
 - g) 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 2) the right to reasonable notice before encampments illegally created are swept.
 - h) The Right to Social Exchange. The right to give and accept food, beverages, and shelter, in public spaces or elsewhere, and to connect persons experiencing homelessness with organizations that provide shelter or transitional housing and social services, such as mental health or substance abuse counseling, medical care, and employment assistance. The right also to panhandle in public spaces, and to communicate to others in other reasonable ways for other similar purposes.
 - i) 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;
 - j) 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;
 - k) The Right to Housing. The right to safe and affordable emergency and/or transitional shelter and permanent 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 himself and of his 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 his control."

SECTION TWO: That this Ordinance will take effect ten (10) days after final passage.

SECTION THREE: That all Ordinances inconsistent with the above provisions are repealed to the extent of their inconsistency.