



The Episcopal Diocese of Olympia

The Episcopal Church in Western Washington

www.ecww.org

Diocese of Olympia: Homeless Shelters on Church Property

May 6 @ 1:00 pm - 2:00 pm



Engrossed Substitute House Bill 1754

(RCW 36.01.290, 35.21.915, 35A.21.360)

- Sets limits on the power of local governments to regulate the provision of housing by churches
- Prohibits local governments from imposing conditions that substantially burden the decisions or actions of a church regarding the location of housing or shelter of unsheltered persons
- Provides a framework in which to start discussions with local governments for permission to provide such housing
- Sets limits on counties, cities and code cities (“Local Governments”)



Findings and Intention of Legislation

- **Findings:**
 - Homeless residents hosted by churches are vulnerable and at increased risks
 - Services provided by churches serve as pathways for individuals to receive services and achieve stability
- **Intention:** that local governments and churches work together collaboratively
- **Covers services permitted on property owned/controlled by a “religious organization”:**
 - Outdoor encampments
 - Indoor overnight shelter
 - Tiny houses on-site
 - Vehicle resident safe parking



Limitations on Local Governments

- **A local government cannot enact an ordinance/regulation or take action that:**
 - Imposes conditions other than those necessary to protect public health and safety, and that substantially burden the decisions or actions of a church regarding the location of shelter on its property
 - Requires a church to obtain insurance to protect a local government from liability with respect to the homeless people housed or that requires indemnification of the government
 - Imposes permit fees exceeding the actual costs for the review and approval of permits



Outdoor Encampment Limitations

A local government cannot:

- Limit the church's hosting of an encampment to fewer than 6 months during a year
- Require a separation of more than 3 months between encampments
- Limit a church's encampment hosting term to fewer than 4 consecutive months
- Limit the number of simultaneous church outdoor encampment hostings within the same municipality during any given period of time (simultaneous and adjacent hostings may be limited if located within 1,000 ft. of another encampment concurrently hosted)



Safe Parking at On-site Parking Lot Limitations

A local government cannot:

- Limit a church's availability to host safe parking efforts at its on-site parking lot, including limitations on other congregationally sponsored uses and parking available to support such uses during hosting, except the following:
 - Not less than one space may be devoted to safe parking per ten on-site parking spaces
 - Restroom access must be provided either in buildings on property or through portables
 - If safe parking provided, church must still comply with any on-site parking minimum requirement, but the county can enter into a MOU with the church that reduces the minimum number of on-site parking spaces



Indoor overnight shelter limitations

A local government cannot:

- Limit a church's hosting in spaces with at least 2 accessible exits due to lack of sprinklers or other fire-related concerns, unless:
 - A fire official finds that fire-related concerns pose an imminent danger to persons in the shelter
 - The county enters into an MOU with the church for fire safety that meets the requirements set forth in the statute, including fire district inspections, panic bar exit doors and a fire watch agreement that includes monitors who watch all night



Temporary tiny house limitations

A local government cannot:

Limit a church's ability to host tiny houses on land it owns or controls, except for recommendations meeting the following criteria:

- Renewable one-year duration in an MOU with both parties
- Maximum unit square footage of 120 sq.ft., with units separated by 6 feet
- Electricity and heat, if provided, to be inspected by local govt.
- Space heaters, if provided, approved by local fire dept.
- Houses must include lockable doors and windows; keys also kept by managing agency and church host
- Fire extinguishers required in each unit
- Adequate restrooms must be provided
- Must partner with local service provider to develop pathways to permanent housing



A local govt may require an MOU with church offering such services for unsheltered people

- Purpose: to protect public health and safety of residents being hosted and of local government's residents
- Minimum information in MOU regarding:
 - Right of residents to seek public health and safety assistance and social services on-site
 - Residents ability to express concerns regarding managing agency to church host
 - A written code of conduct agreed to by the managing agency, church host and all volunteers
 - If a managing agency, the ability of church host to interact with residents



Additional requirements for sheltering programs

- Church host or managing agency must ensure that local law enforcement has completed sex offender checks of all adult residents and guests (church host does retain authority for offenders to remain)
- Church host or managing agency hosting vehicle safe parking must inform vehicle residents how to comply with laws regarding the legal status of vehicles and drivers and provide a written code of conduct
- Church host with a publicly funded managing agency must work with local government to use State's homeless client management information system as provided for in statute.



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Questions, concerns or thoughts on the
legislation?

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