

Envisioning a Sustainable Spokane: A Community Bill of Rights

•First. Residents have the right to a locally-based economy.

Residents have the right to a locally-based economy to ensure local job creation and enhance local business opportunities. The right shall include the right to have local monies reinvested locally by lending institutions, and the right to equal access to capital, credit, contracts, incentives, and services for businesses owned by Spokane residents.

•Second. Residents have the right to affordable preventive healthcare.

Residents have the right to affordable preventive healthcare. For residents otherwise unable to access such care, the City shall guarantee such access by coordinating with area healthcare providers to create affordable fee-for-service programs within eighteen (18) months following adoption of this Charter provision.

•Third. Residents have the right to affordable and safe housing.

Residents have the right to affordable housing, the right to a safely-maintained dwelling, and the right to be free from housing discrimination. The City shall ensure the availability of low-income housing stock sufficient to meet the needs of the low-income housing community. People and families may only be denied renting or buying of a dwelling for non-discriminatory reasons and may only be evicted from their residence for non-discriminatory causes.

•Fourth. Residents have the right to affordable and renewable energy.

Residents have the right to access affordable and renewable energy sources.

•Fifth. The natural environment has the right to exist and flourish.

Ecosystems, including but not limited to, all groundwater systems, surfacewater systems, and aquifers have the right to exist and flourish. River systems have the right to flow and have water quality necessary to provide habitat for native plants and animals, and to provide clean drinking water. Aquifers have the right to sustainable recharge, flow, and water quality.

Sixth. Residents have the right to determine the future of their neighborhoods.

Residents have the right, through their neighborhood councils, to determine the future of their neighborhoods, which shall include the right to adopt enforceable neighborhood plans, and the right to have growth-related public infrastructure costs funded by new development as provided by an impact fees Ordinance. The City of Spokane shall provide sufficient funding to neighborhood councils for the creation, adoption, and enforcement of neighborhood plans. Such plans shall respect and promote the rights delineated by this Charter. Residents may also determine the future of their neighborhoods by rejecting proposed land development projects, in accordance with the provisions of this Charter.

Seventh. Workers have the right to be paid the prevailing wage, and the right to work as apprentices, on certain construction projects.

Workers have the right to be paid the prevailing wage on all private construction projects exceeding two million dollars in construction costs (as annually adjusted for inflation), and all public and publicly subsidized construction projects, within the City of Spokane. Workers have the right to work as apprentices on all private construction projects exceeding two million dollars in construction costs (as annually adjusted for inflation), and all public and publicly subsidized construction projects, through programs approved under the Washington State Apprenticeship Training Program, and each contractor and subcontractor building those projects shall be

required to use apprentices for a minimum of fifteen percent (15%) of the total hours worked on each project.

Eighth. Workers have the right to employer neutrality when unionizing, and the right to constitutional protections within the workplace.

Workers have the right to employer neutrality when unionizing, and the right to be free from captive audience meetings, or other mandatory, non-work related meetings, in the workplace.

Ninth. Residents, workers, neighborhoods, neighborhood councils, and the City of Spokane shall have the right to enforce the Community Bill of Rights.

All rights recognized by the Community Bill of Rights are fundamental, inalienable, and self-executing. The City of Spokane, or any person, neighborhood, or neighborhood council aggrieved by a violation of their rights, or any person seeking to enforce the rights of ecosystems, may enforce these rights. Enforcement actions shall be filed as civil actions in a court of competent jurisdiction, against any person, government, or entity violating these rights, and sufficient legal and equitable relief shall be awarded to remedy the violation, including restoration of a damaged ecosystem. In any action to enforce any Charter right, the court may allow the prevailing plaintiff a reasonable attorney's fee and expert fees.

Corporations and other business entities shall not be deemed to possess any legal rights, privileges, powers, or protections which would enable those entities to avoid the enforcement of these rights, or which would enable them to nullify these rights. If any part or provision of these Charter provisions, or the application of these Charter provisions to any person or circumstance, is held invalid, the remainder of these Charter provisions, including the application of such part or provisions to other persons or circumstances, shall not be affected by such a holding and shall continue in full force and effect.

§74.5 (New). Rights of Neighborhoods and Neighborhood Councils

A. The City of Spokane shall notify neighborhood councils of any proposals for commercial, industrial, or multi-unit residential land developments to be located within neighborhoods represented by those councils. That notice shall be given not more than five business days from the submission of a project permit application to the City by the developers of those proposals, and shall include notice to neighborhood councils representing neighborhoods adjacent to the neighborhood in which the land development is proposed to occur.

B. A neighborhood council may veto a land development project if requested to veto that project by a number of neighborhood registered voters equal to or greater than fifteen percent (15%) of the total number of votes cast at the last preceding general municipal election within that neighborhood. After being petitioned, if the neighborhood council determines that the land development project may adversely affect the neighborhood, and that the project is incompatible with either the neighborhood's planning, the City's Comprehensive Plan, or the City Charter, the council may veto the project. Such action by the neighborhood council shall stop all site development associated with the project, such action shall be binding upon the City of Spokane, and the City of Spokane shall defend such action against any legal challenges.

C. A neighborhood council shall veto a land development project if requested to veto that project by a number of neighborhood registered voters greater than fifty percent (50%) of the total number of votes cast at the last preceding general municipal election within that neighborhood. Petitioners must find that the land development project may adversely affect the neighborhood, and that the project is incompatible with either the neighborhood's planning, the City's Comprehensive Plan, or the City Charter. Such action by the neighborhood council shall stop all site development associated with the project, such action shall be binding upon the City of Spokane, and the City of Spokane shall defend such action against any legal challenges.