



CITY OF BEND

Time, Place, and Manner Regulations on Public Camping

City Attorney's Office

August 17, 2022

Potential Code Framework

- Prohibit camping on public rights-of-way and property owned or controlled by the City
 - Public rights-of-way are not intended or designed for camping use
- No enforcement by citation where a person does not have shelter available
 - Enforcement must comply with federal court rulings
- Enforcement officers determine shelter availability daily and conduct individual assessment to determine whether a citation can be issued
 - It's not only about the number of spaces in shelters, but whether a space is available to the individual
- **To the extent public camping occurs, objectively reasonable time, place, and manner regulations can manage and reduce the impact**
- City Manager may suspend enforcement in the event of a declared emergency, including severe weather



How can people camp?

- No digging, excavation, alteration or destruction of any public property, damage to any vegetation or trees
- No building of structures (pallets, etc.); tents would be allowed
- Sanitation and garbage; may not leave behind or accumulate unsanitary materials
- No obstruction/attachment to fire hydrants, utility poles/other infrastructure, fences, street trees, buildings, etc.
- No unauthorized connections or taps to electrical or other utilities (and no violations of Building or Fire codes, or any other relevant codes or standards)



How can people camp?

- No obstruction of ingress/egress to property; maintain traffic safety and pedestrian access (driveways, sidewalks, clear vision, etc.)
- No fires, burning, open flames, or heating deemed unsafe by Bend Fire & Rescue (some cooking and warming activities could be permissible)
- Spatial footprint (such as 10 ft x 10 ft or 12 ft x 12 ft)
 - Need to allow people to sleep and maintain essentials for living, but also need to maintain ability for people to use public right-of-way as designed and intended, and to manage accumulation of materials in the right-of-way
 - Enforcement should include discretion (e.g., qualifying ADA disability, families with children, spatial differences, etc.)



Vehicle Camping/Sleeping

- Would treat all vehicles similarly (passenger cars, RVs, Sprinter vans, etc.)
- Current parking restrictions in place around Navigation Center on NE 2nd Street by administrative policy; likely to maintain elements of current policy at request of service providers
- No open fires or flames in vehicles
- Sanitation; no accumulation of garbage or effluent
- Vehicles must be operational; may not discard vehicles in right-of-way
- No attaching to structures, building supplemental structures from vehicles, etc.



Vehicle Camping/Sleeping – Policy Direction

- Vehicle-specific regulations could include *where* and *when* people can use vehicles for camping, sleeping, or shelter in the City, along with objectively reasonable manner regulations (such as no building structures attached to vehicles, no effluent or accumulation of garbage, vehicles must be operational, etc.)
- The current parking code allows vehicles to be parked for up to three business days unless otherwise specified (e.g., parking districts or areas with special durational parking limits), but does not regulate using vehicles for camping, sleeping, or shelter



Questions?



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Accommodation Information for People with Disabilities



To obtain this information in an alternate format such as Braille, large print, electronic formats, etc. please contact Shelly Smith at shsmith@bendoregon.gov; Relay Users Dial 7-1-1.

