



CITY OF BEND

# **Time, Place, and Manner Regulations on Vehicle Camping in Public Places**

**City Attorney's Office**

September 7, 2022

# Current Vehicle Parking Rules

- Cars may be parked on public streets for up to three business days (BMC 6.20.005.J)
  - Applies city-wide, other than in designated parking districts
- Designated parking districts may have their own rules for parking time
  - Examples: Downtown, McKay Park, Old Bend Neighborhood Parking Benefit District
- Enforcement is proactive in designated parking districts, and tends to be complaint-based elsewhere (i.e., where the three business days rule applies)
- Current rules have the effect of regulating the *time* and *place* for parking; the City does not currently have code provisions regulating how people may use legally-parked vehicles for sleeping or shelter



# Some Jurisdictions Rely on Parking Code

- **Seaside:** A person or persons camping in car or RV must adhere to parking regulations and ROW regulations.
- **North Bend:** Person or persons camping in a car or RV must adhere to all city regulations related to parking a public rights-of-way.
- **Coos Bay:** A person or persons camping in a vehicle or RV must adhere to parking regulations.

# Vehicle Camping TPM Examples

## TIME

- **Vancouver, WA:** Daytime camping in vehicles (during hours of 6:30 a.m. to 9:30 pm) prohibited
- **San Diego:** Unlawful for any person to use vehicle for human habitation on any street or public property between hours of 9 p.m. and 6 a.m.
- **Medford:** Vehicle must be moved at least every 24 hours
- **Cannon Beach:** Vehicle camping permissible between 9 p.m. and 7 a.m.

## PLACE

- **Vancouver, WA:** Daytime camping in vehicles not allowed in any park, street, or publicly owned or maintained parking lot
- **San Diego:** Prohibits vehicle habitation at any time within 500 feet of a residence, or within 500 feet of a school, excluding colleges and universities
- **Medford:** Vehicle must be in a lawful parking space

## MANNER

- **San Diego:** Factors that may establish human habitation include obscured windows and evidence of trash, temporary furnishings, and human waste near the vehicle.
- **Medford:** Vehicle must be operational



# Vehicle Camping – initial recommendations

- All vehicles must be treated similarly (passenger cars, RVs, Sprinter vans, etc.)
- Maintain current overnight parking restrictions in place around Navigation Center on NE 2<sup>nd</sup> Street set from administrative policy, at request of service providers
- No open fires or flames (some heating and cooking may be permissible)
- Sanitation standards; no accumulation of garbage or effluent
- May not store material in right-of-way outside vehicles
- Vehicles must be operational; may not discard vehicles in right-of-way
- No building supplemental structures from vehicles, attachments to structures or other vehicles, etc.



# Two Options for Council Consideration

- 1) Rely on parking code for *time* and *place*, along with objectively reasonable *manner* regulations for when vehicles are used for sleeping (no material storage in right-of-way, no effluent or garbage, vehicles must be operational, etc.)
  - Could also consider including a movement requirement, such as at least one block every night/every 24 hours (parking code allows three business days, but does not have a distance-based movement requirement that is applied city-wide)
  
- 2) Consider vehicle-specific regulations for *times* and *places* people can use vehicles for sleeping, along with objectively reasonable *manner* regulations (no material storage in right-of-way, no effluent or garbage, vehicles must be operational, etc.)



**Questions?**

# 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](mailto:shsmith@bendoregon.gov); Relay Users Dial 7-1-1.

