

# Camping Code

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## Frequently Asked Questions: **Council Inbox Edition**

*The Bend City Council has received many questions about the Camping Code, a new code which regulates camping on City-owned property and City rights-of-way, like public streets, sidewalks and landscape strips in Bend. Learn more at [bendoregon.gov/camping-code](https://bendoregon.gov/camping-code).*

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### ***Why did the City of Bend develop a code about camping in public?***

The Bend City Council first started talking about the development of a code to regulate camping in public rights-of-way in June 2022 after hearing from the community about the impacts of public camping on businesses and residential areas where camping currently takes place.

Up until December 2022, the City of Bend did not regulate camping or sleeping in City-owned or controlled property. The Camping Code implemented rules about where, when, and how camping is allowed or not allowed on City property and rights-of-way, in a way that is humane and complies with state and federal laws. These regulations work with the City's other strategies to increase the number of low-barrier shelter beds, support partners who provide services and increase the availability of affordable housing.

### ***Will the camping code apply to land within the City that is owned by other public entities?***

The Camping Code only governs City-owned property and City rights-of-way, like public streets, sidewalks and landscape strips in Bend. Even if camping falls within city limits, the City does not control land owned by other private or public entities, such as the Oregon Department of Transportation, Bend Park & Recreation District and Deschutes County.



## ***What types of camping are covered in the Camping Code? How are they different?***

The Camping Code covers two types of camping - camping in tents and other portable shelters, as well as camping and sleeping in vehicles. “Camping,” generally means camping in tents or other portable shelters. Parking and camping or sleeping in a car, RV, or trailer is referred to as “vehicle camping” or “camping in vehicles.”

Both types of camping would be governed by time, place and manner regulations as defined in the code, but these regulations differ between each type. Generally, the “manner” restrictions are the same, but the time and place restrictions are different. For example, camping in tents or other portable shelters is not permitted in certain zones, whereas camping in vehicles is allowed anywhere it is legal to park a vehicle overnight, except near permitted or approved shelter locations.

## ***What are time, place, and manner regulations?***

Time, place, and manner regulations help make public rights-of-way accessible and safe to unhoused and housed individuals. These regulations describe “where, when and how” an individual may camp on public rights-of-way or City property. They also allow for clearer management by the City and our partners.

More specifically:

- Time restrictions are when a person may camp, such as up to 24 hours.
- Place regulations establish where an individual may camp, such as rights-of-way in residential versus commercial zones. They also define types of public property where camping is not allowed such as on restricted utility facilities or parking lots, or near existing shelters.
- Manner regulations establish how an individual may camp on rights-of-way or City property, such as the size of a camp, or items in and around a camp, or not allowing open fires or unauthorized electrical hookups or sewage discharge onto streets.

The time, place and manner regulations in the proposed code are explained in the [Camping Code Quick Reference](#).

## ***Why is the City of Bend allowing camping in public rights-of-way at all?***

It is unconstitutional to punish a person for sleeping or resting outside on public property when they do not have shelter space available. A city can't punish someone for engaging in unavoidable human behavior, such



as sleeping in public if they have no other place to live – but, cities do not have to allow sleeping anywhere at any time in any manner. Governments cannot generally force someone to accept services or shelter, and cities cannot exclude someone from a city or require them to leave the city because a person is homeless or does not have shelter available. The City has been diligently working to increase the shelter capacity using various strategies such as updating municipal codes to allow for more types of shelters to be built, establishing funding and supports for service providers, and leading the charge to create the [Coordinated Houseless Response Office](#). Learn about these strategies at [bendoregon.gov/houselessness](https://bendoregon.gov/houselessness).

## ***Does the code allow people to legally camp on any public sidewalk in Bend for up to a 24-hour period?***

No. The Camping Code prohibits camping in Residential and Waterway Overlay zones. Camping is not allowed in these areas, nor is it permitted within certain distances of shelters, including Safe Parking and Outdoor Shelters. Camping is also not permitted where at least a six-foot passageway cannot be maintained for pedestrians and other users to use the sidewalk. Many sidewalks in Bend are not wide enough for camping to occur, and preserve an accessible pathway. Additionally, camping must not block a driveway or access to any building. Other areas are subject to the time and manner restrictions.

## ***How will the Camping Code be enforced?***

Specifics on enforcement are to be determined. Between December 2022 and March 2023, the City will be developing administrative policies, in partnership with service providers and the [Coordinated Houseless Response Office](#), that will guide enforcement officials with a rules and processes that will also implement the values committed to by Council in an accompanying resolution.

The Camping Code directs City staff to perform outreach and service referrals first, and to provide a warning and an opportunity to fix a violation, before the City removes a camp or property that is a violation of the code, except in cases of exceptional emergency or if criminal activity is occurring at a camp. A citation would generally not be issued unless other tools have not worked to bring the camp into compliance with the code. This is consistent with the City's approach to code enforcement, where we generally seek voluntary compliance first before issuing a citation or taking enforcement action.

The code says that enforcement may be suspended for a particular camp or person, if the person is engaged in services and working to exit houselessness, or if a person has a disability under the Americans with Disabilities



Act and a modification of enforcement is required to accommodate the disability, if minor children are present or otherwise involved, if a person has employment obligations that may relate to their ability to comply with the code, or for other reasons that may support discretion in enforcement.

## ***What is the Camping Code Resolution, and how does it support the Camping Code?***

The Camping Code is just one piece of an overall response strategy to address homelessness. The City of Bend alone does not have the tools to meet the complex and individual needs of each person that is facing homelessness. Instead, the City relies on partnerships with other entities such as the County, which provides needed mental and behavioral health services.

The City Council passed a [resolution](#) alongside the Camping Code, as a tool to help more clearly define the City's commitments to work with partners, building on the work that has occurred to date of expanding shelter capacity and forming the [Coordinated Houseless Response Office](#).

## ***When the Camping Code is enforced, will those who are camping be connected with services?***

Strict enforcement of the Camping Code is not the preferred response to people needing to shelter in City rights-of-way due to homelessness. The City's first response will be to work with [Coordinated Houseless Response Office](#) and other service providers to primarily connect people to services and resources, before taking an enforcement approach. The exception is when enforcement officials need to act due to emergencies or violations of other codes or laws.



### **Accommodation Information for People with Disabilities**

To obtain this information in an alternate format such as Braille, large print, electronic formats, etc. please contact Makayla Oliver at [moliver@bendoregon.gov](mailto:moliver@bendoregon.gov) or 541-323-8571 Relay Users Dial 7-1-1.

