

City of Bend
Municipal Code –
Chapter 4.10
Safe Parking Programs

Chapter 5.70 SAFE PARKING PROGRAMS

5.70.005 Purpose and Scope

A. Safe parking, provided through overnight camping and transitional overnight parking accommodations described in this chapter, is intended to be used by individuals, families, or households who lack permanent or safe shelter and who cannot obtain other low income housing on a limited basis for seasonal, emergency or transitional shelter purposes.

B. For purposes of this chapter, the term "vehicle" includes a car, camper, trailer, or recreational vehicle, and "tent" includes fabric structures, hard-shelled huts (so-called Conestoga hut or similar), or similar movable structure. All vehicles must be operable and movable, either by their own power or towing if designed to be towed.

5.70.010 Overnight Camping.

A. Notwithstanding any other provision of this code or the Bend Development Code up to three vehicles may be used by people who lack access to permanent or safe shelter and who cannot obtain other low income housing for overnight camping in a parking lot, or paved or gravel surface of a parcel of any size owned or leased by a religious institution, nonprofit, business or public entity, with permission of the property owner and lessee, if applicable.

B. A property owner or lessee who allows overnight camping on a property pursuant to this section shall:

1. Provide persons camping overnight with access to sanitary facilities, including but not limited to toilet, hand washing and trash disposal facilities at all times people are authorized to be present for overnight camping; and
2. Not require payment of any fee, rent or other monetary charge for overnight camping authorized by this section.

C. A property owner who permits overnight camping pursuant to this section, may revoke that permission at any time and for any reason. Any person who has permission to sleep on that property as provided in this section shall leave the property immediately after permission has been revoked.

D. The provisions of this section are not intended to limit or otherwise change any land uses that may be permitted on property under the Bend Development Code.

5.70.015 Transitional Overnight Parking Accommodations

- A. With authorization from the City, up to six (6) vehicles and/or tents may be used for overnight accommodation of people who lack permanent or safe shelter and who cannot obtain other
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low income housing in a parking lot, or paved or gravel surface of property owned or leased by a religious institution, nonprofit, business or public entity, with permission of the property owner and lessee, if applicable, as temporary transitional overnight parking accommodations. A public entity may allow more than six (6) vehicles and/or tents on property owned or leased by the public entity, with a plan approved by the City, based on the size of the parcel, supervision plan, and sanitation plan proposed by the public entity. Temporary transitional overnight parking accommodations must be located at least 150 feet from a child care facility or school, unless the parking accommodations are located on property owned or leased by a public entity or religious institution.

- B. These temporary transitional overnight parking accommodations are intended to be used by individuals, families, or households on a limited basis for seasonal, emergency or transitional housing purposes. The transitional overnight parking accommodations may provide parking facilities, walkways and access to water, toilet, shower, laundry, cooking, telephone or other services either through separate or shared facilities. Any sanitation or other facilities added to the location for temporary transitional overnight parking accommodation must be temporary and removable.
 - C. Temporary transitional overnight parking accommodations must, at a minimum:
 - 1. Apply for and receive authorization for operation from the City Manager or designee, and agree to abide by all conditions, including acceptance of liability and demonstration of insurance coverage in amounts acceptable to the City. City authorization is not a land use decision;
 - 2. Provide access to sanitary facilities, including but not limited to toilet, hand washing and trash disposal facilities at all hours people are authorized to be present for overnight parking, including the additional hours campers may stay at the site;
 - 3. Provide supervision, case management, or supportive services. Supervision must include at a minimum nightly contact with each camper;
 - 4. Develop policies that set out how individuals who may stay at the site will be selected, number of continuous days that someone may stay at the site, hours that overnight campers may stay at the site in addition to 9:00 p.m. to 7:00 a.m., what supervision will be provided, and what structures and other items may be placed on the site;
 - 5. Not require payment of any fee, rent, or other monetary charge for temporary transitional housing accommodation; and
 - 6. Prior to allowing any person to stay overnight as part of a temporary transitional overnight parking accommodation, provide notice of the intention to allow temporary transitional overnight parking to each property owner and occupant of each adjacent
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property, and, every night any person stays overnight, post a notice at a prominent location on the site. These notices must include the following information:

- a. The name of the property owner or lessee and person or entity providing site supervision, and a telephone number where the entity or individual providing supervision may be contacted;
 - b. The number of approved vehicles and/or tents; and
 - c. The hours that overnight campers may stay at the site in addition to 9:00 p.m. to 7:00 a.m.
- D. Property owners who allow temporary transitional overnight parking under this section may revoke permission for program operation at any time and for any reason. Any person who is on property for temporary transitional overnight parking accommodations under this section must leave the property immediately after permission has been revoked.
- E. The provisions of this section for temporary transitional overnight parking are not intended to limit or otherwise change any land uses that may be permitted on property under the Bend Development Code.

5.70.020 Enforcement

- A. Notwithstanding any other provision of this section, the City Manager or designee may:
1. Revoke authorization for temporary transitional overnight parking for violations of the requirements of this chapter;
 2. Prohibit overnight camping or temporary transitional overnight parking on a property if the City finds that any activity related to the overnight camping or temporary transitional overnight parking on that property constitutes a nuisance or other threat to the public welfare; or
 3. Revoke permission for a person to camp overnight, whether in a temporary transitional overnight parking accommodation or not, on City-owned property if the City has a reasonable suspicion that the person has violated any applicable law, ordinance, rule, guideline or agreement, or that the activity constitutes a nuisance or other threat to the public welfare.
- B. No activity associated with overnight camping or temporary transitional overnight parking is allowed to occur that constitutes a nuisance or other threat to the public welfare.
- C. Violation of the provisions of this chapter is a Class A infraction each day a violation occurs.
- D. The City Manager may adopt administrative rules in the manner provided in Section 1.30.005 of this code to implement this section.
- E. Nothing in this section of this code creates any duty on the part of the City or its agents to ensure the protection of persons or property with regard to permitted overnight camping or temporary transitional overnight parking accommodations.
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