

Policy Approaches to Address Encampments

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About Me

- From Asheville, North Carolina
- Studying political science and public policy at UNC Chapel Hill
 - Graduating in May 2027
- Interested in local government
 - Want to pursue MPA at UNC School of Government



Desired Outcomes

- Get direction from council on how to address encampments
- Protect the health and safety of the community, including people experiencing homelessness
- Give staff tools to provide a healthier and safer environment for the community
- Ensure consistent enforcement of city policies
- Assist private property and business owners
- Explore opportunities to address contributing factors to encampments

Overview



- Background
- Homelessness in Hendersonville/Henderson County
- Review of Existing Methods to Address Encampments
- Legal and Legislative Overview
- New Encampment Options
- Additional Opportunities to Address Encampments

Background

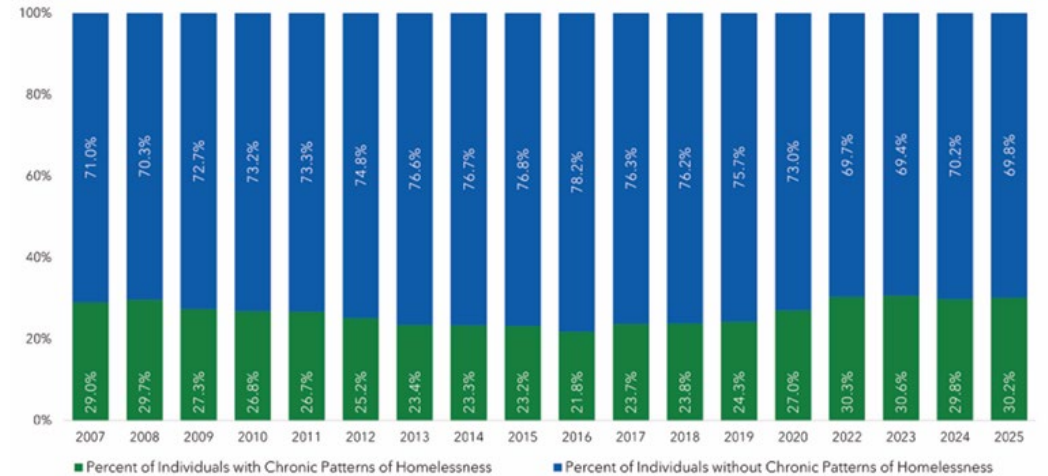


- Chronically homeless (HUD definition)
 - “A ‘homeless individual with a disability’ who”
 - “Lives in a place not meant for human habitation, a safe haven, or in an emergency shelter; and”
 - Has lived under these conditions for 12 months
- Also includes:
 - People in jails or treatment facilities who met these criteria prior to entry
 - Families in which the head of household meets these criteria

Background

- 169,467 individuals chronically homeless in the United States (HUD 2025)
 - 30 percent of all homeless individuals (HUD 2026)
- 2,560 individuals who are chronically homeless in North Carolina (HUD 2025)

EXHIBIT 7.2: Share of All Homeless Individuals that have Chronic Patterns of Homelessness in ES versus Unsheltered Locations
2007-2025



Source: HUD

Homelessness in Hendersonville/Henderson County

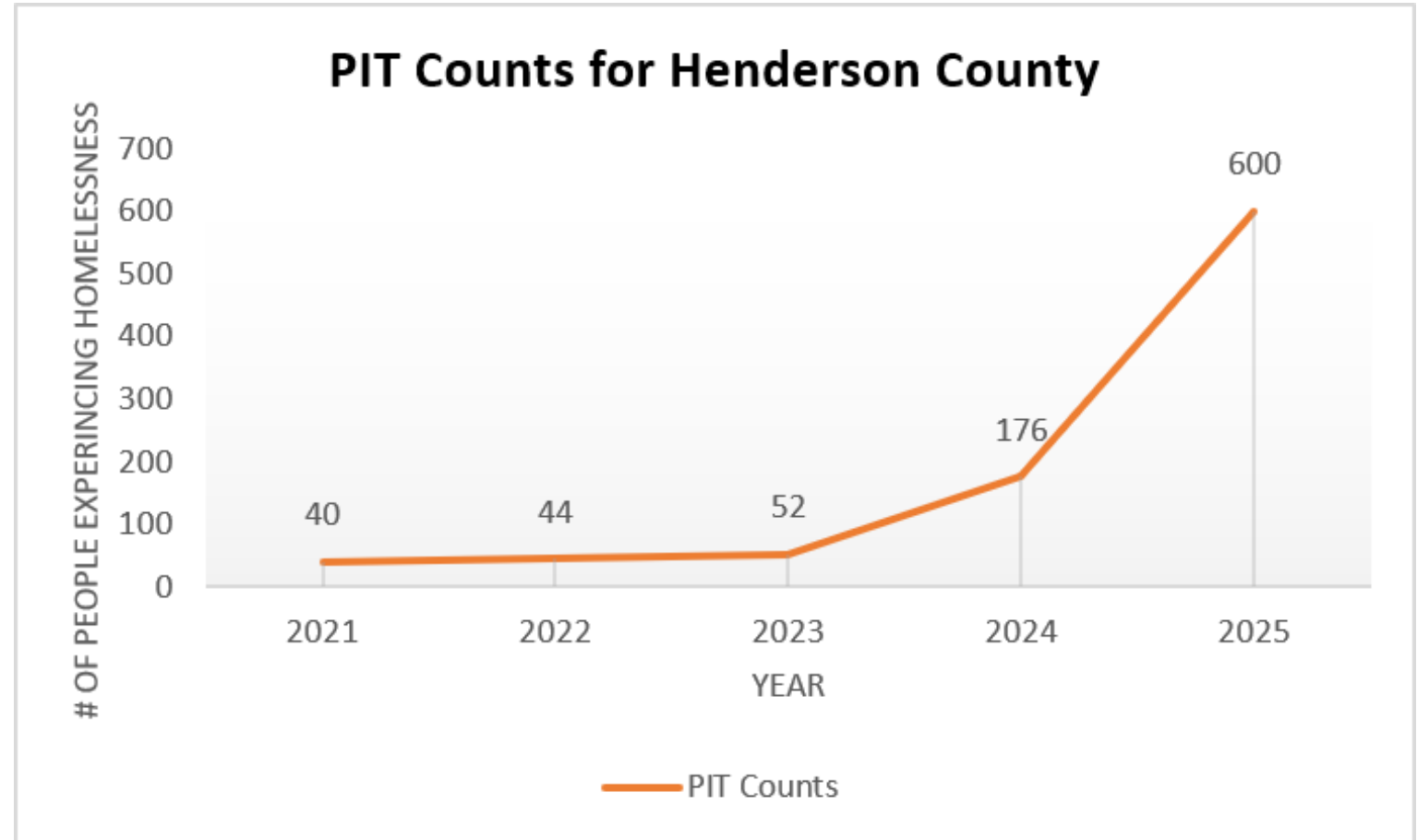


- Most information on homelessness in Henderson County comes from point-in-time (PIT) counts
 - Represents all homeless persons who meet HUD definition of sheltered and unsheltered on a single night during the last 10 days of January
 - Not included:
 - People in institutions (jails, juvenile correction facilities, foster care, hospital beds, detox centers.)
 - People temporarily staying with family or friend (i.e., “doubled-up” or “couch surfing”)
- GAO Study (2020): PIT Counts “likely underestimate the size of the homeless population”

Henderson County PIT Count Data

182

Average number of
people experiencing
homelessness each
year
(2021-2025)



Source: NC Coalition to End Homelessness

Henderson County Shelter Situation

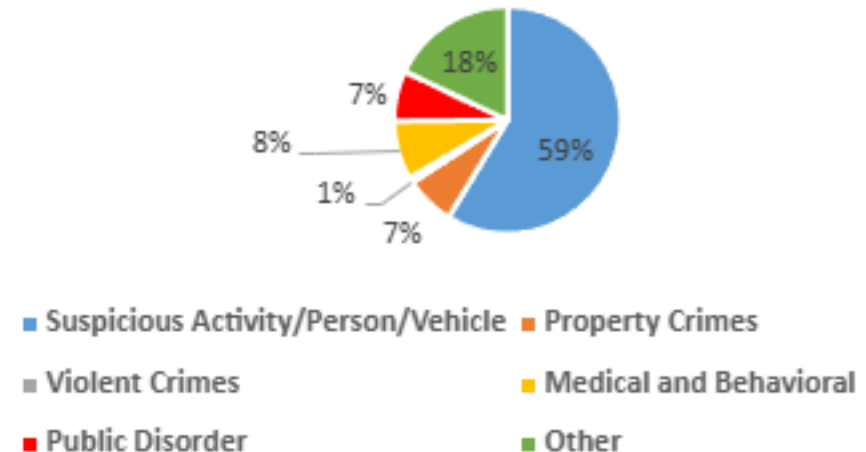


- Hendersonville Rescue Mission
 - 82 beds
 - Requires shelter guests be “medically stable, ambulatory, and able to care for their own bodily needs
 - Sobriety requirements
 - Also requires 3 night-minimum stays and Henderson County residency
- Actions by community partners
 - Physical and mental health services
 - Coordination with county services (i.e. drug court)
 - Offer addiction counseling and support

Reasons to Address Encampments

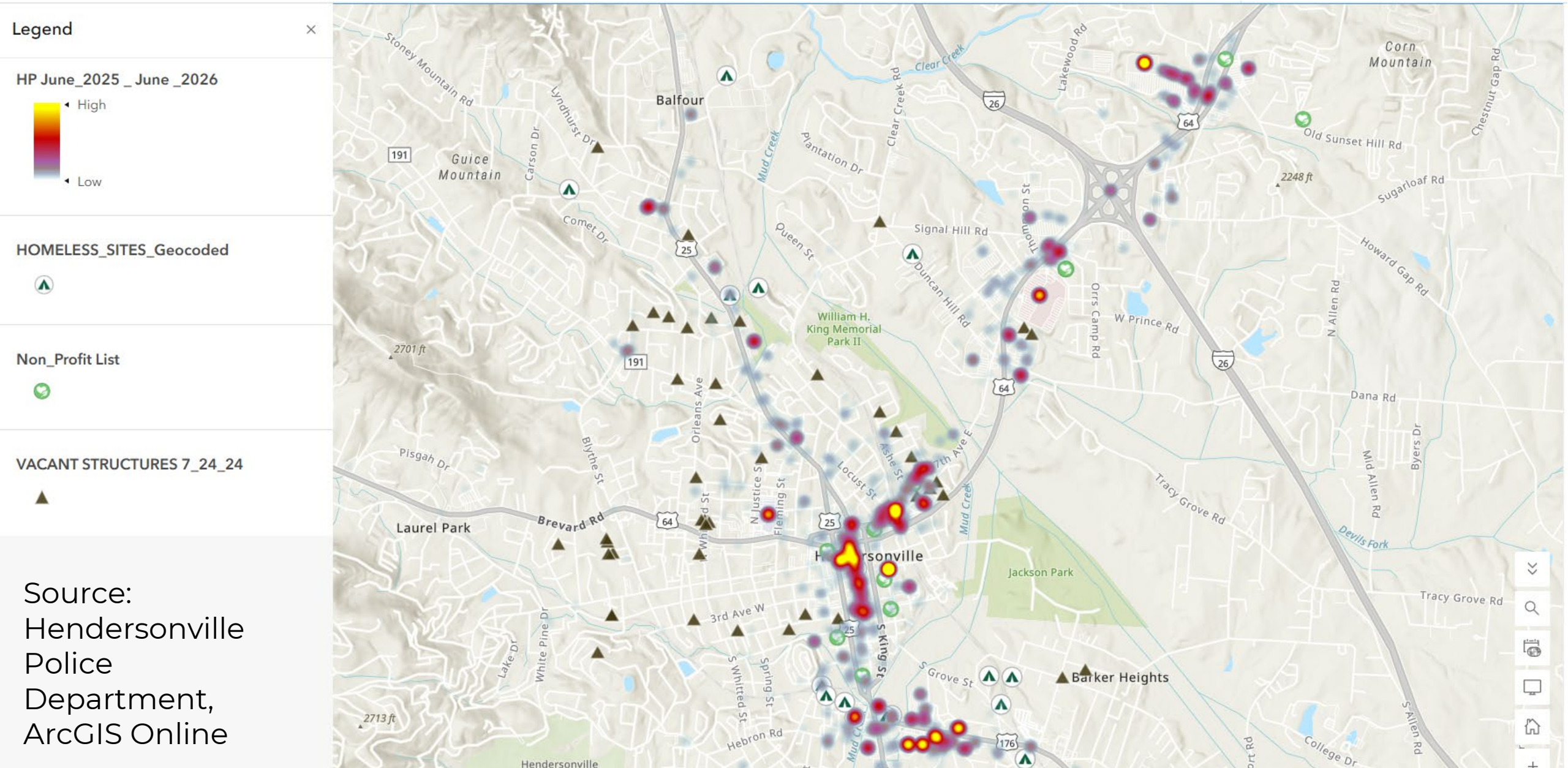
- Public health and safety issues
 - More vulnerability to violent crime for people living in encampments
 - Exposes community to unsanitary conditions
- Deterred use of public spaces
- Challenges for Hendersonville Police Department (HPD)
 - 1,816 incidents involving unhoused individuals from June 2025-June 2026
 - Increase from 1,057 incidents from June 2024-June 2025

**Police Incidents with Unhoused by Category
(June 2025- June 2026)**



Source: Hendersonville Police Department

HPD Unhoused Encounters Heat Map



Existing Methods to Address Encampments

- Code enforcement:
 - Enumerations (Sec 26-38)
 - Weeds or grass over 24 inches
 - Accumulation of animal or vegetable matter
 - Accumulation of undisposed trash
 - Graffiti
- Police Powers:
 - 36-1 – Blocking or impeding street and sidewalk access
 - 36-2 – Urinating or defecating in public or on private property.
 - 36-3 – Solicitation in parking lots and parking garages operated by the City
 - 36-4 – Harassment in public places prohibited
 - Following to threaten, intimidate or cause fear for personal safety
 - Surrounding individual or intentionally and physically directing the individual's movement with intent of threatening, intimidating or causing fear for personal safety.
 - If person continues conduct after victim makes negative response to stop.
 - 36-41 – Trespass = on public or private property. Posted or against oral or written notice, warning or protest of owner or occupant
 - 36-42 – Disturbing the peace
 - 50-22 Solicitation in public rights of way prohibited.
 - Includes solicitation from sidewalks



Source: COH

New Encampment Options

01

Public Camping
Ordinance



02

Zoning Ordinance
Amendments



Legal Review

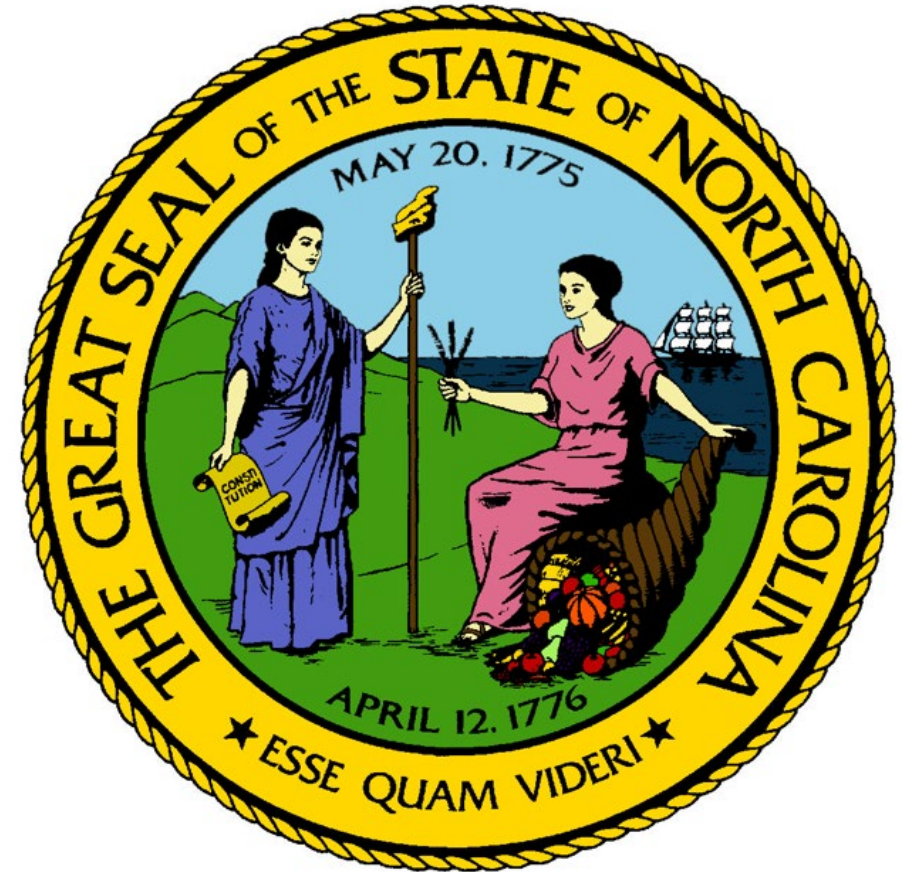


Source: U.S. Supreme Court

- *Grants Pass v. Johnson* (2024)
 - Local governments regulating encampments even when shelter space is unavailable is not considered cruel or unusual punishment
- Points of contention in the litigation
 - Selective enforcement of ordinance
 - Barriers associated with shelter admittance
 - Policies cannot criminalize based on status
 - *Robinson v. California*

Legislative Review

- July 1, 2026: N.C. General Assembly ratified HB 437
 - Establishes drug-free homeless service zones
 - Increases penalties for drug use in these zones
 - Restricts local governments from allowing camping on their property
- July 8, 2026: Governor Stein vetoed the bill



Source: State of North Carolina

Potential Impacts of HB 437 on the City



- State definition for public camping/sleeping
 - Cannot allow public camping/sleeping on city-owned or controlled property
- City could set up a regulated encampment on its property
- Designated property would need approval from the NC Department of Labor (DOL)
 - Request to DOL must prove the following
 - Lack of shelter bed availability
 - Designated property
 - Not next to an area zoned for residential use
 - Would not negatively affect property values or child safety
 - Meets certain public health and safety standards

Camping Ordinance (Police Powers)

- Would make it unlawful to camp or store personal belongings on city-owned or city-controlled property
- Camping definition:
 - Based on public sleeping/camping definition in HB 437
 - Public camping/sleeping: Lodging or residing overnight in a temporary outdoor habitation used as a dwelling or living space and evidenced by the erection of a tent or other temporary shelter, the presence of bedding or pillows, or the storage of personal belongings or lodging or residing overnight in an outdoor space without a tent or other temporary shelter. The term does not include (i) lodging or residing overnight in a motor vehicle that is registered, insured, and located in a place where it may be lawfully used or (ii) camping for recreational purposes on property designated for those purposes.



Source: COH

Camping Ordinance Enforcement



Source: COH

- Ordinance written to give HPD discretion to enforce civil and criminal penalties
 - First offense:
 - Written warning or criminal penalty
 - Subsequent offenses:
 - Civil or criminal penalties
 - Criminal penalty
 - Misdemeanor as provided in N.C.G.S. § 14-4

Zoning Ordinance Amendments

- Camps listed as a use, but not clearly defined
- Zoning text amendments
 - Define camps
 - Create a new use called campgrounds that is distinguishable from camps
 - Encampments would fall under campgrounds
- Sanitation standards for camps and campgrounds



Source: COH

Recommended Definitions

Camps: Establishments consisting of one or more permanent buildings (not including recreational vehicles or mobile homes) used periodically for temporary or seasonal accommodation of individuals, typically providing programmed activities including outdoor recreational or educational opportunities.



Campground: Any parcel or tract of land under the control of any person, organization, or governmental entity wherein sites are offered for the use of the public or members of any organization for the establishment of temporary living sites for two or more recreational vehicles or camping units (Borrowed/modified from Indian Trail, NC)



Additional Opportunities to Address Encampments

- Address shelter accessibility
- Establish centralized wrap-around services
- Leverage relations with local healthcare providers for behavioral health urgent care (BHUC)
- Encourage courts to direct people to mental health services
- Develop Encampment Response Policy and SOP
- Strategic housing plan implementation



CITY OF HENDERSONVILLE
STRATEGIC HOUSING PLAN



Source: COH

Feedback/Questions?



References

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