

Portland/Multnomah County Overnight Sleeping Pilot

I. Introduction

The [2011 Point-in-time Count of Homelessness in Portland and Multnomah County](#) found more than 1,700 people living outside, in vehicles, in abandoned buildings or other places not meant for human habitation. On that night, all emergency shelters were full with long waiting lists. Unfortunately, the continuing recession appears to be increasing the numbers of people with no other option but to sleep unsheltered. Advocates are also reporting increases in assaults and harassment of unsheltered persons.

On December 21, 2011, Portland City Council unanimously approved a resolution that establishes, on a one-year pilot basis, policy changes that allow overnight sleeping in vehicles, voluntarily hosted on congregational and non-profit organizational parking lots in the city and within certain guidelines. Multnomah County commissioners also passed a similar proclamation that would allow overnight sleeping in similar circumstances in unincorporated parts of the county.

These policy changes are intended to increase the opportunity for safety and a good night's sleep for individuals and families who are experiencing homelessness (Guests). Though these policy changes do not present a permanent solution to homelessness, they will allow individual congregations and non-profit property owners (Hosts) to provide short term solutions by offering a safer bridge from the street to housing.

Though the one-year pilot allows these activities, this is not a City-or County-funded program, and government agencies will not be managing referrals or placements. Rather, provided that Hosts and their Guests meet minimum guidelines, the policies encourage Hosts to create overnight sleeping opportunities suitable to their situations and direct City and County officials not to enforce local codes that would otherwise prohibit overnight sleeping activities.

This document describes operational and other considerations that are intended to guide property owners who want to participate in this overnight sleeping pilot and also sets out the minimum guidelines that Hosts must adhere to under the City and County policies.

The policy changes associated with the pilot do not supersede existing nuisance code and criminal laws. If Guests are engaged in criminal behavior or create persistent problems for neighbors in violation of policy guidelines, the City of Portland and Multnomah County may pursue enforcement action.

If you're interested in becoming a Host, you are encouraged to review this document and further discuss the pilot with Marc Jolin, at JOIN (mjolin@joinpdx.com). For technical questions related to policy guidelines, contact Ryan Deibert, Ending Homelessness Program Coordinator at the Portland Housing Bureau, (503) 823-2368 or ryan.deibert@portlandoregon.gov.

II. Overnight Sleeping Pilot Considerations and Guidelines for Hosts

A. Operational Considerations

Faith organizations and non-profit Hosts are encouraged to operate overnight sleeping on their property in a manner that suits their priorities and needs. City and County policy leave to the Host decisions such as the minimum number of vehicles to host, the amount of time to host any particular household, what types of households to host (e.g. individual adults, families), what kind of screening of Guests takes place, etc. However, in order to help ensure the success of the effort, Hosts are encouraged to address the following operational issues before initiating an overnight sleeping program:

(1). Insurance: How will your insurance be affected by having this activity occurring on the property? How will your liability insurance cover this activity?

(2). Guest Selection: How will you choose who may stay on your property? Are there homeless individuals and families in your area with whom you've developed relationships over time? You are strongly encouraged to partner with a social service provider who can identify people who will work well at your site.

(3). Guest Screening and Identification: What kind of information will you need from your guests (identifying and contact information? criminal history?) Will you need to verify it, if so, how? If you partner with a social service provider, they may be able to provide this service.

(4). Vehicle Permit: Each Guest vehicle should prominently display a "guest permit" for your location (see **Appendix A** for a sample). Issuing a permit signifies who is allowed as a guest and for how long, and it is necessary to help law enforcement personnel, Guests and others understand who is allowed on your property.

(5). Person in Charge: You should designate a person or series of people who law enforcement personnel, neighbors and others can contact, preferably 24-hours-a-day, to address problems, disputes, or other concerns if they arise. You should post that information on-site so that it is easily identifiable for people who may need to make contact.

(6). Guest Agreement: Hosts should develop a Guest Agreement that includes the list of rules for your program and clearly states that a Guest is not a tenant and may have permission to remain on the property revoked at any time. This will be essential if you need law enforcement to help resolve any issues with a Guest. Your program rules should address such areas as: (a) threatening or disruptive behavior on or near the property, (b) noise and sanitation, (c) visitor access, (d) use of property amenities, and (e) expectations regarding reporting of problems. See **Appendix B** for a sample agreement with rules you may want to consider.

(7). Transition Services: Will you expect that your guests to engage in transition services with you, your organization, or a social service partner? If so, how will that expectation be communicated and reinforced? Most guests will be highly motivated to seek and engage services in order to escape homelessness, but Hosts should be prepared to address a situation where a Guest is not accessing services. Having a social service partner may help in this situation as well (See Section B. below for further discussion).

(8). Time Limits and Hours: Will you set a maximum length of stay for a household? You are encouraged to consider setting a week-to-week term. What are the hours that a Guest may be parked on and/or present on the property? Are there times of the day or days of the week that you need the parking lot or yard?

(9). Public Safety: When you open your parking lot for use, you should inform local law enforcement agencies and your towing company about the new uses of the parking area. The best way to make initial contact with law enforcement is through your community Crime Prevention Coordinator. See **Appendix C** for a list of contacts. Other important law enforcement contacts are also listed there, including more direct contacts to the Portland Police Bureau. If there are crimes in progress or an emergency, please call 911.

(10). Neighbor Engagement: As a Host, you'll have the best understanding of how and when to notify your neighbors of your planned overnight sleeping activities. In general, you are strongly encouraged to notify neighbors that you are participating in this initiative, meet with them to address any concerns, identify clear lines of communication and encourage them to report any issues that they observe. See **Appendix D** for a sample neighbor notice.

B. Support and Transition Services

Though the short-term goal of overnight sleeping opportunities is to offer people safety and a good night's sleep, your long term goal should be to assist people to get into housing. Hosts may be able to "adopt" families that they assist, directly offering housing placement and rent assistance, employment guidance, and other help. We recommend that you develop your organization's capacity to help people move from homelessness into housing or form a partnership with a social service agency that can help people overcome barriers to housing for those sleeping on your property.

If you're developing a partnership, consider developing a written agreement (like a memorandum of understanding) between you and the social service agency that spells out responsibilities. Several social service providers throughout the city provide outreach, housing placement, rent assistance, and other services to help people move from the streets into housing, though the demand for these services far outpaces funding available. Nonetheless, if you do not have or plan to develop the capacity to help the families you host on your property transition to permanent housing, we strongly encourage you to develop a direct partnership with a social service provider that will provide transition services to people that stay on your property.

C. Site Considerations

The overnight sleeping policies adopted by the City and County set out certain minimum requirements for any Host site (see Section III), but below are some site issues a Host may want to consider in initiating an overnight sleeping program:

- Does your site have visual and sound barriers (like landscaping) for your neighbors?
- Your guests must have access to sanitary facilities (a bathroom or port-a-potty), but will they also have access to hot water and showers? If not, where are they able to access these facilities elsewhere?
- Will the hygiene facilities be within reasonable distance of the overnight sleeping area?

- Does the area have lighting?
- Are you close to other services, such as a grocery store?
- Are you close to a severe weather shelter if weather conditions become extreme?

III. Overnight Sleeping Guidelines Within the City of Portland

While there is considerable flexibility for a Host to allow parking lot sleeping in a manner that suits the Host's particular priorities and needs, the resolution authorizing the pilot within the City of Portland does establish certain guidelines to which Hosts are expected to adhere. The following are adapted from the City of Portland's resolution (the [full resolution](#) is available online, and these guidelines are contained in the resolution's [Exhibit A](#)):

- 1) Guests may sleep overnight in a vehicle, camper or trailer parked on an existing parking lot of a Host. The Host may not grant permission for use of more than one designated area for this use, or for more than a total of four* vehicles, campers, or trailers.
- 2) Hosts should establish means to document and display Host permission for Guests to use Host parking lot for overnight sleeping, and Hosts should establish that they may revoke that permission at any time and for any reason. Any Guest who receives permission to sleep on that property must leave the property immediately after permission has been revoked or may be subject to trespass regulations.
- 3) Hosts must:
 - a) Provide or make available sanitary facilities or assure that such facilities are included in Guest vehicles, campers or trailers, including ensuring appropriate disposal of all waste generated;
 - b) Provide or make available garbage collection and disposal services;
 - c) Assure that Guests' personal items are screened from public view if such items are not generally contained within Guest vehicles, campers or trailers;
 - d) Not allow temporary or permanent connections to Guest vehicles for electrical, water or sanitary waste[†];
 - e) Meet minimum setback requirements for any new facility placed on the site to meet these guidelines;
 - f) Not require payment of any fee, rent or other monetary charge for overnight sleeping.
- 4) Guest referral and support may be coordinated independently by each Host, but Hosts are generally encouraged to develop partnerships with not-for-profit entities that coordinate street outreach, housing placement, and/or other homeless service case management.

* While the City of Portland Resolution limits Hosts to a total of no more than four vehicles, religious institutions should note that Oregon state law ([ORS 203.082](#)) may be construed as limiting religious institutions to hosting no more than three vehicles at a time.

[†] Since passage of the resolution, the City of Portland has further clarified that this language was intended to ensure that any temporary or permanent electrical, water, or sanitary waste connections used by Guests comply with all applicable code and permitting requirements. If you are considering allowing such connections, you should consult with licensed electricians, plumbers or other qualified professionals and seek any necessary permits for establishing such connections.

5) Each Host's property will be uniquely situated with respect to proximity to and type of neighboring properties. In general, Hosts should be aware of and work actively with Guests and neighbors to minimize the following potential negative impacts of overnight sleeping activities on Host and neighboring properties:

- a) Glare on adjacent properties from any new lighting;
- b) Odors associated with cooking, portable toilets, garbage, etc.;
- c) Noise (from animals, human voices, portable toilet doors, etc.), especially during night hours, between 10 pm and 7 am;
- d) Use of generators or idling engines for RV and trailers should be below permissible sound levels at all times during the day and any exhaust or odors should not create a nuisance on adjacent properties;
- e) Availability of water for drinking, cooking, or sanitation;
- f) Visibility of Guest vehicles, campers, trailers, and personal belongings;
- g) Accumulation or spread of trash, debris and associated vector issues (rodents, etc.);
- h) Setbacks to property lines for vehicles, campers, trailers, storage areas, portable toilets (not all sites may be appropriate given close proximity to residential properties);
- i) Removal of vehicles during peak parking times if overnight sleeping is taking place in minimum required parking spaces;
- j) Theft and vandalism concerns to Host or adjacent properties.

Anyone concerned that overnight sleeping Hosts may be violating the above guidelines is strongly encouraged to first contact the Host directly. If concerned individuals are unable to reach the Host directly, they may contact the Portland Housing Bureau by calling 503-823-2375.

All Hosts must provide a signed acknowledgment of these guidelines to PHB and will identify a specific contact person and contact number to the Portland Housing Bureau (See **Appendix E** for required form). The Portland Housing Bureau will maintain a record of participating Hosts. The guidelines and contact information shall also be provided by the Hosts to neighbors upon request (See **Appendix D** for sample neighbor notice).

IV. Concluding Considerations

The Portland/Multnomah County Overnight Parking Pilot draws on the experiences of other communities that have similar initiatives in place. Unlike some, however, it favors giving Hosts and their community partners the flexibility to create options tailored to their particular priorities and needs. The hope is that this flexibility will allow a wider variety of overnight sleeping opportunities to emerge than if there were a single centralized program. However, this is a trial run and your feedback on whether and how the initiative is working is critical. The City and County are particularly interested in what barriers Hosts face under this initiative and whether there are potential changes to the policy that would help overcome these barriers. To provide feedback, please contact Ryan Deibert, Ending Homelessness Program Coordinator at the Portland Housing Bureau, (503) 823-2368 or ryan.deibert@portlandoregon.gov.

Appendix A: Sample guest permit

[We suggest printing this on congregation or agency letterhead.]

[ISSUING CONGREGATION OR AGENCY] GUEST PERMIT NUMBER _____

[Enter vehicle license number below]

XYZ 123

VALID THRU: 05/20/12-05/27/12

For questions or concerns, contact: _____

Name/Title

Phone #

Appendix B: Sample Agreement for Overnight Sleeping

This is an agreement between [congregation name] (Host) and [list all the names of the adults and children who are permitted to sleep overnight] (Guests).

Guests are permitted to park the vehicle with license plate number [_____] (Permitted Vehicle) and no other vehicle, in the parking lot of the Host (the Property) in the location designated by the Host (Designated Spot), and to sleep overnight in the Permitted Vehicle, from the _____ day of _____, _____ until the _____ day of _____, _____ and to remain on the Property during the hours of: _____ a.m. to _____ p.m.

Provided that Guests acknowledge and agree that:

- (1) Guests are not tenants and that as guests the permission to keep the Permitted Vehicle on the Property and to remain on the Property as guests may be revoked by the Host at any time and for any reason;
- (2) If the Host revokes permission to remain on the Property, Guests must immediately remove themselves and their property, including the Permitted Vehicle, or risk citation for trespassing, having their vehicle towed, at the owner's expense, and their property disposed of.
- (3) Guests will not use alcohol or illegal drugs on the Property, or engage in any illegal activity, including within the Permitted Vehicle and in the surrounding neighborhood;
- (4) Guests will not permit loud music or other disruptive noise during the day and there will be no noise audible outside the Permitted Vehicle after 10 p.m. and before 7:30 a.m.;
- (5) Guests will have no visitors on the Property, other than individuals who are actively assisting Guests to receive the services they need to transition to permanent housing [can be more permissive of visitors, but hours should be specified]; Guests will have no visitors after 10 p.m. and before 7:30 a.m. Guests shall be responsible for the behavior of visitors while on the Property, and visitors shall adhere to all of the obligations of Guests in this agreement;
- (6) Guests will be keep personal property in the Permitted Vehicle or in a separate storage facility or location designated by the Host;
- (7) Guests will keep all garbage in the Permitted Vehicle, deposit it in waste receptacles provided by Host or transport it off site and dispose of it lawfully, and will work to keep the area where they are sleeping clean.
- (8) Guests will use bathroom facilities within the Permitted Vehicle, provided by the Host, or available to the public off-site;
- (9) Guests will not engage in physical violence, intimidating or threatening behavior or language while on or in the vicinity of the Property and will not damage or otherwise harm the Property or

property in the surrounding area. Guest acknowledge that conflict with others may cause Host to revoke permission to remain on the Property.

(10) Guests may keep service animals on the Property, but keeping pets or other animals will be subject to explicit permission by the Host. [this rule will be limiting for many campers and may not be necessary depending on the Host and nature of the animal].

(11) Guests may not cook outside the Permitted Vehicle [this is at the discretion of the Host] and may not panhandle, gamble, or engage in behavior on or near the Property that may negatively affect the peace and enjoyment of the Property and surrounding property for other overnight sleepers or for neighbors.

(12) The Host cannot be responsible for the safety and security of the Permitted Vehicle, its contents, or the Guests while they are on the Property; Guests understand that the Host does not have on-site security and that in the event of any emergency jeopardizing the health or safety of any person on the Property they are expected to call 911. If there are non-emergency issues, Guests are to call _____ (Name) at _____ (phone).

Acknowledged and agreed to on this _____ day of _____, _____ by:

Authorized agent of Host

Guest 1

Guest 2

Guest 3

Appendix C: Public Safety Contact List

[This list is current as of 03/19/2012. You may find future updated contact lists online at: <http://www.portlandonline.com/oni/index.cfm?c=29131#Crime>]

Office of Neighborhood Involvement
Crime Prevention Center
4747 E. Burnside
Portland, Oregon 97215
Main Line 503-823-4064

Program Manager, Stephanie Reynolds 503-823-2030 Stephanie.Reynolds@portlandoregon.gov

North Portland, Mark Wells 503-823-4098 Mark.Wells@portlandoregon.gov

Central Northeast, Mary Tompkins 503-823-4763 Mary.Tompkins@portlandoregon.gov

Inner Northeast, Celeste Carey 503-823-4764 Celeste.Carey@portlandoregon.gov

North Portland, Angela Wagnon 503-823-4094 Angela.Wagnon@portlandoregon.gov

Central Northeast, Brad Taylor 503-823-2781 Brad.A.Taylor@portlandoregon.gov

East Portland, Teri Poppino 503-823-5532 Teri.Poppino@portlandoregon.gov

East Portland, Sam Freeman 503-823-3505 Samantha.Freeman@portlandoregon.gov

Southeast, Katherine Anderson 503-823-3432 Katherine.Anderson@portlandoregon.gov

Southeast, Jacob Brostoff 503-823-0540 Jacob.Brostoff@portlandoregon.gov

Northwest Portland, Jenni Bernheisel 503-823-4257 Jenni.Bernheisel@portlandoregon.gov

Downtown/Old Town-Chinatown, Mike Boyer 503-823-5852 Michael.Boyer@portlandoregon.gov

Southwest Portland, Stefanie Adams 503-823-3131 Stefanie.Adams@portlandoregon.gov

For a Portland Police Bureau Neighborhood Response Team Officer call the corresponding precinct:

North Precinct Neighborhood Response Team 503-823-5700

Central Precinct Neighborhood Response Team 503-823-0097

East Precinct Neighborhood Response Team 503-823-4800

Portland Police Bureau General Contact Information:

Police Non-emergency Line: 503-823-3333

For emergencies or crimes in progress: 911

Appendix D: Sample notice to neighbors

Dear Neighbor:

In order to help to assure safety and a good night's sleep for some of our neighbors experiencing homelessness, we will be allowing guests to stay overnight in [# and type of vehicles, trailers or campers] in our [congregation's/agency's] parking lot. While our guests stay with us, we will be working with them to move into permanent housing as quickly as possible.

Under a one-year pilot, the City of Portland and Multnomah County allow any faith community or non-profit agency to do this, as long as we also provide our guests with access to bathrooms and garbage service.

We take our safety and the safety and comfort of our neighbors and guests very seriously, and our guests agree to follow several rules during their stay. [Outline rules if appropriate.]

People are allowed to stay as our guests for no more than [time limit] at a time, and if they violate these rules they will no longer be allowed to stay with us. We may allow people to stay for longer than [time limit] if they remain good neighbors and continue to need our help.

If you have any concerns, now or in the future, we encourage you to contact us directly. The best way to reach us is by [calling, paging, emailing, etc.] [#s, email addresses, etc.]. We expect our guests to be good neighbors and anticipate no significant problems. Of course, if you observe an emergency or a crime in progress, you should call 911, and then contact us immediately after.

Again, we hope that you can contact us directly with any questions or concerns as we help our neighbors experiencing homelessness safely return to housing.

Sincerely,

[Name]

[Congregation/Agency]

Appendix E: Overnight Sleeping Program Documentation Form (for hosts within the City of Portland)

The Host must submit documentation to the Portland Housing Bureau with the following information to meet guidelines associated with overnight sleeping activities:

| | |
|--|--|
| Host Name (name of non-profit or religious institution) | |
| Mailing Address | |
| General Phone Number | |
| General Email Address | |
| Property Location/Address (if different from mailing address) | |
| Number of Expected Guest Vehicles | |
| Primary Contact Information for Overnight Sleeping Activities | |
| Name | |
| Phone Number | |
| Email Address | |

The Host must confirm the following statements are accurate by initialing the appropriate boxes and signing below:

| | |
|--|---|
| | I am an authorized agent of the above named Host, which is a religious institution <i>or</i> a community services use operated by a non-profit agency in the City of Portland. |
| | As Host, our institution or agency has reviewed, acknowledges, and will provide overnight sleeping options consistent with the "Guidelines associated with overnight sleeping activities" contained in Exhibit A of City of Portland Resolution 36891 . |

Signature: Authorized agent of Host

Date

Authorized agent printed name

Authorized agent title (if appropriate)

Please complete, print, initial and sign this form and submit it to the Portland Housing Bureau by scanning and emailing to ryan.deibert@portlandoregon.gov; faxing it to 503-823-2387; or mailing it to Ryan Deibert, Portland Housing Bureau, 421 SW 6th Ave, Suite 500, Portland, OR, 97204.