

# Encampment Resolution: Constitutional parameters and considerations

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# What are Encampments?

Encampments exist at the intersection of intractable issues, including:

- Affordable housing crisis
- Addiction crisis
- Mental health crisis

Oftentimes – but not always -- form within or adjacent to low-wealth neighborhoods, raising substantial equity issues

Image: The Wall Street Journal

# Legal Issues at Stake:

Implicates many constitutional rights:

Eighth Amendment

Fourth Amendment

Fourteenth Amendment

First Amendment

Because of this, advance  
coordination is critical for success

Image: 6abc Philadelphia

# 8<sup>th</sup> Amendment Considerations for all Encampments

- *Martin v. Boise*, 920 F.3d 584 (9th Cir. 2019)
  - 6 current/former homeless residents bring 18 U.S.C. § 1983 action regarding misdemeanor citations brought against them for camping outdoors and/or sleeping on public property
    - Sentenced to time served, with a few exceptions
  - 3 available shelters in the City:
    - 1 shelter is full almost every night, often has a waiting list, and often turns away people seeking shelter
    - 2 other shelters run by religious group which imposes a time limit on how long individuals stay unless individuals join the religious group.
  - After lawsuit filed, special police order that no arrest may take place if shelters are full

# 8<sup>th</sup> Amendment Considerations for all Encampments

- 8<sup>th</sup> Amendment prohibits cruel and unusual punishment
- “[C]riminal sanctions against homeless individuals for sleeping outdoors, on public property, when no alternative shelter is available to them,” violates the Eighth Amendment ban on cruel and unusual punishment. *Martin*, 920 F.3d at 604.
- Having to sleep on the streets is seen as an “involuntary” and “inseparable” condition of being homeless. *Id.* 616-17.
- Holding is “narrow:” “[S]o long as there [are] a greater number of homeless individuals in [a jurisdiction] that the number of available beds [in shelters],” the jurisdiction cannot prosecute homeless individuals for “involuntarily sitting, lying, and sleeping in public.” *Id.* at 617 (citing *Jones v. City of Los Angeles*, 444 F.3d 1118, 1136 (9th Cir. 2006) (vacated)). See also *Pottinger v. City of Miami*, 810 F.Supp. 1551, 1565 (S.D. Fla. 1992).

# 4<sup>th</sup> and 14<sup>th</sup> Amendments and Encampments

- 14<sup>th</sup> Amendment requires both pre- and post-deprivation notice
- 4<sup>th</sup> Amendment guards against “*unreasonable*” searches and seizures
- *Lavan v. City of Los Angeles*, 693 F.3d 1022 (9th Cir. 2012)
  - 9 homeless individuals, living in “Skid Row” district bring class action under 18 U.S.C. § 1983 alleging the City would remove and destroy their unattended property, without notice, when those individuals were in homeless shelters eating, bathing, or otherwise seeking aid or otherwise had to leave their property unattended.
  - City asserts local ordinance that prohibits leaving property unattended gave the City the police power to act unilaterally and without notice.

## 4<sup>th</sup> and 14<sup>th</sup> Amendments and Encampments

- “[G]overnment may not take property like a thief in the night; rather, it must announce its intentions and give the property owner a chance to argue against the taking. This simple rule holds regardless of whether the property in question is an Escalade or an [encampment], a Cadillac or a cart.” *Lavan*, 693 F.3d at 1032 (internal citations omitted).
- Court holds that ordinance, in and of itself, is insufficient to provide notice and that pre-deprivation notice must be given prior to depriving any citizen of their property.
- Unattended property of homeless persons is not “beyond the reach of the Constitution” and the government may not “seize and destroy [homeless individuals’ unattended property] with impunity;” instead Court extends Constitutional protections to “the worldly possession of a vulnerable group in our society.” *Id.* at 1033.
- Question of notice turns on whether property is abandoned versus merely unattended

# Abandoned versus Unattended Property

- *Pottinger* sets 9 factors to determine if the property is “unattended:” “(1) property belonging to homeless individuals is typically found in areas where they congregate or reside; (2) such property is reasonably identifiable by its nature and organization; it typically includes bedrolls, blankets, clothing, toiletry items, food, identification, and a means for transporting the property such as a plastic bag, cardboard box, suitcase or shopping car; (3) police officers and city workers assigned to the various areas where homeless persons congregate should be well aware of the appearance of such property; (4) homeless persons often make arrangements for other to watch property in their absence; (5) the homeless often arrange their belongings in such a manner as to suggest ownership – e.g., they may lean it against a tree or other object or cover it with a pillow or blanket; (6) by its appearance, the property belonging to homeless persons is reasonably distinguishable from truly abandoned property; (7) the loss of items such as clothes and medicine affects the health and safety of homeless individuals; (8) the prospect of such losses may discourage the homeless from leaving parks and other areas to seek work or medical care; and, (9) a homeless person’s personal property is generally all he owns; therefore, while it may look like ‘junk’ to some people, its value should not be discounted. *Pottinger*, 810 F.Supp. at 1559.



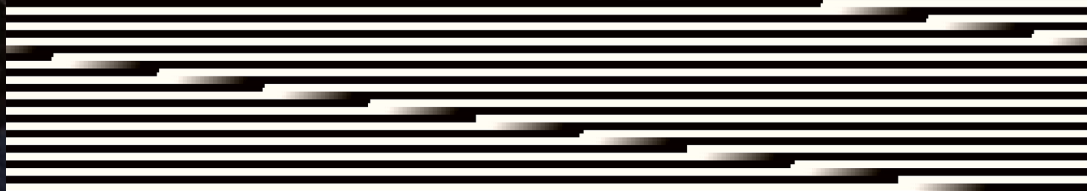
# Abandoned versus Unattended Property

- *Lavan* and *Pottinger* set standard that abandoned property may be disposed; unattended property is constitutionally protected.
- Distinguishing between unattended versus abandoned property turns on ‘totality of circumstances’ and whether a ‘reasonable municipal employee’ has a ‘reasonably objective belief’ that the property was abandoned as opposed to being merely unattended.
- Municipality can throw away trash and debris without notice.

# Abandoned versus Unattended?



# Abandoned versus Unattended?



# Abandoned versus Unattended?



# 1<sup>st</sup> Amendment Issues and Protest Encampments

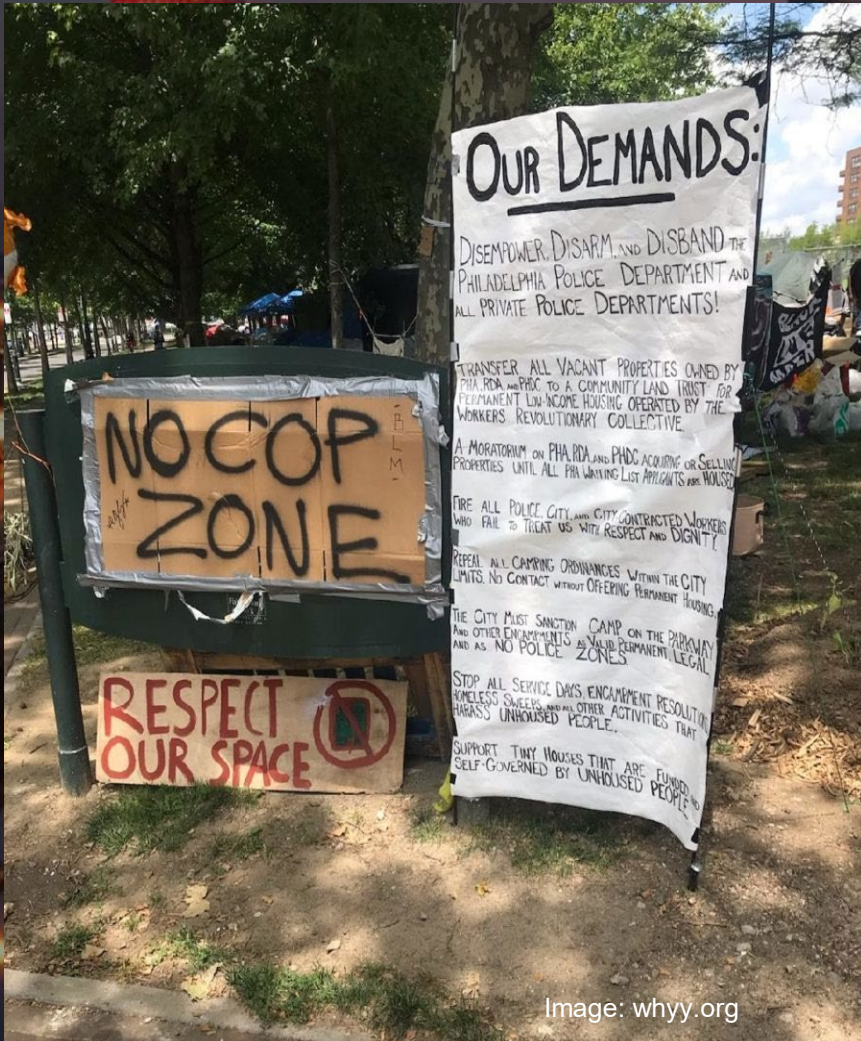


Image: whyy.org

Important 1<sup>st</sup> Amendment Inquiries:

1. Is the government's action 'content neutral?'
2. Is the enforcement narrowly tailored?
3. Is this a reasonable time, place, and manner restriction?

Client Concerns: What are the political, social, media implications of clearing the encampment?

# 1<sup>st</sup> Amendment Issues and Protest Encampments

The First Amendment does not “guarantee the right to communicate one’s views at all times and places or in any manner that may be desired.” *Heffron v. International Society for Krishna Consciousness, Inc.*, 452 U.S. 640, 647 (1981) *see also We’ve Carried the Rich for 200 Years, Let’s Get Them Off Our Backs – July 4<sup>th</sup> Coalition v. The City of Philadelphia*, 414 F. Supp. 611, 615 (E.D. Pa. 1976) (City’s denial of plaintiffs’ request to erect a 2,000 person tent-city on public property did not violate plaintiffs’ First Amendment rights, due to the “obvious considerations of health and safety” such a tent city would create).



Image: Philadelphia Inquirer

# Special Issues: Protest Encampments



What is the safety risk involved in clearing out an encampment? Will the encampment move to another nearby location? Protest encampment is less likely to voluntarily move. Will individuals who need services be able to obtain them? What if the protestors are preventing the unsheltered individuals from obtaining services? How is the press going to react?

# 1<sup>st</sup> Amendment Consideration: Providing/Distributing Food/Tents/Other Items

- *Chosen 300 Ministries, Inc. v. City of Philadelphia*, 2012 WL 3235317 (E.D. Pa. Aug. 9, 2012)
- City instituted City-wide ban that prohibited any individuals from distributing food in public parks without a permit and other hygiene requirements. Permitted distribution in one narrow space as a transition from no regulation to full ban;
- Several religious groups brought suit citing an infringement of their rights of association and exercise of religious freedom;
- Several evidentiary issues. Injunction entered because court finds Plaintiffs likely to succeed on merits.



# PHILADELPHIA ENCAMPMENT RESOLUTION PROCESS

## 1. Planning Phase

- Develop schedule of available resources, providers, and appropriate outreach teams
- Identify encampment and begin soft engagement via homeless outreach teams

## 2. Initiation Phase

- Begins at posting and continues until encampment closure and includes intense engagement from outreach teams, providers, peers, and other stakeholders in coordination with police
- Continued development of a by-name-list of the encampment area to help track individuals and their progression into housing and services

## 3. Sustainment Phase

- Following encampment closure, continued monitoring and engagement is necessary to increase the chances of successful outcomes of the target population (even if moved), and to help avoid individuals from cycling back to homelessness
- Continued review and monitoring of the by-name-list occurs weekly along with all appropriate stakeholders to ensure engagement around housing services

A city skyline at dusk or dawn, with buildings illuminated and their lights reflecting in a body of water in the foreground. The sky is a mix of orange, pink, and blue.

Legal Department support of the operating departments comes in two forms:

(1) Risk mitigation – providing counseling on planning and best practices along with advising on gathering evidence

(2) Litigation – often in the form of Temporary Restraining Order or Preliminary Injunction practice. Fast moving and in the public eye. Be prepared in advance.

# PLANNING PHASE: ENCAMPMENT RESOLUTION PROCESS

## ASK WHETHER MAJOR STAKEHOLDERS AND COLLABORATORS ARE COMMUNICATING

- For the City of Philadelphia, those stakeholders include:
  - Managing Director's Office (MDO)
  - City Law
  - Department of Behavioral Health and Intellectual disAbility Services (DBHIDS)
  - Office of Homeless Services (OHS)
  - Philadelphia Police Department (PPD)
  - Philadelphia Office of Emergency Management (OEM)
  - Philadelphia Streets Department
  - Philadelphia Community Life Improvement Programs (CLIP)
  - **Over 40 homeless services, housing, and behavioral health providers**

# PLANNING PHASE

Monday			Tuesday			Wednesday			Thursday			Friday		
			AM Clean up									AM Clean up		
Project Home Team 10:00AM - 12:00PM	Journey of Hope 10:00AM - 12:00PM	NET 10:00-11:30	Project Home Team 10:00AM - 12:00PM	CST Peers 10:00AM - 12:00PM	NET 10:00-11:30	Project Home Team 10:00AM - 12:00PM	NET 10:00- 11:30 & Outreach Nurse 10:00 AM - 12:00PM	ID Transport April /MagContact/ via Catch 10:00 Am	Project Home Team 10:00AM - 12:00PM	Net 10:00- 11:30	Project Home Team 10:00AM - 12:00 PM	Jefferson Doctors	Parkside 10:00- 11:30	
		Parkside 10:00- 11:30			Parkside 10:00- 11:30					Parkside 10:00- 11:30			Net 10:00- 11:30	
						Wound Care Mobile Clinic On-Site 12:00PM - 4:00PM								
									Wound Care Mobile Clinic On-Site TBD 11:00Am - 1:00PM					
PPP Team 4:00PM - 8:00PM			PPP Team 4:00PM - 8:00PM			PPP Team 4:00PM - 8:00PM			Journey of Hope 10:00AM - 12:00PM			PPP Team 4:00PM - 8:00PM		
NET 4:00-5:00			NET 4:00-5:00			NET 4:00-5:00			NET 4:00-5:00			NET 4:00-5:00		
												PPP Team 4:00PM - 8:00PM		
												NET 4:00-5:00		

PPP Outreach Team	<b>ADDITIONAL RESOURCES:</b>
ODAAAT/ Project Home	PPP CRAFT Team will be available Tuesday, Wednesday, and Thursday from 10:00AM - 2:00PM
Medical	CATCH Transport will be available Monday - Friday, 10AM - 9:00PM Via Dispatch services, Joe Mastrobriuni, 215 462-6510 -TBD
ID Services	Merakey Parkside - Team will be out daily to engage with outreach Pick up for intake by calling 1-866-647-0007, 9am - 5pm ( OP methadone, Suboxone, Vivitrol )
Other	NET: 499 N. 5th Street, M- F- 9:30 - 10:30 and 1:00 - 2:00, Dawn Williams, 215 397-0050
Peers	Media Request - Refer to Alicia Taylor - 215 686-0334
	CST Peer Supports - Tuesday 9:30 - 12:00 and Wednesday 10:00am - 12:00 noon
	ID location - TBD
	<b>OUTREACH CONTACT NUMBERS:</b>
	Project home team - 215 783-0012, Odaat team- 267-972-5850, PPP team - 267-357-1014

10/3/2018

Please Note- Meet up Location will be at Frankford and Lehigh

# Initiation Phase: Example of Posted Pre-Deprivation Notice

## NOTICE

You are not authorized to use the 3200 block of Kensington, 1800 block of Hilton Street, the 1800 block of Allegheny Avenue, and the 800 block of East Allegheny or any other place in the neighborhood known as Kensington to erect a tent or other structure, or to otherwise encamp or stay, at this location. The conditions violate Philadelphia Code Titles 4, 6, 10-611 and 14. These conditions that violate the Philadelphia Code are described in more detail below in this notice.

**You must remove your property and leave this location by no later than June 16th, 2021 at 9 a.m. Occupying this space after June 16th, 2021 at 9 a.m. is not permitted.**

If you would like to seek assistance from the City of Philadelphia in finding alternative shelter, medical assistance, or other treatment, please call: Homeless Outreach anytime at 215-232-1984 or the Department of Behavioral Health and Intellectual disAbility Services member hotline at 888-545-2600. If you do not have access to a telephone, you may reach the City by going to 1430 Cherry Street or 804 North Broad Street, Monday-Friday, 7AM -5PM. Services can also be accessed at the PAD Service Hub at 707-711 E. Allegheny Avenue from 8am to 12am.

This encampment and the conditions in and around the encampment violate the Philadelphia Code, create a public nuisance, and otherwise endangers the life, health, safety, and welfare of the encampment residents, the surrounding community, and the general public for the following reasons:

CODE SECTION, REGULATION, OR PUBLIC NUISANCE CONDITIONS	SHORT DESCRIPTION OF CONDITIONS OBSERVED
Title 4	Tents and other structures may not be erected without first obtaining all permits, inclusive of building and zoning permits, and certificates of occupancy.
Title 6	The Philadelphia Police Department has indicated the presence of human waste, discarded needles, debris and trash. Discarded needles can lead to individuals being inadvertently pricked and the spread of disease. In addition, human waste, debris and trash can lead to the spread of disease and/or additional infestations. Such conditions are deleterious to the public health, safety, and welfare.

WRITTEN NOTICE FIRST DISTRIBUTED ON: May 5, 2021  
WRITTEN NOTICE FIRST POSTED: May 5, 2021

Title 10-611	Individuals are unreasonably obstructing sidewalk access with tents and/or structures. The tents and/or structures unreasonably and significantly impede and/or obstruct the free passage of pedestrians. Members of the public are unable to navigate the sidewalk by foot or wheelchair without entering the street, which puts the public in danger of being struck by a vehicle.
Title 14	The locations noted above are not zoned for outdoor living accommodations.
Public Nuisance Activity	Multiple and repeated complaints of human waste and needles impacting neighborhood residents, local businesses, and nonprofits. In fact, the area has had to be repeatedly cleaned to remove human waste and discarded needles. Repeated complaints of public drug use. The tents are obstructing access to the garden, and are preventing the development of a butterfly garden that would serve as a community amenity.

The conditions pose an immediate hazard and danger to the life, health, safety, and welfare of the individuals in the tents, the nearby residents, local businesses, first responders, and the public at large. Immediate compliance is necessary to protect the public health, safety, and welfare.

You must remove your property and personal belongings and leave this location as soon as possible but by no later than **June 16, 2021 at 9:00 a.m.** Abandoned property, property deemed hazardous, and debris remaining at this location will be removed by the City of Philadelphia on **June 16th, 2021 at 9:00 a.m.**

Non-hazardous personal belongings and personal property, as designated by the City of Philadelphia in accordance with the chart below, will be stored by the City for no more than 30 days. All stored personal belongings and personal property not retrieved within 30 days will be considered abandoned and will be disposed of permanently. Debris and property deemed a hazard to the public health, safety, or welfare will be destroyed immediately. Examples of personal belongings and personal property versus examples of debris and hazardous property are as follows:

WRITTEN NOTICE FIRST DISTRIBUTED ON: May 5, 2021  
WRITTEN NOTICE FIRST POSTED: May 5, 2021

## Notice should include:

- Description of conduct that is problematic and how it negatively impacts life/safety, citing applicable ordinances;
- Date and time conduct must cease/encampment will be resolved;
- Where individuals can go to get help;
- Description of how municipality will handle property found on site (consider offering storage)

PERSONAL BELONGINGS/PROPERTY	DEBRIS AND HAZARDOUS PROPERTY
<ul style="list-style-type: none"><li>• Tents</li></ul>	<ul style="list-style-type: none"><li>• Unsanitary or infested clothing, bedding, or tents and other items determined by the City to be a threat to public and/or municipal workers' health, safety, or welfare</li></ul>
<ul style="list-style-type: none"><li>• Stoves and grills</li></ul>	<ul style="list-style-type: none"><li>• Newspapers and cardboard</li></ul>
<ul style="list-style-type: none"><li>• Pots, pans, and cooking utensils</li></ul>	<ul style="list-style-type: none"><li>• Loose paper and plastic debris</li></ul>
<ul style="list-style-type: none"><li>• Medicine</li></ul>	<ul style="list-style-type: none"><li>• Food or other perishable items</li></ul>
<ul style="list-style-type: none"><li>• Sleeping bags and blankets (must be sanitary and not infested)</li></ul>	<ul style="list-style-type: none"><li>• Garbage</li></ul>
<ul style="list-style-type: none"><li>• Clothing (must be sanitary and not infested)</li></ul>	<ul style="list-style-type: none"><li>• Empty cans, bottles, and scrap metal</li></ul>
<ul style="list-style-type: none"><li>• Backpacks</li></ul>	<ul style="list-style-type: none"><li>• Combustibles</li></ul>
<ul style="list-style-type: none"><li>• Hand-held tools</li></ul>	<ul style="list-style-type: none"><li>• Drug paraphernalia</li></ul>
<ul style="list-style-type: none"><li>• Personal transport device</li></ul>	<ul style="list-style-type: none"><li>• Shopping Carts</li></ul>
<ul style="list-style-type: none"><li>• Vital documents, files, and folders</li></ul>	

# Initiation Phase: How Property Will Be Distinguished

PERSONAL BELONGINGS/PROPERTY	DEBRIS AND HAZARDOUS PROPERTY
<ul style="list-style-type: none"><li>• <b>Tents</b></li><li>• <b>Stoves and grills</b></li><li>• <b>Pots, pans, and cooking utensils</b></li><li>• <b>Medicine</b></li><li>• <b>Sleeping bags and blankets (must be sanitary and not infested)</b></li><li>• <b>Clothing (must be sanitary and not infested)</b></li><li>• <b>Backpacks</b></li><li>• <b>Hand-held tools</b></li><li>• <b>Personal transport device</b></li><li>• <b>Vital documents, files, and folders</b></li></ul>	<ul style="list-style-type: none"><li>• <b>Unsanitary or infested clothing, bedding, or tents and other items determined by the City to be a threat to public and/or municipal workers' health, safety, or welfare</b></li><li>• <b>Newspapers and cardboard</b></li><li>• <b>Loose paper and plastic debris</b></li><li>• <b>Food or other perishable items</b></li><li>• <b>Garbage</b></li><li>• <b>Empty cans, bottles, and scrap metal</b></li><li>• <b>Combustibles</b></li><li>• <b>Drug paraphernalia</b></li><li>• <b>Shopping Carts</b></li></ul>

# Outreach Workers at Work



Image: Office of Homeless Services



# PHILADELPHIA ENCAMPMENT RESOLUTION RESOURCES PRESENT

- **Homeless Outreach Teams**

- Project Home, Prevention Point Philadelphia (PPP), One Day At A Time (ODAAT)

- **NARCAN**

- Distribution and administration
- All resources present at the encampments trained in overdose reversal / NARCAN administration

- **Peer Support**

- Journey of Hope (JOH) – Alumni & Consumer Satisfaction Team (CST)

- **Treatment Providers**

- Journey of Hope (JOH), Merakey, North East Treatment (NET), Pathways to Recovery, Gaudenzia, Clean Slate

- **Mobile Medication Assisted Treatment (MAT)**

- Prevention Point Philadelphia (PPP) – MAT inductions on the street

- **Transportation Services**

- Citizens Acting Together Can Help (CATCH)

- **Case Management**

- DBH Targeted Case Management Unit (TCM)
- Community Treatment Teams (CTT), Behavioral Health Special Initiative (BHSI)
- Pathways Housing First
- RHD FASST Connections

- **Wound Care**

- Prevention Point Philadelphia (PPP)

- **SUD Assessment Center**

- North East Treatment (NET), Kensington Hospital, Temple Crisis Response Center (CRC)

- **Identification Services**

- One Day At A Time (ODAAT), Prevention Point Philadelphia (PPP), Consumer Satisfaction Team (CST) Peers

- **Medical Staff**

- Jefferson Hospital, Project Home, Philadelphia Health Management Corporation (PHMC), Pathways to Housing PA

# PHILADELPHIA ENCAMPMENT RESOLUTION PILOT RESOURCES PRESENT

- **Coordinated Response and Assessment for Treatment (CRAFT)**

- Staff from local funding sources for SUD treatment (i.e. Community Behavioral Health – for Medicaid eligible individuals ; Behavioral Health Special Initiative – for uninsured Philadelphia residents)

- **Veterans Services**

- **Navigation Center**

- Prevention Point Philadelphia (PPP)
- Ability to accept couples and pets
- Ability to store individual's tents and belongings

- **Low Barrier Engagement Beds**

- One Day At A Time (ODAAT), Prevention Point Philadelphia (PPP)

- **Women's Drop In Center**

- New Day – Salvation Army

- **Journey of Hope Project - Engagement**

- Journey of Hope Leadership and Alumni Team

- **DBHIDS Special Initiatives Team (SIT)**

- **Medical Respite**

- Philadelphia Mental Health Center (PMHC)

- **Assistance with Treatment Barriers**

- Community Behavioral Health (CBH)
- Behavioral Health Special Initiatives (BHSI)

- **Community Advocates**

- Various local grassroots organizations

# Police Engagement

- Use of bodycams and routine stops helps document conditions over time and can inform whether notices must be re-posted.
- Also can engage in wellness checks of individuals within the encampment and get critical care to individuals as soon as possible.
- Forming relationships with encampment residents can help lead to peaceful resolution



# Sustainment

- Post-deprivation notice telling residents where they can retrieve possessions is important
- How often do you monitor after an encampment is removed?
- What happens if the encampment comes back?
  - Does it matter if the notices are still posted?
  - Does it matter if the people who returned are the same people who were told to leave?



# Can a Municipality Ever Enforce?

- *Murray v. City of Philadelphia*, 481 F.Supp 461 (E.D. Pa. 2020)
- Five unsheltered individuals sought to enjoin the City of Philadelphia from moving an encampment that was a mixed of unsheltered individuals and protestors who were protesting, amongst other things, the City's and Housing Authority's respective housing policies
- City posted the locations with notices stating date/time for enforcement action, factual basis for enforcement (e.g.: ordinance violation/conditions creating a public nuisance) legal authority for enforcement; places individuals could get assistance; and stated how personal property would be handled (e.g.: take it with you, store it with the City at no expense for 30 days, and abandoned property/debris would be disposed of at City's discretion)

# Can a Municipality Ever Enforce? *Murray continued*

- Plaintiffs asserted City acted outside of police powers and violated their rights under the 1<sup>st</sup>, 4<sup>th</sup>, and 14<sup>th</sup> Amendments. Plaintiffs also asserted they had protections under the ADA. Finally, Plaintiffs asserted that by making Plaintiffs enter a shelter, the municipality was creating a “state created danger”
- In referencing the preliminary injunction standard, Court rejected each and every one of Plaintiffs’ claims.
- Keys to success:
  - City acknowledged that systemic poverty, housing insecurity, and plight of homeless is a nationwide problem; however, argued it is not a matter for the federal courts to decide. City also came prepared with evidence of the resources it had put in place to attempt to reduce homelessness and housing insecurity.

# Can a Municipality Ever Enforce? *Murray continued*

- More keys to success:
  - First Amendment: City had evidence that put the regulation squarely in time, place manner restriction (e.g.: protestors could protest anywhere, just not by encamping)
  - Fourth and Fourteenth Amendment: City's posted notice and pre-deprivation notice were crucial to defeating these claims
  - ADA claims: Plaintiffs asserted but had no proof that City shelters were non-compliant with ADA requirements
  - State created danger claim: Plaintiffs asserted City shelters were "dangerous" based on anecdotal stories. City witnesses countered narrative. City also crossed Plaintiffs witnesses on whether they would accept shelter, which Plaintiffs denied.
  - Compelling testimony from neighbors regarding conditions in neighborhood caused by the encampment.


## Litigation Practice Tips

- Know your injunction standard and how the facts fit for each prong
- Know your evidence. Pictures help a LOT. Find out what materials/information stakeholders have gathered over time.
- Community support helps a LOT. Consider whether they can provide testimony or affidavits for a counternarrative.
- Constant communication and collaboration between litigators and client stakeholders will save you from litigation headaches.



# Encampment Policy?

- Pay special attention to definitions.
- Describe all actions that the municipality will take with specificity both on enforcement and social service side.
- Describe how and when a municipality will engage in enforcement. For example, if an encampment just formed, can you remove it immediately? How fast can the municipality move if the encampment has been there a month or more?
- Consider including model pre- and post- deprivation notices.
- Consider building in information gathering documents for your clients that remind them to take pictures and gather needed facts.
- Remember: this document could become your best evidence in a hearing.

A photograph of a city skyline at dusk, with buildings and lights reflected in a body of water. The sky is a mix of orange and blue. A road with light trails is visible on the left side of the image.

Thank you! Questions?