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Homeless Encampment Reference Guide

At the June 20, 2013 meeting of the Illegal Dumping Technical Advisory Committee (IDTAC), the members decided to develop an outline for a homeless encampment guide that could be added to the Illegal Dumping Toolbox found on the CalRecycle website. Although all aspects of waste at homeless encampments were discussed during the meeting, it was subsequently determined that the guidelines should concentrate on solid waste management. CalRecycle staff presented the draft reference guide at the November 13, 2013 IDTAC meeting, and the members agreed to continue developing the reference guide, with a goal of presenting the completed document for IDTAC review at their March 2014 meeting.

The following Homeless Encampment Reference Guide focuses on solid waste management, but also recognizes that other forms of wastes, including hazardous, medical, and liquid, are routinely found in the encampments. The guidelines are intended to provide an overview of the options available to governmental agencies and private individuals to manage solid waste in existing encampments, to abate solid waste in encampments in the process of closure, and to prevent the reoccurrence of solid waste accumulation in the closed and abated encampments. The reference does not address the medical, social and political issues that are associated with homeless encampments, nor does it discuss how all of the issues can be incorporated into the overall management of homeless encampments.

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Introduction to Homeless Encampment Issues

Homeless People--[People who Live without a Permanent Dwelling](#)

- [Sheltered homeless persons](#) are people who are staying in emergency shelters, transitional housing programs, or safe havens.

- [Unsheltered homeless persons](#) include people who live in places not meant for human habitation, such as the streets, campgrounds, undeveloped properties, abandoned buildings, vehicles, or parks.
- [Homeless encampments](#) are locations where one or more homeless people live in an unsheltered area. These encampments can be found on properties owned by private individuals or companies or owned by local, state, and federal governmental agencies. Local administrative codes, such as in the [City of Fresno](#), establish a clean-up threshold for homeless encampments once they house “10 or more people for 10 or more days”.
- The U.S. Department of Housing and Development document entitled “[The 2012 Point-in-Time Estimates of Homelessness](#)” found that California accounted for more than 1 in 5 homeless people in the United States. Specifically, 20.7% of the national totals of 633,782 people or 131,193 homeless people were found to be in California.
- Residents of homeless encampments have needs that include:
 - Provision of social, public and mental health services;
 - Stability, storage and safety;
 - A functional organization to lead, guide and regulate encampments; and
 - Availability of public and/or transitional housing.
- [Minimum provisions and/or standards](#) for encampments include:
 - Potable drinking water connections;
 - Solid waste disposal;
 - Human waste disposal provisions;
 - Outdoor fire or burning standards;
 - Safe electrical systems; and
 - Structures and bedding of fire resistant materials.

Property Ownership—Public versus Private

- The decision to allow or disallow homeless encampments on public property is made by the local, state, and/or other governing agencies. Operating [regulations](#) and policies are set by local and state codes and, if permits are required, they are issued by the governing agency.
- The decision to allow or disallow homeless encampments on private property is made by the property owner. The property owner is responsible for obtaining any permits required for the encampment, and the regulatory standards are set by local and state codes.

Enforce or Facilitate—A Local Decision

- Local governmental agencies, as well as state and federal agencies, may abate homeless encampments on public property by using existing statutes and local housing, health and safety, water, and penal codes to order the residents to the encampments to leave and then summarily abate the wastes that remain. The failure of the responsible party to [abate a public nuisance](#) can be prosecuted as a misdemeanor, and the court can also order abatement of the nuisance. The private property owner can use the same codes to initiate abatement of homeless encampments on their property, and/or the local governmental agencies can order the property owner to abate the encampments.
- Local governmental agencies may facilitate temporary or permanent homeless encampments by [adopting local codes](#) that define the zoning and land use permit requirements for encampments define administrative standards, require compliance with health and safety standards, and terms for issuing and/or revoking the required permit(s). State and federal agencies do not facilitate unregulated encampments.

Program Management

- Whether physically abating a homeless encampment, implementing and maintaining minimal health and safety standards prior to abatement, or overseeing the operation of a permitted homeless encampment, there are a myriad of local governmental agencies and nonprofit organizations involved in the delivery of services to homeless encampments.
- Services range from posting abatement orders and physically removing homeless peoples to providing and collecting solid waste containers. The [Additional References](#) section of this guide contains a discussion list of many of these entities.
- Whether city government, county government, or city and county government are involved with a homeless encampment within a geographic area, the governing agency should designate the lead administrative entity. In addition, the [supporting entities](#) and their roles should be identified, and policies and procedures for the homeless encampments should be developed.
- The lead agency should review the existing legal authorities for the participating entities and adopt additional codes or regulation when needed.

Environmental Justice

- California State law defines [environmental justice](#) to mean “the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation and enforcement of environmental laws, regulations and policies”.
- Reactions to homeless encampments have been varied, both within the general public and between local governments. Some individuals point to tent cities (homeless encampments) as a sign of ingenuity and innovation. Others point to

the inability of local governments to contend with and provide for their homeless populations and the injustice of leaving the homeless to live in substandard conditions. Still others emphasize the blight and nuisance that homeless encampments can bring upon surrounding neighborhoods.

Solid Waste Management

Health and Safety Implications

Homeless people generate solid waste during their daily activities of food preparation and consumption, shelter building and maintenance, storing their possessions, eliminating unwanted materials, and gathering recyclable materials of value. The resulting piles of trash become harborages and food sources for vectors and related pathogens, sources of odors, fuel for fires, unattractive nuisances to the public, an attractive nuisance for salvagers, and potential sites that can cause bodily injuries.

Solid and Related Wastes Found at Homeless Encampments

- **Garbage**-Animal and vegetable waste resulting from the handling, preparation, cooking and serving of foods. Unless collected for alternative processing, garbage at encampments is best handled by collection and disposal at a legal landfill.
- **Human and Animal Biological Wastes**-Homeless encampments often lack sanitary facilities where the residents can dispose of their own fecal wastes as well as dispose of fecal wastes from pet animals that reside with the residents. Lacking proper collection and disposal, fecal wastes can contaminate ground and surface water supplies, transmit diseases, and produce offensive odors.
- **Combustible and Noncombustible Rubbish**
 - **Combustible**-Discarded materials that are ignitable, and can be used as a heat source for an encampment or burned to reduce the volume of the waste. Examples of combustible rubbish include wood, paper, and discarded bedding and clothes.
 - **Noncombustible**-Waste materials that are not ignitable, including metals, cans, glass and dirt.
- **Recyclables**-Waste materials that still have a financial value and are either generated after use in an encampment or collected by residents while they are away from the encampment. These materials remain at the encampments until they can be redeemed or sold. Included in this category are beverage containers that have a [California Redemption Value](#) (CRV) and metals such as copper and brass that can be sold to metal recycling firms.
- **Non-CRV Recyclables**-Recyclable materials including food containers and plastic packaging that are recyclable but do not have a redemption value. Included in this category are plastic and glass containers that have a triangular

recyclable insignia on them and can be sold to a recycling center on a “by the pound” basis. To be recycled, these wastes must be separated from containers with a CRV. As CRV redemption procedures have been recently changed to reduce co-mingling of non-CRV materials with CRV materials, additional piles of non CRV materials in encampments can be anticipated.

- **Waste Tires**-Discarded tires that are recyclable but do not have a redemption value. Tire dealers collect a per tire disposal fee that supports the [CalRecycle Waste Tire Program](#), and the program reimburses licensed tire haulers collecting waste tires and transporting them to tire recycling facilities or to landfills. Individuals collecting waste tires can legally transport nine tires to a landfill or transfer station, but the solid waste facility operator may charge a per tire fee for the disposal. Some county and city public works departments abate waste tires from roadsides and properties near roadsides, managing the service in accordance with the statutes and regulations of the CalRecycle Waste Tire Program. Without financial incentive, waste tires often remain in homeless encampments. Waste tires in encampments are sometimes burned for a heat source, which can result in wild land fires.
- **E-waste**-Discarded items such as televisions and cell phones that contain chemicals that cannot be landfilled but are recyclable. Supported by point of sale disposal fees [administered by CalRecycle](#), e-waste recycling firms do not charge for the recycling/disposal of the individually owned units and the owners are not charged a disposal fee. However, most residents of homeless encampments cannot easily access e-waste drop off sites, so the units remain in their encampments.
- **Household Hazardous/Special Wastes**-[These wastes include](#) containers of fuel, paints, batteries, ammunition, and insecticides that require separate handling and disposal from the normal solid waste disposal stream. All of these wastes are commonly found in homeless encampments, and some may be used for fire starting and/or a heat source.
- **Medical Wastes, Sharps Waste and Pharmaceutical Wastes**-Including products used in the diagnosis, cure and treatment of disease, products used to penetrate the skin for delivering medication, and pharmaceutical prescriptions, these wastes are generated at homeless encampments and are regulated as home-generated wastes. These wastes should be collected and disposed of in compliance with the program statutes ([Sections 117671, 117690, 117904, and 118147](#) of the California Health and Safety Code). Collection and disposal programs for these home based programs are readily available, but the implementation of these services at homeless encampments is difficult.
- **Used Oil**-Containers of used oil are common at encampments, and may be collected by the residents as a potential income source. Individuals can take containers of used oil to [CalRecycle funded handling facilities](#), but the facility owner will not pay individuals for the oil and may charge fees for recycling the oil.

- **Abandoned Vehicles**-Residents whose vehicles become inoperative may salvage what parts of the vehicle that can be reused or easily recycled, but the remaining vehicle body is expensive to remove for recycling.
- **Dead Animals**-Residents of encampments often have animals that live with them, and the death of an animal is not uncommon. Proper disposal of dead animals is usually burial or cremation, neither of which can be easily accomplished in an encampment.

Management of Solid Waste in Existing Encampments

The decision and subsequent process to close and abate homeless encampments is time consuming and labor intensive. Local government needs to address the management of solid waste in encampments that will continue to be generated while the encampment is in the closure process as well as the abatement of solid waste that remains in the encampment subsequent to its closure. Management of solid waste in encampments includes:

- Provision of collection containers for solid waste. Ideally these containers should be large enough that residents cannot easily relocate the containers and can be secured by locking lids. Containers without locking lids will provide access to the refuse for scavengers and animals, while locking the containers at set times can reduce the use of the containers. In addition, locking and unlocking the lids at set times requires a responsible party for completing the process. Some jurisdictions have provided dumpsters for homeless encampments, but find that the general public often utilizes the dumpsters for disposal of waste. It is suggested that collection containers be self-leveling, and bear proof when appropriate.
- Scheduled collection and disposal of containerized waste. Weekly pickup of waste is needed to minimize fly breeding, while more frequent pickup will reduce scavenging from the containers. Consideration of the provision of a dumpster on a one day per week basis could encourage homeless peoples to dispose of their refuse correctly while minimizing the responsibility for security of the dumpster.
- Provision of services for the collection and disposal of special wastes. These wastes include hazardous wastes, tires, medical waste, and pharmaceuticals.
- Provisions for collection of recyclable wastes. Residents of encampments often spend time during their days collecting CRV containers that can be redeemed for money and then taking their materials to recycling centers for payment. Provision of scheduled recycling services at homeless encampments could be a consideration.
- Utilizing residents of an encampment to help manage the collection of solid waste from their encampment. Encampments often have residents who are willing to be leaders, and some jurisdictions provide stipends to these leaders who oversee the solid waste management in an encampment.

Abatement of Solid Waste in Closed Encampments

Once the residents of an encampment have been removed or relocated, a procedure for removing the remaining wastes should be developed. A triage approach to waste removal that includes the following should be considered:

- Develop a process to identify and store remaining personal belongs in the encampment. This process should be legally defensible, and insure the residents' access to their stored belongs. The City of Fresno, the City of Berkeley, and the City of Richmond have policies on the storage of possessions.
- Identification and removal of hazardous and special wastes
- Removal of recyclables that are not owned by residents
- Removal of remaining solid wastes. In each case, the entity that will identify and remove these wastes should be determined and committed prior to initiating the abatement project. Local abatement agencies should consider utilizing on-call master service agreements with contractors for assistance in cleanups. These contracts can be specifically for removal and disposal of hazardous, liquid/fecal, and medical wastes and they enable the local agency to complete removal of waste requiring special handling in a timely manner. Should a community decide to perform a volunteer cleanup of an encampment, the volunteers should receive a health and safety briefing that includes the provision and use of personal protective equipment before initiating the project.

Management of Solid Waste in Permitted Encampments

Solid waste management provisions should be included in the local government use permit, and should be sufficient to prevent littering of the encampment with rubbish, garbage or other wastes. Suggested inclusions for management are:

- Secure six-foot high fencing around perimeter of the encampment
- Secured area for solid and special waste collection containers
- Provision of securable container lids and securing them on a nightly basis
- Scheduled collection of materials in waste containers
- Facilitation of recycling services for residents, including reimbursement for recyclables
- Utilization of resident management of solid and special wastes
- Facilitation of encampment clean-ups by residents
- Provision of opportunities for encampment residents to be involved in neighborhood clean-up events
- Utilization of advance agreements with property owners to routinely cleanup encampments on their property should be considered.

Prevention of Illegal Dumping at Closed Encampments

Once a homeless encampment is closed and all solid waste is removed, that does not mean that the encampment will not reoccur in the same location. During the [June 20, 2013 Illegal Dumping Technical Advisory Committee meeting](#), several participants indicated that they see a 3 to 5 year cycle of encampments restart in a closed location. To prevent the reoccurrence of closed encampments, the following should be considered:

- Complete an analysis of what factors made the site attractive. Was the site secluded from public view? Were there trees, underbrush, abandoned structures, that served as protection from visibility and/or shelter from the elements? Was water (potable and/or non-potable) readily available? Was the site under routine enforcement agency surveillance? This type of analysis can then be used to develop measures to prevent reoccurrence of the encampment.
- Develop a [mapping system](#) for active homeless encampments and closed encampments. Incorporate the map system into a routine surveillance program.
- Remove the underbrush from closed encampments to make the site more visible.
- Use community organizations and volunteers to identify public areas that need to be cleaned of rubbish/illegal dumping and then perform community clean-ups of the mapped locations.
- Fence and post private property to reduce trespassing and to identify what actions may be taken against trespassers.
- Maximize illegal dumping enforcement and abatement in closed encampment sites.
- Adopt a three pieces of [evidence code](#) for use in illegal dumping enforcement and abatement. Such codes define the legal standard for ownership of material that is illegally dumped and authorizes the enforcing jurisdiction to require the identified owner to abate the nuisance or face prosecution.

Funding of Solid Waste Services

- **Solid Waste Collection Fees**-Residential, commercial, and industrial facilities pay monthly fees to the private or public entity providing the collection and disposal service. The cost of removing and disposing solid waste in homeless encampments that are being abated could be provided by appropriate collection services and the cost absorbed as part of the fees being charged generators. Jurisdictions should discuss the use of the collection fees for cleanup of homeless encampments with legal counsel prior to utilizing this option.
- **Tipping Fees**-The fees collected at transfer stations and landfills from individual residential or commercial haulers could be used to support the cost of removing solid waste from homeless encampments. As with collection fees, this option should be discussed with counsel before using the fees to support cleanups of homeless encampments.

- **Franchise Agreements**-Counties and cities are authorized to enter into solid waste agreements with private haulers that result in the haulers having exclusive rights to collection from facilities in a specific geographic area. These agreements are often accompanied by local ordinances mandating solid waste collection from residential dwellings and commercial structures. [Some local jurisdictions](#) have now included abatement of illegal dumping sites on public property as well as removal of solid waste from homeless encampments within the requirement of the franchise agreements. The franchise agreements may also require the provision of services in community cleanup days, which could include homeless encampments on public properties.
- **Program Permit Fees**-Most regulatory programs at the local level charge permit fees to support the program. These permits are normally seen in the hazardous materials programs, local solid waste oversight programs, stormwater management programs, and building permit agency programs. As these programs are often involved in abatement of homeless encampments, use of the permit fees to support the staff costs in homeless encampment abatement could be appropriate.
- **General Fund Monies**-Local Boards of Supervisors, City Councils, and Special District may choose to budget revenue from taxes to support homeless encampment abatement activities.
- **Clean and Lien Authority**-Property owners are sometimes unwilling to address the problem of abating homeless encampments on their property. The [clean and lien authority](#) enables the enforcing agency to cleanup materials that are illegally dumped on private property, whether or not caused or allowed by the property owner, and then recover the costs by placing a tax lien on the property. Local jurisdictions using this administrative authority also need to identify a source of funds to pay for the removal until the costs can be recovered through the tax lien. Examples of clean and lien authority of some jurisdictions:
 - Riverside County Code [Chapter 8.120--Rubbish Accumulation on Property](#)
 - Contra Costa County Code, [Title 1, Section 14-6.434-Notice of Assessment and Abatement Lien](#)
 - Humboldt County Code, [Title III, Division 5--Abatement of Public Nuisance](#)
 - Butte County Code, Chapter 32A-2(e)-Property Maintenance and Abatement
 - San Bernardino County Code, Title 3, Division 3, Chapter 3-Public Nuisance
 - City of Los Angeles Code, Chapter V, Article 8, Nuisances
 - City of Redding Code, [Title 1, Chapter 15-Abatement](#)
- **Volunteer Organizations**-Organizations that are funded by grants, foundations, endowments, and donations are often willing participants in abatement of and/or management of homeless encampments. Foundations such as the [San Diego River Park Foundation](#), the [American River Parkway Foundation](#), and the [Los](#)

[Angeles River Park Foundation](#) have ongoing services that include coordination with local authorities to abate homeless encampments. Organizations such as [Keep California Beautiful](#), [Surfriders Foundation](#), [Heal the Bay](#), and the [Monterey County Illegal Dumping Task Force](#) have programs that involve the cleaning of waterways and public property, and these activities can include collecting and removing solid waste encountered in homeless encampments.

- **Grants**-Some grant monies from state agencies can be used to abate homeless encampments if the situation meets the grant criteria. Included in these grants are:
 - [CalRecycle Farm and Ranch Grant Program](#),
 - [CalRecycle Illegal Disposal Sites and Landfill Cleanup and Remediation Matching Grants Program](#),
 - [CalRecycle Household Hazardous Wastes Discretionary Grants Program](#),
 - [California Conservation Corps Grant Programs](#), and
 - [Water Resources Control Board Stormwater Management Grant Program](#)

Existing Codes and Polices on Solid Waste Management

State statutes found in the Public Resources Code, Vehicle Code, Penal Code, Health and Safety Code, and Fish and Game Code provide codes that can be applied by governmental agencies to abate solid waste in homeless encampments, and these codes are often supplemented by local codes. The State Codes specifically address dumping and littering, discharges to water ways or streams, public nuisances, and disposal, leaking, spilling and abandonment of hazardous wastes, while local codes can include:

- Mandatory Solid Waste Collection Requirements:
 - Contra Costa County Code [Title 4, Chapter 418-6](#)
 - Kern County Code [Title 8, Chapter 8.28.060](#)
 - Sacramento County Code [Title 6, Chapter 6.20.120](#)
- Evidence of Ownership Codes:
 - Butte County Code, [Chapter 49-2.a.4.c-Unlawful Dumping](#)
 - Mendocino County Code, [Title 8, Section 8.75.040\(D\)](#)
- Clean and Lien Authority:
 - Contra Costa County Code, [Title 1, Section 14-6.434](#)
 - City of Redding Code, [Title 1, Chapter 1.15-Abatement of Properties](#)
 - County of Butte Code, [Chapter 32A-2\(c\)-Property Maintenance and Abatement of Nuisance](#)
- Requirements for Fencing and Barriers:
 - Contra Costa County Code, [Title 7, Chapter 720-4.802](#)

- [City of Fresno](#)
- Requirements for Franchise Waste Haulers
 - [El Dorado County](#)

Although not included in the CalEPA Reference Guide on State Environmental Statutes, Section 373a of the Penal Code defines the sanctions for a person failing to abate a public nuisance. Violations of these laws can be criminally prosecuted, and cleanup and remediation of encampment sites can be ordered as a term of probation, which would put the offender under court supervision to clean up the site or else face a violation of their probation.

Property Standards

Whether the decision is to close and abandon a homeless encampment or allow the encampment to exist as a regulated facility, the justification is based on the finding that the property has or has not been maintained in an acceptable manner or the adherence to established health, safety and fire standards would allow the property to be maintained in an acceptable manner. The regulation of the use of property requires local codes and ordinances that define acceptable uses of the property, provide authorities to require property owners to abate the unacceptable uses of the property or for the local governmental agencies to initiate those acts, provides authorities and processes to remove the individuals or groups causing the property violations, and recognizes the rights and responsibilities of the occupants of the encampments.

Abatement of Homeless Encampments

- **Nuisance Abatement Codes**-An order to abate is usually based on the declaration of a public nuisance occurring at a homeless encampment, specifies the abatement actions to be taken by the property owner and/or the local enforcing agency, and defines the authorities of the enforcing agency. For example, the City of Redding's Code of Ordinances, [Title 1, Chapter 1.1.5](#) contains definition of substandard buildings, specification of public nuisances, violations and abatement processes. Additional examples of local nuisance abatement codes are found in:
 - Contra Costa County Code, [Title 7, Division 729-Community Preservation](#)
 - Riverside County Code, [Chapter 8.120-Rubbish Accumulation on Property](#)
 - Humboldt County Code, [Title III, Division 5-Abatement of Public Nuisances](#)
 - Butte County Code, [Chapter 32A-2\(e\)-Property Maintenance and Abatement](#)
 - City of Los Angeles Code

- **Trespassing Codes**-When an individual or group occupies public or private property without the permission of the property owner, it can be considered trespassing. Local codes further define the act of trespassing and actions that can be taken against trespassers. Examples of local codes include:
 - Sacramento County Code, [Chapter 9.80.010-Trespassing on Public Property](#)
 - City of San Diego Code, Title 10, Chapter 10.20.140-150-Trespassing on Prohibited Property
 - City of Los Angeles Code, Chapter V, Article 6, Section 56.30-Trespassing and Loitering
 - City of Placerville Code, Title 6, Chapter 6.5.2-Trespassing on Private Property
- **Camping Prohibition Codes**-Many state, county and city jurisdictions have adopted codes or policies that identify when and where camping is or is not allowed, and these codes can include occupancy standards. These laws or policies can be used to justify or strengthen encampment closure actions, and examples include those from:
 - City of Los Angeles Code, Chapter II, Article 6, Section 56.08-Camping on Sidewalks
 - City of Placerville Code, [Title 6, Chapter 19-Camping on Public or Private Property](#)
 - City of Santa Ana Code, [Part II, Chapter 31.2.3-Camping](#)
 - City of San Francisco:
 - Park Code, [Article 3, Section 3.12-Camping Prohibited and Section 3.13-Sleeping Prohibited During Certain Hours](#)
 - Police Code, [Article 1.1-Regulating Use of Vehicles for Human Habitation](#)
 - City of Nevada Code, [Title 9, Chapter 9.14-Conduct on Public Property](#)
 - City of Richmond Code, [Article XI, Chapter 11.96-Local Camping](#)
- **Property Zoning Codes**-Local governments have the right and responsibility to determine the use of residential, commercial, agricultural and industrial properties as well as the use of public or privately owned properties designed as open space and/or parks or reserves. Included in zoning codes are specifications for dwelling density and types, minimum and maximum building sizes, business types, and prohibited uses. Unless a local code allows camping and/or homeless encampments on property with specific zones, the violation of a zoning code can be used as justification to require abatement of the camp or encampment.
- **Personal Property**-The rights of residents of homeless camps relative to the storage and disposal of their personal property that has been removed by the enforcing agency during an abatement action has been legally defined in

the [Lavan vs. the City of Los Angeles court decision](#). At a minimum, residents of homeless encampments must be notified of the pending removal action and date prior to the occurrence, be provided the opportunity to remove and store their property prior to the formal removal action, be provided with documentation of what items of personal property were removed as a result of the action, where the residents can recover their personal property, the cost of recovering their materials, and the deadlines for requesting the stored materials. Examples of local policies on the removal and storage of personal property include those of the City of Berkeley, the City of Fresno, and the City of Richmond.

Enablement of Homeless Encampments

Federal, State and local governments may choose to allow homeless encampments on identified public or private properties provided they are operated in compliance with standards established by those entities. The encampments are allowed through the utilization of land use permits, and the issuing agency has the authority to order closure and abatement of the encampment if the terms of the use permit are not met.

- **Property Zoning Codes**-Local governmental agencies can review their local zoning codes, identify what zone(s) would be acceptable for homeless encampments, and amend the local ordinances to identify the zone that could be used for a homeless encampment. These same codes, or supplemental policies, would identify the standards that apply for processing application for and approval of the homeless encampment permits (City of Edmonds, Washington Code, [Chapter 17.20-Temporary Homeless Encampment](#)).
- **Temporary/Permanent Encampment Permits**-Jurisdictions that choose to regulate and allow homeless encampments usually adopt ordinances ([City of Nevada City](#), [Lassen County](#), City of Edmonds, Washington, and the City of Kirkland, Washington) that authorize the issuance of permits, identify and operational and management standards for the encampment, restrictions on the number of residents, and the approval, appeal, and revocation process for the permits.
- **Personal Property**-As discussed in Section IIIA 5 above, residents of permitted homeless encampments have personal property rights that need to be specified by policy and referenced in the use permit.
- **Fees for Service**-The use permits for encampments normally require the provision of refuse collection and disposal services, potable water services, sewage collection and disposal, and inspections for compliance with fire, health and safety codes. Unless the administering agency pays for the costs of these services, the use permit should specify that the managing authority for the encampment must pay these fees for service.

Involved Agencies

There are many local, state and federal governmental agencies involved in the management of solid waste in homeless encampments. These agencies include:

Local Government

- County Sheriff/City Police Departments-Enforcement
- County/City Code Enforcement Departments-Enforcement
- County District Attorney/City Attorney-Enforcement
- County Environmental Health-Enforcement and Permitting
- County and City Departments of Public Works-Services
- County and City Stormwater Management Programs-Enforcement
- County and City Building Departments-Enforcement and Permitting
- County/City Community Development/Planning-Permitting

State Government

- California Department of Transportation-Enforcement/Abatement
- State and Regional Water Quality Control Boards-Enforcement
- Department of Fish and Wildlife-Enforcement
- CalRecycle-Enforcement Assistance

Federal Government

- Bureau of Land Management-Abatement, Use Permitting
- US Forest Service-Abatement, Use Permitting

Additional References

- [City of Berkeley Unattended Property Storage Policy and Procedures](#), January 14, 2010
- City of Richmond Abatement Procedures for the Removal of Temporary Shelters
- [Client Alerts-“Personal Property Left on Sidewalk Unattended-Is It Abandoned?”](#) Client Alerts, Volume 27, No. 17, September 27, 2012, Jones & Mayer
- Contra Costa Health Services Department-Homeless Outreach Project to Encampments (HOPE);[Community Homeless Court](#)
- [Fresno City Garbage Removal: Clean-Up of Temporary Shelters and Code Enforcement Abatement Procedures](#), August 30, 2007
- [Fresno City Homeless Workshop](#), February 13, 2014

- [History of Homeless and San Francisco City Policy](#)-San Francisco Homeless Coalition, 2004
- [Homelessness in Sacramento and Beyond](#), Kevin Wehr, CSU Sacramento, presented to IDTAC on June 20, 2013
- [Los Angeles City, Lavan v. City of Los Angeles, Opinion of the United States Court of Appeals for the Ninth Circuit](#), No. 11-56253, September 5, 2012, Personal Property Left on a Sidewalk Unattended
- Monterey County Guidelines for Cleanup Day Coordinators, January 2014
- Nevada County Community Development Agency-Homeless Encampment Response Protocol, January 16, 2014
- [San Diego River Park Foundation](#)-Healthy River, Healthy Communities Program
- [Tent Cities: An Interim Solution to Homelessness and Affordable Housing Shortages in the United States](#); Zoe Loftus-Farren, University of California Berkeley, California Law Review, Inc. 2011
- [Tent City 4, Temporary Use Permit, Notice of Approval](#), City of Kirkland, Washington, January 12,2011
- [The 2012 Point-In-Time Estimates of Homelessness](#)-US Department of Housing and Urban Development, December 2012

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Illegal Dumping Resources: <https://www.calrecycle.ca.gov/IllegalDump/>

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