



## Property Owner Guide for Homeless Encampments

The City of Denton is committed to maintaining the safety, health, and wellbeing of all community members. This guide was developed to inform property owners of their rights and responsibilities when people are camping on their property without permission or if the city provides notice about an encampment.

### What should I do immediately?

- If you feel unsafe, **DO NOT** engage directly with the people on your property. If you have any concerns for your immediate safety, please call 911.
- You can report the encampment through 311 by calling, through the app, or going online.
- If you can, take pictures from a safe distance. This helps the City coordinate an appropriate response and locate the reported encampment. Include these pictures when you report it to 311 through the app or online.

### What is an encampment?

An encampment is any place where an individual is **temporarily residing in shelter**, which can include tents, tarpaulins, lean-tos, sleeping bags, bedrolls, blankets, or any other temporary or permanent shelter, other than clothing or any handheld device, designed to protect a person from weather conditions that threaten personal health and safety (Texas Penal Code, Title 10, 48.05). These temporary structures and enclosed places are **not intended for long-term occupancy** (HUD, 2018).

### What can I do about an encampment on my property?

- **Connection to Homeless Services:** The City works with a nonprofit that provides Street Outreach assistance. They can talk to the people on your property and try to connect them with help and services if you allow. This will follow the same process the City uses for encampments on public property.
- **Criminal Trespassing:**
  - Trespassing is if someone enters your property without permission and were told not to enter or were told to leave but didn't. People must be given notice that they are trespassing, which can be by:
    - Telling them directly (in person or in writing)
    - Putting up fences or signs
    - Using purple paint marks on trees or posts (specific rules apply)
  - Consult Texas Penal Code § 30.05. Criminal Trespass for more information.

### OUR CORE VALUES

Inclusion • Collaboration • Quality Service • Strategic Focus • Fiscal Responsibility

- **Enforcement Authorization:** You are able to sign an Enforcement Authorization (EA) with the police department which authorizes police to act without you present, and provide the warning that individuals have to leave in your stead. The City will provide you with this form upon request.
  - The police department cannot take proactive action without your written permission in the form of an EA. You may revoke this permission at any time.
  - If there is a public health or safety concern the City may need to take enforcement action of its own accord per City ordinance.
- **Please be aware that:**
  - The City cannot clean your property for you.
  - The City does not patrol private property.
  - Camping is not a permitted land use within the City of Denton.

What are my responsibilities as a property owner?

You are responsible for maintaining your property according to the Denton Property Maintenance Code Chapter 17.

- Specific sections of the code which may apply include but are not limited to:
  - Sec. 17-40. - Grass or weeds
  - Sec. 17-50. - Trash and debris declared a nuisance and prohibited.
  - Sec. 17-60. - Outside storage.
  - Sec. 17-80. - Maintenance of perimeter fences.
  - Sec. 17-153. - Exterior structure.
  - Sec. 17-180. - Securing vacant structures.

Maintenance and Cleanup is your responsibility as a Property Owner.

How can I prevent encampments in the future?

In order to prevent repeat encampments, there are some precautions you can take:

- Routinely have yourself or someone who has your permission check on the property to identify unpermitted access at an early stage.
- Mow tall grass and keep the area clean and free of trash or brush that could serve as cover.
- Secure uninhabited structures and vacant buildings as required.
- Place security fences around the property, check for permit requirements.
- Post clear no trespassing signage.

For questions, please contact the Homeless Programs Manager at (940) 230-5337.