



To: Mayor and Council
From: Stephanie Clark, Director of Community Services
Date: September 23rd, 2024
Committee of the Whole Date: October 7th, 2024
Title: Draft Encampment Protocol

For Direction
 For Information
 For Adoption
 Attachment 7 Pages

Recommendation: That Council of the Corporation of the Town of Smiths Falls accept the proposed Encampment Protocol for information.

Purpose: The purpose of this report is to provide Council with an overview of the Encampment Protocol that has been developed to address the presence of temporary shelters and/or encampments on Town-owned parklands and public spaces. This protocol establishes clear procedures and guidelines for responding to encampments in a compassionate, consistent, and lawful manner, while ensuring the health, safety, and dignity of individuals experiencing homelessness, and maintaining the safety and accessibility of public spaces for all residents.

Background:

The Town has seen a rise in the establishment of temporary shelters on Town-owned and/or managed lands, including parks and green spaces, by those who are underhoused or experiencing homelessness. Historically, encampments were addressed primarily through enforcement, but there is now a recognition that a coordinated, multi-departmental response is needed—one that balances enforcement with the provision of social services. In response, staff have developed a protocol that clarifies the roles and responsibilities of Town departments such as Community Services, Bylaw Enforcement, and Public Works, as well as the Smiths Falls Police Service, and external partners including Lanark County. The protocol also establishes clear procedures for identifying, assessing, and resolving encampments, while outlining communication and community engagement strategies to keep residents informed.

Analysis and Options:

The Encampment Protocol offers a structured, compassionate approach to addressing encampments, prioritizing a person-first response that emphasizes outreach and the provision of services before taking enforcement actions. It ensures compliance with legal standards, balancing individual rights with public space use. The protocol also enhances consistency and transparency in Town procedures, fostering fairness in decision-making and clarity for the public. By collaborating with both enforcement and social service agencies, the Town aims to support connection to long-term solutions rather than

displacement. Additionally, the protocol focuses on mitigating public health and safety risks by monitoring for fire hazards, waste, and environmental degradation.

Budget/Financial Implications:

The implementation of the Encampment Protocol may have some financial implications related to the resources required for outreach, clean-up, and enforcement. However, these costs are unknown at this time.

Link to Strategic Plan (2023-2026): NA

Existing Policy: NA

Consultations: Smiths Falls Police Services; Smiths Falls Fire Department; Lanark County (Community Support Services)

Attachments: Draft Encampment Protocol

Respectfully Submitted by:

Approved for agenda by CAO:

Stephanie Clark,
Director of Community Services

Malcolm Morris, CMO

Protocol for Handling Encampments in Parkland and Public Spaces

Background

The Town of Smiths Falls is committed to ensuring that its parklands and public spaces are safe, clean, and accessible for all residents and visitors. While recognizing the complexity of homelessness and housing instability, this protocol provides clear guidance for addressing unauthorized encampments in our public parks and greenspaces, in a manner that respects both the rights of individuals experiencing homelessness and the broader community's ability to access public spaces.

Definitions

- **Encampment:** Temporary or semi-permanent structures, such as tents or makeshift shelters, set up by individuals or groups in public spaces without authorization.
- **Public Space:** Any land and/or adjacent infrastructure owned or managed by the Town of Smiths Falls, including but not limited to parklands, greenspaces, sidewalks, roadways, and both indoor and outdoor recreational infrastructure.
- **Parkland:** Publicly accessible areas designated for recreational use, including parks, playgrounds, sports fields, and other similar spaces.

Purpose

This protocol provides a standardized approach to managing encampments within and on Town of Smiths Falls' parks and public spaces, ensuring that these areas are safe, clean, and accessible to residents and visitors, while offering connections to appropriate services for those in need of support and resources to those experiencing homelessness.

Scope

This protocol applies to all encampments within the Town of Smiths Falls and serves as a guide for Town staff, law enforcement, and partner agencies in managing encampments in public spaces.

Leadership Structure

Lead Agencies:

- **Municipal Lead:** The relevant department from the municipality where the encampment is located; typically this will fall to Community Services as the primary point of triage and the caretaker of Town facilities.
- **Enforcement Lead:** Municipal Bylaw Officers shall operate as enforcement lead for day-to-day encampment management. In situations requiring heightened enforcement or safety concerns, they would coordinate with the Smiths Falls Police Service.

Supporting Agencies:

- **Social Services:** Local agencies that provide housing and homelessness prevention services.
- **Fire Prevention:** Smiths Falls Fire Department.

- Victim Services: Available services to support vulnerable individuals.
- Other Agencies: Engaged as required based on the situation including, but not limited to:
 - Lanark County Social Services homelessness team, Mobile Crisis Response Team, Community Paramedics, Victim Services, and Lanark County Interval House (if appropriate.)

Procedure for Addressing Encampments

Step 1: Encampment Identification

When an encampment is identified, the designated Municipal Lead will take responsibility for initiating the response. The first step is to determine whether the encampment is on public or private land. If the encampment is on private land, the enforcement lead must contact the landowner to determine whether the encampment should be removed. If on public land, the Municipal Lead will proceed to Step 2.

Step 2: Encampment Assessment (within 1-2 business days)

The Municipal Lead will conduct an initial hazard assessment using an established Encampment Hazard Assessment Tool (see Appendix 1). This assessment will identify potential risks to health, safety, or public infrastructure. Social service outreach workers will also engage the encampment residents to offer support and assess their needs.

Step 3: Notification of Encampment Closure

Based on the assessment, the Municipal Lead will determine whether the encampment should be closed and establish a closure date. Occupants will be verbally informed of the closure date, and written notices will be provided where possible. The notices will include information about available services and contacts for outreach workers. Efforts will be made to communicate directly with encampment residents and to respect their privacy.

Step 4: Engagement with Encampment Residents

Following the notice of closure, outreach workers will regularly visit the encampment to offer support and prepare the residents for closure. Services may include connecting individuals to shelter options, mental health and addiction services, and assistance with storing personal belongings. Outreach workers will continue engagement until the closure date to ensure individuals have access to available resources.

Step 5: Encampment Closure

On the day of the closure, Lanark County Social Services outreach workers will be asked to assist residents in removing their belongings and accessing community resources. Police services will be present to provide support if required, and fire services will be involved if any fire hazards are identified. Town staff will coordinate the removal of any remaining structures on public property, while private property owners will be responsible for complying with municipal orders.

Step 6: Post-Closure Debrief

After the encampment is cleared, the involved agencies will hold a debriefing meeting to review the process, address any follow-up concerns, and discuss improvements for future incidents. This meeting will ensure that all parties are aligned and that any outstanding issues are addressed promptly.

Health and Safety Considerations

If the encampment presents immediate health or safety risks, such as fire hazards or dangerous conditions, expedited action may be required. The protocol ensures that staff and agencies have the necessary training to handle these situations safely and with sensitivity.

Partnership with Social Services

The Town of Smiths Falls will collaborate with social service agencies to provide ongoing support to individuals affected by encampment closures. These partnerships are vital to addressing the root causes of homelessness and housing instability, ensuring that encampment residents are connected to long-term solutions.

Public Communication

The Town will maintain transparency by communicating its actions regarding encampments and public space management. Public education initiatives will inform residents about the Town's efforts to balance public space accessibility with the need for compassionate and fair treatment of individuals experiencing homelessness.

Review and Updates

This protocol will be reviewed annually to ensure that it remains effective and aligns with evolving best practices. The review process will include input from all stakeholders involved in the management of public spaces and homelessness issues.

Enforcement

While voluntary compliance is preferred, non-compliance may result in fines or other enforcement actions. However, the focus will remain on providing outreach, support, and resources to resolve issues before any punitive measures are taken.

Appendix 1-Encampment Hazard Assessment Tool

Purpose:

The Encampment Hazard Assessment Tool is designed to assist municipal staff, law enforcement, fire services, and outreach workers in assessing immediate potential risks posed by encampments. This tool should be completed during the initial site visit and updated as necessary throughout the engagement process.

Section 1: Site Information

- **Date of Assessment:**
[Insert Date]
 - **Time of Assessment:**
[Insert Time]
 - **Location of Encampment:**
[Describe exact location, e.g., park name, address, specific coordinates]
 - **Municipal Lead/Assessor Name:**
[Insert Name]
 - **Agency/Department Represented:**
[Insert Agency Name]
 - **Outreach Worker Present (if applicable):**
[Insert Name]
 - **Number of Encampment Occupants:**
[Estimate or count the number of individuals present]
-

Section 2: Health and Safety Risks

1. **General Environmental Conditions**
 - Are there any immediate health or safety risks at the site?
 - Yes
 - No
 - If yes, describe:
[e.g., dangerous terrain, flooding, etc.]
2. **Fire Hazards**
 - Are there any fire hazards present at the encampment?

- Open flames (e.g., campfires, cooking fires)
- Flammable materials (e.g., propane tanks, gas containers)
- Electrical hazards (e.g., faulty wiring, generators)
- Other hazards (specify):
[e.g., overloaded power sources, fire accelerants]

Waste and Sanitation

- Are there waste management or sanitation issues at the encampment?
 - Accumulation of garbage/debris
 - Human waste or biohazards
 - Uncollected food waste or hazardous materials
 - Evidence of vermin or pests
 - Describe:
[e.g., overflowing garbage, unsanitary conditions, discarded needles]

Structural Integrity

- Are the shelters or structures safe for occupation?
 - Structurally unstable tents or makeshift shelters
 - Overcrowded structures
 - Potential for collapse or injury
 - Describe:
[e.g., weakened tarps, improper fastening materials]

3. Proximity to Public Infrastructure

- Is the encampment located near public infrastructure that could pose additional risks?
 - Roads/highways (risk of traffic incidents)
 - Railways
 - Water bodies (e.g., rivers, lakes)
 - Electrical installations (e.g., power lines, transformers)
 - Construction zones

- Other (specify):
[e.g., industrial sites, utility pipes]
-

Section 3: Impact on Public Space

1. Disruption to Public Use

- Is the encampment interfering with the intended public use of the space?
 - Obstruction of paths or access routes
 - Occupation of recreational areas (e.g., playgrounds, sports fields)
 - Damage to park infrastructure (e.g., benches, fencing)
 - Describe:
[e.g., how the encampment is blocking trails, vandalism of equipment]

Environmental Impact

- Is there evidence of environmental degradation at the encampment site?
 - Damage to vegetation or trees
 - Erosion of soil or damage to water bodies
 - Pollution (e.g., chemicals, trash in waterways)
 - Describe:
[e.g., trees cut down, bank erosion, litter in rivers]
-

Section 4: Social and Behavioral Risks

1. Behavioral Concerns

- Are there any concerning behaviors observed during the assessment?
 - Aggressive behavior from occupants
 - Drug or alcohol use in public view
 - Criminal activities (specify if known)
 - Noise disturbances
 - Describe:
[e.g., aggressive confrontations, visible substance abuse]

2. Presence of Vulnerable Individuals

- Are there vulnerable populations present that require special consideration?
 - Children
 - Elderly persons
 - Individuals with visible disabilities
 - Pregnant individuals
 - Persons in acute distress
 - Describe:
[e.g., signs of illness, evidence of mental health issues]
-

Section 5: Recommended Actions

- **Immediate Actions Required (within 24 hours):**
[e.g., remove hazardous materials, ensure safety of occupants, notify relevant agencies]
 - **Follow-Up Actions (next 48-72 hours):**
[e.g., connect with outreach services, reassess safety, initiate closure protocols]
 - **Additional Support Required:**
[e.g., additional outreach workers, mental health services, medical attention]
-

Section 6: Final Remarks and Sign-Off

- **Assessor's Observations:**
[Any final observations or comments]
- **Assessor's Signature:**
[Insert Signature]
- **Date of Next Assessment:**
[Insert Date]