

CHAPTER 2025-11

No. 170 **AN ORDINANCE AMENDING CHAPTER 23, “STREETS, SIDEWALKS, AND PUBLIC PLACES”, ARTICLE I, “IN GENERAL” OF THE PROVIDENCE CODE OF ORDINANCES TO ADD SECTION 23-38 “CAMPING ON PUBLIC PROPERTY”**

Approved April 3, 2025

Be it ordained by the City of Providence:

WHEREAS, The 2024 Supreme Court Decision, *City of Grants Pass v. Johnson*, ruled that enforcing broadly applicable laws regarding camping on public property does not qualify as cruel and unusual punishment; and

WHEREAS, Such laws typically include fines imposed on individuals who sleep or establish temporary encampments on public property; and

WHEREAS, While these laws apply to all persons, it is obvious that they disproportionately impact unhoused residents who do not have the resources to pay a fine, inherently punishing them for being unhoused; and

WHEREAS, This Supreme Court ruling enables municipalities to regulate sleeping or camping on public property in this manner, as seen in nearby cities like Cranston, RI, and Fall River, MA; however, the City Council strongly opposes taking such actions; and

WHEREAS, The Providence City Council is committed to rejecting punitive measures in addressing homelessness, and instead prioritizes compassionate, effective solutions that promote stable housing, health, and well-being for all residents; and

WHEREAS, The Providence City Council introduces legislation prohibiting the collection of fines from individuals who have no alternative but to sleep or camp on public property; and

WHEREAS, This legislation will not interfere with existing regulations governing public property use, but will prevent the monetary penalization of individuals who lack safe access to shelter.

Now Therefore, Be it ordained by the City of Providence:

Section 1. Chapter 23, “Streets, Sidewalks, and Public Places”, Article I “In General” is hereby amended as follows:

Section 23-38 – Camping on public property

(a) Definitions:

- (1) The term *public property* shall mean any city owned lands, including but not limited to parks, benches, sidewalks, streets, and other municipal properties.
- (2) The term *camping* means the act of occupying a tent, temporary shelter, or sleeping outdoors.

(b) Prohibition of Fines:

- (1) Notwithstanding any other provision in this code of ordinances, no individual shall be subject to any fines, fees, or monetary penalties for camping on public property.

Nothing contained herein shall limit the City’s ability to enforce other existing statutes or ordinances related to public health, public safety, sanitation and environmental protection.

Section 2. This ordinance shall take effect upon passage.

IN CITY COUNCIL
MAR 20 2025
FIRST READING
READ AND PASSED

Tina L. Mastrosian
CLERK

IN CITY
COUNCIL
APR 03 2025
FINAL READING
READ AND PASSED

Rachel M. Miller
RACHEL M. MILLER, PRESIDENT
Tina L. Mastrosian
CLERK