

LOCAL GOVERNMENT BLOG

United States Supreme Court Affirms the Right of Municipalities to Restrict Camping on Public Property

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In a monumental victory for local municipalities, the US Supreme Court issued its decision on June 18, 2024 in *City of Grants Pass v. Johnson*, upholding the ability of local government to ban camping on public property. One need look no further than the recent string of public college protest encampments, and the removal dilemma facing local law enforcement in the wake of misguided opinions issued initially by the Oregon Federal District Court and 9th Circuit Federal Court of Appeals, to understand the clear necessity of enabling local government to swiftly and effectively remove these encampments. In a detailed and thorough opinion by a majority of the Supreme Court Justices, the Court rejected the arguments advanced that local government should be forced to inquire into whether someone was “involuntarily homeless” prior to enforcing anti-camping restrictions, which applied equally to all person engaged in such activities. The Court’s decision is a decisive win allowing local government the discretion, as the Court wisely determined they are best to manage, to regulate the use of public parks and spaces related to camping activities in order to maintain and preserve those public assets for the use of the greater public as a whole.

Edwardsville, Illinois office Managing Shareholder and the Government Law attorneys at Sandberg Phoenix regularly assist local government clients with drafting Anti-Camping laws. Feel free to reach out to Attorney Lading or the Government Law team for any questions impacting your local government.