

City of Portland  
Code of Ordinances  
Sec. 17-1

Offenses, Miscellaneous Provisions  
Chapter 17  
Rev. 6-3-1992

Chapter 17 OFFENSES, MISCELLANEOUS PROVISIONS\*

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ARTICLE I. IN GENERAL

Sec. 17-1. Loitering.

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(d) Notwithstanding this section, until April 30, 2024, it shall not be unlawful loitering for unhoused people living in the City of Portland to cause or commit any of the conditions enumerated in subsections (b) (1) and (b) (2) herein. People who live unhoused in the City of Portland shall be allowed to camp, sleep, sit, and otherwise loiter in any public place as defined in subsection (a) (2) except that camping shall remain unlawful in the following public places: all Portland public school zones, Monument Square, and City Hall plaza. It shall also remain unlawful for an unhoused person to camp or otherwise loiter in a public place in such a manner as to: (1) obstruct any public street or public highway by preventing the passage of vehicles or traffic; (2) entirely obstruct any public sidewalk or trail such that less than a minimum of four feet of open space on the sidewalk or trail remains for passage of pedestrians; or (3) prevent the ingress and egress needed by the public to use public buildings and/or businesses.

City of Portland  
Code of Ordinances  
Sec. 18-15

Parks, Recreation and Public Buildings and Grounds  
Chapter 18  
Rev. 5-28-14

Chapter 18 PARKS, RECREATION AND PUBLIC BUILDINGS AND GROUNDS\*

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ARTICLE II. REGULATIONS FOR PARKS AND PUBLIC GROUNDS

Sec. 18-18. Loitering in parks.

Except as provided below for Tommy's Park and Post Office Park, no person shall stop, loiter, be or remain in any of the parks of the city or in any of the paths, drives, streets, boulevards or roadways of the parks between the hours of 10:00 p.m. and 6:30 a.m. of the day immediately following, except for the purpose of traveling across or

through such parks; nor shall any person park an automobile and remain therein between the hours of 10:00 p.m. and 6:30 a.m. of the day immediately following on any of the drives, streets, boulevards, promenades or roadways within the City of Portland Parks, Recreation and Public Buildings and Grounds Code of Ordinances Chapter 18 Sec. 18-20 Rev. 5-1-2000 18-7 parks of the city, unless said person or persons has the prior written authorization of the city manager to be in said park or parks or their drives, streets, boulevards, promenades or roadways during the aforementioned hours.

No person shall stop, loiter, be or remain in Tommy's Park or Post Office Park or in any of the paths of these two parks between the hours of 1 a.m. and 6:30 a.m. on any given day, except for the purpose of traveling across or through such parks.

(Code 1968, § 711.20; Ord. No. 11-84, 6-6-84; Ord. No. 197-00, 5-1-00)

Notwithstanding this section, until April 30, 2024, unhoused people living in the City of Portland shall be permitted to camp, sleep, stop, loiter, and otherwise remain in any parks of the city, except for Clark Street Playground, Marada Adams Playground, Monument Square, Munjoy South Playground, Pleasant Street Playground, South Street Playground, and Tate-Tyng Playground, through all hours of the day, including between the hours of 10:00 p.m. and 6:30 a.m. of the day immediately following. Unhoused people living in the city shall also be permitted to stay in a parked vehicle in any parks of the city, except for Clark Street Playground, Marada Adams Playground, Monument Square, Munjoy South Playground, Pleasant Street Playground, South Street Playground, and Tate-Tyng Playground, between the hours of 10:00 p.m. and 6:30 a.m. of the day immediately following so long as the vehicle does not obstruct the drives, streets, boulevards, promenades or roadways within the parks. It shall remain prohibited for unhoused people living in the city to camp, sleep, stop, loiter, stay in a parked car, or otherwise remain in the following parks: Clark Street Playground, Marada Adams Playground, Monument Square, Munjoy South Playground, Pleasant Street Playground, South Street Playground, and Tate-Tyng Playground.

Cross reference(s)--Loitering generally, § 17-1.

Chapter 25 STREETS, SIDEWALKS AND OTHER PUBLIC PLACES\*

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ARTICLE II. OBSTRUCTIONS, ENCUMBRANCES, AND AUTHORIZED EVENTS

DIVISION 2. PERMIT

Sec. 25-26. Required.

(a) No person shall place or cause to be placed in or on, or shall suspend over any street, way or public place in the city any article or thing whatsoever, including but not limited to portable sidewalk signs, except under a duly authorized permit therefor issued pursuant to the provisions of this division.

Except during declared festivals or other approved events that require a sidewalk occupancy permit under this section, this section shall not apply to a table or other structures used by (1) street artists to create or sell works of art, ~~or~~ (2) individuals who set up a table and/or chairs in compliance with chapter 19, article II, sec. 19-24 subparagraph (a) (1), (2), (5) and (6), to engage in an activity other than commercial speech, protected by the first amendment to the United States and Maine Constitution including but not limited to the distribution of political or religious literature, or the gatherings of signatures on petitions, or (3) until April 30, 2024, unhoused individuals living in the City of Portland who use tents, tarps, wooden pallets, sleeping bags, blankets, boxes, carts, and other equipment to create shelter for sleeping and other life-sustaining conduct in public places.