

Date: February 28, 2020

Subject: **Position Paper – Tents and Makeshift Structures in Floodplains**

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In October 2019, the Mile High Flood District (MHFD) passed a resolution expressly prohibiting tents and makeshift structures from within the floodplains of MHFD. These floodplain regulation changes were made for the sole purpose of public safety. The MHFD’s enabling statutes state that “In the event of any conflict between this floodplain regulation and any floodplain regulation adopted by any other public body within MHFD, the more restrictive regulation shall control,” making this prohibition the controlling regulation within the Flood District.

The dangers of allowing the proliferation of tents and other makeshift structures for human habitation within your community’s floodplains are fourfold:

1. The individuals living in these structures put themselves at grave risk of serious injury and death by drowning during flooding.
2. The frequent swift-water rescue attempts of inhabitants of these makeshift structures during times of flood puts at risk the lives of first responders.
3. The building materials and furnishings of tents and makeshift structures within floodplains add to the debris load of the flood, clogging bridge and culvert openings, exacerbating flooding, and endangering the rest of the community.
4. The byproducts of human inhabitation of these structures (feces and refuse) pollute the floodwaters with fecal bacteria and other hazardous substances, endangering the rest of the community.

MHFD is well aware that urban camping is a complex issue, and that there are many other aspects to the situation than tents and makeshift structures in the floodplain. These other aspects are well beyond the jurisdiction of MHFD; however, we cannot allow the proliferation of unauthorized structures within our floodplains. We have never allowed the building of homes or businesses in the floodplain for safety reasons, and this is an effort to be consistent and protect a vulnerable population. The risk to the inhabitants, the first responders, and the rest of the community is too high. Our mission has always been to put public safety first, and that is the intent of this revised regulation—to do everything possible to prevent drowning deaths from occurring, while also protecting the health, safety, and wellbeing of the entire community.

MHFD has drafted several example model ordinances for the 41 jurisdictions’ consideration for adoption and are currently scheduling meetings with the local governments to discuss enforcement issues and solutions.

For a full copy of our revised amendment, please reach contact David Bennetts at [dbennetts@MHFD.org](mailto:dbennetts@MHFD.org)