

# Camping Ordinance Amendment/Revision

City Commission Work Session

October 26, 2021

Chief Mathew Workman





# Review of 2021 Legislative Bills

## HB 2006 – Emergency Shelters / Transitional Housing Accommodations / Low-barrier Emergency Shelters and Navigation Centers

- Effective July 1, 2022
- Stipulations for streamlined approvals
- Regulations on who can operate
- What they must provide, etc.
- Appropriations to certain communities





# Review of 2021 Legislative Bills

## HB 3124 – Removal of Homeless from Established Sites – Notice and Personal Property Requirements

- \*In effect June 23, 2021
- Modifies previous guidelines that we already had in Code 12.28.060
- Main changes are the 72-hour notice, personal property guidelines, funeral provisions





# Review of 2021 Legislative Bills

## HB 3261 – Project Turnkey: Zoning for Hotel / Motel Conversion to Emergency Shelter / Affordable Housing

- \*In effect May 6, 2021
- Stipulations to streamline and remove barriers for local government approval
- Adds definitions and clarifications to meet approval guidelines





# Review of 2021 Legislative Bills

## HB 3115 – Homelessness: Codification of Martin v. Boise

- Effective July 1, 2023
- 2019 9<sup>th</sup> Circuit Court Ruling
- Involved local laws regulating the act of sitting, lying, sleeping, or keeping warm & dry in outdoor public spaces for people experiencing homelessness





# Review of 2021 Legislative Bills

## HB 3115 Cont.

- Defines “keep warm and dry”
- Defines “public property” per ORS 131.705
- Must be “objectively reasonable” as to time, place, and manner
- Affirmative defense if not objectively reasonable
- Authorized to bring suit in circuit court





# Review of 2021 Legislative Bills

## HB 3115 Cont.

- Requires “reasonableness” to be determined based on the totality of the circumstances, including, but not limited to, the impact of the law on persons experiencing homelessness.





# Review of Current City Code

## Chapter 12.28 Camping

- Depending on our discussion and decisions, several parts of this chapter will need to be modified, amended, clarified, and deleted to be in compliance with the bills.





# Review of Current City Ordinances from Other Cities



## Sample Ordinances are from:

- City of Dayton
- City of Gladstone
- City of McMinnville
- City of Medford





# Amendment Options

## Sections that need to be Removed or Modified:

- I will work with Emily M. from the City Attorney's office to make sure we have the necessary sections required by the law and language that is required by the law.





# Amendment Options

## **Title:**

- Title: change to “Prohibited Camping, Lying, and Sleeping”

## **Definitions:**

- Looking at the other ordinance samples, we need to expand and clarify our “definitions”
- Currently we have “camp” and “campsite”



# Amendment Options

## **Time, Place, Manner:**

- 6:30am to 9:30pm
- Not in City Parks, Trails, Public Parking Lots, Public Property inside Residential Zones
- Occupy 120 cubic feet

Time  
And  
Place

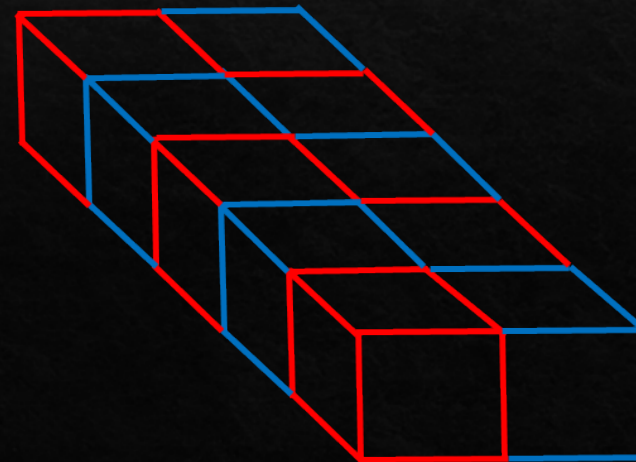
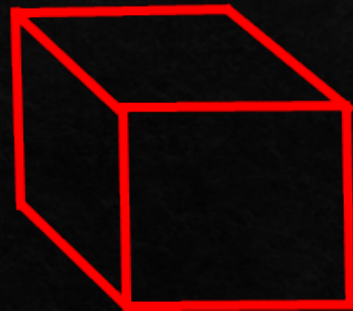




# Amendment Options

## 120 Cubic Feet Examples:

- A box 1ft x 1ft is a cubic foot
- You can essentially put 10 of these boxes together and = 10 cubic feet
- Stack up 4-levels and you have 40 cubic feet
- 120 cubic feet would be 3 of these stacked side by side (6ft wide x 5ft long x 4ft tall)





# Amendment Options

## Time, Place, Manner:

- No structures, must be moveable outside of the time restrictions
- RV's? Homelessness offers come legal protection or guidance. Do we allow on religious property, private property, etc. but with regulations.





# Amendment Options

Anything else?

**ANYTHING  
ELSE**

