

MEMORANDUM

TO: Mayor and City Council
FROM: Richard Meyers, City Manager
SUBJECT: OVERNIGHT CAMPING PROGRAM
DATE: June 22, 2022

Background

Attached to this memo is a draft of a possible Overnight Camping Program that would authorize private property owners to apply for authorization to allow persons experiencing homelessness to camp on their property.

Oregon Revised Statutes 195.520 allows local governments to establish a program for those experiencing homelessness to camp on private property.


The draft has been prepared for Council discussion. After discussion, staff will make any modifications that may be necessary and create the ordinance for consideration and possible adoption at the next City Council meeting.

Recommendation

Discussion item only. After discussion staff will make any necessary modifications and format as an ordinance for consideration for adoption at the next Council meeting.

Cost

No Cost



Richard Meyers, City Manager

Chapter 8.40 Overnight Camping Program

8.40.010 Overnight Camping Program Implementation

Pursuant to ORS195.520 the City hereby implements a program to allow any public or private property owners to offer overnight camping to individuals or families experiencing homelessness on their property.

8.40.020 Voluntary Participation

All persons participating in the temporary camping program described in this section do so at their own risk, and nothing in this code creates or establishes any duty or liability for the City or its officers, employees or agents, with respect to any loss related to bodily injury (including death) or property damage.

8.40.030 Authorization Required to Allow Camping

(1) Any public or private property owner may apply for City authorization to provide camping sites to individuals or families experiencing homelessness pursuant to a written agreement with City for the following:

- a). Persons may sleep overnight in a vehicle, tent or shelter constructed to meet temporary housing standards approved by the City in a parking lot, with written permission of the property owner of a religious institution, place of worship, business or non-profit entity that owns or leases property on which a parking lot and occupied structure are located. The property owner may not grant permission for more than two vehicles, tents or shelters constructed to meet temporary housing standards approved by the City used for sleeping at any one time. For purposes of this section the term "vehicle" includes cars, trucks, campers, trailers, motor homes and recreational vehicles.
- b). Persons experiencing homelessness may sleep overnight in the yard of a single family residence in a residential zoned district, with written permission of the owner and tenant of the residence. Such camping cannot be located on the property between the residence and any adjacent street. Not more than one family may sleep in any yard, and not more than one tent or shelter constructed to meet temporary housing standards approved by the City may be used for sleeping in the yard. As an alternative, but not in addition to sleeping overnight in the yard, not more than one family may sleep in a vehicle parked in the driveway of a single family residence in a residential zoned district. For purposes of this subsection, "family" means up to two related, unrelated or married adults plus any persons related by blood to one or both.
- c). Persons may sleep overnight in a vehicle, tents or shelter constructed to meet temporary housing standards approved by the City on a paved or graveled surface located on a vacant or unoccupied parcel, with the written permission of the property owner. The property owner may not grant permission for more than two vehicles, tents or shelters used for sleeping at any one time.

(2) The City may impose any other reasonable condition, in City's sole discretion, based upon, but not limited to available parking, property size, condition, usage and geography, surrounding property usage, and property owner's experience and capabilities.

(3) The approved property owner must provide campers with access to sanitary facilities, including but not limited to toilet, hand washing, and trash disposal facilities.

8.40.040 Camping Location

Any vehicle, tent or shelter used for camping under this section must be at least five feet from any side or rear property line.

8.40.050 Compensation Prohibited

No property owner may require or accept the payment of any monetary charge or performance of any valuable service in exchange for providing camping on the property. Nothing in this section will prohibit the property owner from requiring campers to perform services necessary to maintain safe, sanitary and habitable conditions at the campsite.

8.40.060 Revocation

(1) A property owner who permits camping pursuant to section 8.40.020 may revoke that permission at any time and for any reason.

(a) Any person whose authorization to camp on property has been revoked pursuant to this subsection must vacate and remove all belongings from the property within twenty-four (24) hours of receiving such notice.

(2) Notwithstanding any other provision of this chapter, the City manager or designee may revoke the right of any person to authorize camping on property pursuant to this chapter upon finding that any activity occurring on that property by the property owner, guest or camper is in violation of any provision of this chapter, incompatible with the uses of adjacent properties or constitutes a nuisance or other threat to the public welfare. Property owner must provide notice within twenty-four (24) hours of revocation by City to campers that they must vacate the property within twenty-four (24) hours of receiving notice.

8.40.070 Camping Closure Notice

The property owner providing twenty-four (24) hour notice to vacate the property must provide the notice in writing and post the notice at the entrance to the campsite.