

Chapter 9.42 CAMPING ACTIVITIES ON CITY-OWNED PUBLIC PROPERTY ~~FOR THOSE EXPERIENCING HOMELESSNESS~~

9.42.010 Purpose.

This chapter applies only to individuals experiencing homelessness, and their ability to sit, lie, and sleep on city-owned public property with the minimal amount of camping materials necessary to protect them from the elements in order to keep warm and dry.

(Ord. No. 1-2023, § 1(Exh. A), 6-21-2023)

9.42.020 Definitions.

For purposes of this section, the following words and phrases shall mean:

- A. "Camp" means to occupy a campsite for over twenty-four (24) hours.
- B. "Camping" means sitting, lying, or sleeping overnight.
- C. "Campsite" means a location upon city property where camping materials are placed.
- D. "Camping materials" include, but are not limited to, tents, tarps, ~~motor vehicles in a licensed, legal, and drivable condition, and~~ other materials used to keep campers dry and warm. "Camping materials" does not include shanties, lean-tos, temporary structures, ~~and~~ other built structures for the purposes of keeping warm and dry, ~~or collections of personal property and/or similar items that are, or reasonably could be arranged or used as camping accommodations, or anything of a similar nature.~~
- E. "City facilities" includes but is not limited to the following properties: city hall; ~~Miller Road Water Treatment Plant; water~~ well ~~fields~~ locations; the public works campus; ~~Keys Road Water Treatment Plant; and similar locations~~ city parks. "City facilities" ~~does not include city parks.~~
- F. "City property" includes, but is not limited to, parks, rights-of-way, parking lots, easements, or other land owned, leased, controlled, or managed by the city. ~~"City property" does not include city parks.~~
- G. "Fire" includes, but is not limited to, open flames, recreational fires, burning of garbage, bonfires, or other fires, flames, or other sources of heat including gas heaters.
- H. "Personal Property" means any item that can reasonably be identified as belonging to an individual and that has apparent value or utility.
- I. "Relocate" means to move ~~off of~~ city property or to a different city property. This definition does not include moving to another portion of the same city property.

(Ord. No. 1-2023, § 1(Exh. A), 6-21-2023)

9.42.030 Camping on city property.

- A. It is unlawful for any person to camp upon city properties, City facilities, sidewalks, ~~rights~~ right-of-way, parks, and ~~similar locations~~ public works facilities, unless otherwise authorized by law or by declaration of the city manager.

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- B. Unless otherwise authorized by law or by declaration of the city manager, it is unlawful to establish a campsite for any period of time at the following locations:
1. City facilities;
 2. Sidewalks;
 3. Rights-of-way;
 4. City properties;
 5. City parks and facilities within parks (pavilions and picnic structures) within city limits;
 - a. The exception to this is the wayside parks north of Interstate 84 and both east and west of Main Street outside of the Oregon Department of Transportation right-of-way. Another location is the triangle area at the intersection of North Main Street and Columbia Avenue.
 6. Any property posted no trespassing or fenced and gated.
- C. Regulated camping locations are available from nine p.m. to six a.m. If you cannot comply with this, you can call law enforcement, and a designated official can give you an alternate location ~~for the night~~.
- D. Individuals experiencing homelessness who are engaged in camping on City-owned public property shall use the minimal amount of camping materials necessary to protect them from the elements in order to keep warm and dry.
- E. RV's, cars, trucks, and other motor vehicles, in licensed, legal and operable condition, are allowed to be parked in camping locations for the purposes of this Boardman Municipal Code Chapter, regardless of other Boardman Municipal Code Chapters, unless they are in violation of non-Boardman local laws or rules, or state or federal laws or rules, that preempts ~~city~~ City of Boardman authority.
1. Motor vehicles must remain in area's intended for parking and driving vehicles, unless explicitly specified. This allowance for parking motor vehicles in camping locations does not allow for parking outside of designated parking areas.
- F. Individuals experiencing homelessness who are engaged in camping on city-owned public property may maintain the essentials for living but may not store their personal property on city-owned public property while engaged in camping unless storage is essential to living-keeping warm and dry while camping.
- G. Items, behavior, and/or conduct presenting a public health concern or other danger to the camper or others, including, but not limited to uncontained sharps, uncontained human waste, unauthorized connections or taps to private or public utilities are prohibited.
- H. Tents, tarps, and other minimal measures allowed under this chapter for the purposes of keeping warm and dry may not exceed one hundred (100) square feet in combined surface or covered area.
- I. Obstruction or attachment of camping materials or paraphernalia to public infrastructure or private property structures, including bridges or bridge infrastructure, fire hydrants, utility poles, streetlights, traffic signals, signs, fences, trees, vegetation, vehicles, buildings, or impairment to emergency response—including within ten (10) feet of any fire hydrant, utility pole, or other utility, fire gate/bollards, or public infrastructure used for emergency response—is prohibited.
- J. At no time may fire be used to keep warm and dry under this subsection ordinance.
- K. Dumping of detritus, waste, gray water, garbage, black water, and similar items, is prohibited on city-owned public property.
- L. No alterations, including All unauthorized deligging, excavation, terracing of soil, or alteration of city-owned public property or damage to vegetation or trees is prohibited.

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- M. Camping is not allowed on public property within one thousand (1,000) feet of any public, private, pre-, middle, elementary, high, secondary, or career school, childcare facility or bus stop. ~~licensed by the city of Boardman.~~
 - N. At least once every twenty-four (24) hours an individual that has placed a campsite, camping materials or personal property on city property must relocate.
 - O. Persons participating in camping as allowed by this chapter 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 (including destruction).
 - P. Animals. Individuals experiencing temporary homelessness while camping, and being in charge of any animal, shall keep animals in compliance with Boardman Municipal Code, and applicable local, state and federal laws.
 - 1. Animals must be kept confined or on a leash and shall be kept under supervision at all times; and are not allowed to run at large ~~or to commit any nuisance.~~ All animal fecal matter shall be picked up by the owner or person in charge of the animal, placed in an appropriate container, and removed and disposed of properly.
 - 2. No owner or person in charge of an animal shall permit an animal, which is dangerous to the public health or safety, to be exposed in public.
 - Q. Notwithstanding the provisions of this chapter, the city manager or designee may temporarily authorize camping or storage of personal property on city property by written order that specifies the period of time and location:
 - 1. In the event of emergency circumstances;
 - 2. In conjunction with a special event permit; or
 - 3. Upon finding it to be in the public interest and consistent with Council goals and policies.

(Ord. No. 1-2023, § 1(Exh. A), 6-21-2023)

9.42.040 Violation.

- A. Each violation of this chapter is a class ~~B-D~~ violation. The amount of the fine imposed shall be based on Chapter 1.16 of this code.
- B. When the city refers a service provider to an individual who is cited for a violation(s) of this chapter and the individual demonstrates they meaningfully engaged with that or another similar service provider after receiving the citation and before the hearing, the fine is eligible to be reduced or eliminated at the discretion of the judge.

(Ord. No. 1-2023, § 1(Exh. A), 6-21-2023)