



Temporary Safe Stay Area Guidelines, Rules, & Enforcement

I. INTRODUCTION

- a. The purpose of this General Administrative Policy, Temporary Safe Stay Area Guidelines & Enforcement, (Policy), is to clarify the rules of the Temporary Safe Stay Area (TSSA), as established by the City of Bend and Deschutes County through a Joint Resolution (City 3401; County 2024-46) executed by City Council and County Commissioners on October 29, 2024 (the “Joint Resolution”). The intent of the TSSA, as stated in the adopted resolutions, is to “...mitigate and improve the health and safety risks associated with unmanaged camping, and to provide improved sanitation services and case management to facilitate people camping at Juniper Ridge moving into safer shelter or housing.” Section 5 of the Joint Resolution authorizes City and County staff to develop administrative policies needed to coordinate and manage the TSSA, including, among other things, enforcement and monitoring strategies, reduction in unlawful access points and rules regarding open flames.
- b. This Policy does not supersede City of Bend Administrative Policy 2024-5 , Removal of Unsafe Encampments on City-Owned Property Outside City Limits, or Deschutes County General Administrative Policy No. GA-23, but provides guidance to City and County staff, security patrol, Law Enforcement, and Service Providers on how the TSSA is to be managed, and actions or conditions that could result in an individual or camp being removed.

II. PURPOSE

- a. Establish TSSA guidelines and rules associated with people camping within the boundaries of the TSSA who are expected to follow all laws and regulations applicable to the area including those set out in this Policy.

III. SCOPE

- a. This Policy applies to the TSSA and the people camping within the boundaries of the TSSA.

IV. POLICY TERMS & PROVISIONS

- a. Jurisdiction & Funding
 1. The TSSA is located on land owned by the City of Bend and Deschutes County (each a “Jurisdiction”) and is outside Bend city limits within Deschutes County. Law enforcement authority for the TSSA is with the Deschutes County Sheriff. Bend Police may also assist with law enforcement as requested by the Deschutes County Sheriff (together, “Law Enforcement”). Bend Fire & Rescue provides fire and medical emergency response. The County has hired a security firm to provide security patrol of the area (“Security Patrol”), and the City is reimbursing the County for a portion of these costs. The City and County each contributed funds to a grant program managed by the City, to provide funding to local organizations that provide

outreach, support, and housing-focused case management to people camping at the TSSA (“Service Providers”).

b. TSSA Rules

1. The following rules have been established and will be reviewed and amended as needed:
 - i. Vehicle camping is permitted within the designated TSSA areas west of the railroad tracks (See Exhibit A).
 - ii. Construction, including vehicle additions and fencing, is not allowed.
 - iii. It is prohibited to cause damage or injury, or engage in threats to physical safety of self or others.
 - iv. Dumping of black or gray water (used water and human waste) onto the ground is prohibited.
 - v. Use of any road or access point other than authorized roads and access points is prohibited.
 - vi. All trash must be disposed of in dumpsters or in the yellow bags for pick up.
 - vii. All open flames and fires, including recreational fires, burning garbage, bonfires, or other flames, are prohibited. Propane or similar gas-fueled camp stoves, heaters, and lanterns, and other heat sources deemed safe by the Bend Fire & Rescue Department are permitted, but any heat source must be kept three (3) feet from combustibles, cannot be used inside of a vehicle.
 - viii. Discharge of firearms is prohibited.
 - ix. Damage to physical property, infrastructure, and/or the environment is prohibited.
 - x. Storage of and abandonment of inoperable cars and vehicles and unused tires is prohibited.
 - xi. Animals and pets must be kept on leash and under control of the owner at all times.

c. Review Committee

1. A Review Committee will be established in April 2025 and tasked with reviewing the conditions, incidents, complaints, and the implementation and administration of the TSSA.
2. The Committee will be made up of a member from each of: County Staff, City Staff, Security Patrol, Law Enforcement, and a minimum of one Service Provider. The Committee may agree to invite additional members or participants as necessary or helpful to convey and properly deliberate any information or decisions related to management of the TSSA.

3. The Committee will aim to meet at least twice a month, between April 1, 2025, and December 31, 2026.
4. The Committee has the authority to advise on certain conditions and situations, but any action taken to remedy, resolve, and/or remove people or camps is at the sole discretion and responsibility of the Jurisdiction that owns the land on which the people or camp are located and/or Law Enforcement, for response to criminal activity.

d. Notice of Removal

1. Certain conditions that threaten public health and safety and the operations of the TSSA may be subject to a Notice of Removal, requiring people and/or a camp to be removed from the TSSA. Issuance of a Notice of Removal will be at the sole discretion of the Jurisdiction with ownership of the land on which the camp or incident is located and/or Law Enforcement. The Jurisdiction and/or Law Enforcement may choose to issue a Notice of Removal within 24 hours, 72 hours, or other time period, including immediate removal, based on the severity of the incident and/or threat to public health and safety, in accordance with state law. Immediate removal may be used to address exceptional emergencies, including possible site contamination by hazardous materials, a public health emergency, or other incidents or conditions that create an immediate danger to human life or safety.
2. The following are examples of situations or conditions that may result in a Notice of Removal:
 - i. Conditions or behavior creating an immediate danger to public health or human life and safety.
 - ii. Civil or criminal offenses, particularly threats or injury to people and property, harassment or stalking.
 - iii. Black/gray water (human waste) dumping onto the ground or into canals
 - iv. Excessive dumping/littering
 - v. Fire, including open flames, recreational fires, burning of garbage, bonfires, or other fires, flames, or heating deemed unsafe by Bend Fire & Rescue
 - vi. Discharge of firearms
 - vii. Damage to City, County, Burlington Northern-Santa Fe, Central Oregon Irrigation District, Swalley or others' infrastructure, property, or vegetation and environment at or abutting the TSSA, including Hygiene Station facilities (water tanks, portable toilets, hand washing stations, dumpsters, etc.)
 - viii. Animal/pet misbehavior that causes injury or threatens immediate danger to human life or safety
3. Each Jurisdiction intends to notify the Committee at the next available meeting of any Removal Notices issued and/or executed on and review the situation with the Review Committee. The issuing Jurisdiction may also consult with the Committee prior to issuing a Removal Notice to request

support and/or accommodation from Service Providers and/or Law Enforcement.

4. The Jurisdiction issuing the Notice of Removal is responsible for complying with applicable laws regarding notice and property storage.

e. Notice of Remedy

1. Certain situations or conditions that do not qualify for removal may result in issuance of a Notice to Remedy to correct the offense, situation, or condition within a specified timeframe and the camper may be removed if the issue is not corrected. Multiple Notices to Remedy within a three (3) month period, regardless of whether cured or not, may be grounds for removal at the discretion of the Jurisdiction, depending on the severity of the situation addressed in the notices. A Jurisdiction may issue a Notice to Remedy at its sole discretion, and may choose to review any incidents, conditions, or complaints with the Committee prior to issuing. Depending on the issue, the responsible Jurisdiction may choose, at its sole discretion or at the advisement of the Committee, to either issue a 24-hour, 72-hour, or other time period as necessary to provide time to cure the situation or condition described in the Notice. As set out in other agreements between the City and the County, City staff may provide Notices to Remedy on land owned by the County at the request of County staff.
2. The following are examples of situations or conditions that may result in a Notice to Remedy:
 - i. Noise or disruption
 - ii. Cooking/open flames deemed unsafe by Bend Fire & Rescue but not constituting an exceptional emergency or immediate danger to human life or safety
 - iii. Failing to utilize hygiene stations
 - iv. Dumping/littering
 - v. Off leash animal/pet
 - vi. Creation or use of unauthorized roads or access points
 - vii. Camping or establishing a camp outside the TSSA boundaries or in areas not presently occupied by camps
 - viii. Abandoning vehicles in or near the TSS
 - ix. Construction of new temporary or permanent structures
 - x. Camping outside of vehicles or in structures or tents that are not vehicles
3. The Jurisdiction will notify the Committee at the next available meeting of any Notice to Remedy issued and review the situation with the group. The Jurisdiction may also consult with the Committee prior to issuing a Notice to Remedy to request support and/or accommodation from Service Providers to ensure compliance.

f. Law Enforcement Authority

1. The Deschutes County Sheriff, or its designee, has the authority as the primary law enforcement agency to access and monitor the TSSA area as is necessary to respond to and investigate incidents both in the TSSA and to individuals that are believed to be camping within the TSSA that may be involved in an incident or investigation that has occurred outside of the TSSA. If the Sheriff, or its designee, at any point in time believes there is a direct risk to health and safety to an individual or individuals within the TSSA, the Sheriff, or its designee, has the right to exercise its authority under the law, subject to any notice required by State law or County policy, to remove or arrest an individual or individuals causing a health and safety risk from the TSSA area. If the removal or arrest of an individual or individuals occurs, the Sheriff's designee will notify members of the Jurisdiction and/or Committee of the removal or arrest and the Jurisdiction and/or Committee will evaluate and arrange for the removal, cleanup, and storage of the individual's personal property.

g. Security Patrol Authority

1. Security Patrol has been retained and has been granted access to provide regular patrols of the TSSA. The Security Patrol will monitor and document instances and/or incidents within the TSSA that appear to be violations of this policy and report to the Jurisdiction and/or the Committee for evaluation. If at any time Security Patrol feels there is an incident that qualifies as a serious health or safety risk or qualifies as grounds for Immediate/Emergency Removal, they may contact the Sheriff's designee and/or Jurisdiction for immediate assistance.

h. Property Access

1. The City and County each grant the other, its officers, employees, and authorized contractors and volunteers, including Service Providers funded under the Houseless Services Grant Program by the City, or otherwise authorized to provide services to people camping at the TSSA, to access property owned by each for the purposes of TSSA management and housing-focused case management for people camping at the TSSA.

i. Removal & Storage

1. Personal property that is removed from campsites, including vehicles (used for shelter), for noncompliance with this Policy and/or any Jurisdiction policy, shall be stored in accordance with applicable Jurisdiction policies. Abandoned vehicles (not used for shelter) may be towed and stored in accordance with ORS 98.812 or ORS 98.830, or other applicable laws, including towing and storage to a private towing facility subject to all required processes and allowable liens. Each Jurisdiction is responsible for complying with all applicable laws and neither shall be held responsible for the actions of the other.
2. Following removal of a campsite or personal property, the Jurisdiction will post notice stating the location where the removed personal property is being stored, and how individuals can contact the Jurisdiction to retrieve personal property. Each Jurisdiction will follow its own policies and procedures for campsite removal and storage of personal property.

3. When removing personal property, the responsible Jurisdiction will make reasonable efforts to determine if property belongs to an individual and has any apparent utility. Items that are of no apparent use or are in an unsanitary condition will be considered garbage and disposed of accordingly.
4. The Jurisdictions have created a secure, fenced storage area approximately 1,500 feet from the north end of NE 18th Street (north of the intersection of NE 18th Street & Cooley Road), that is intended to serve as the storage facility for any property removed from the TSSA or surrounding areas.

j. Reasonable Accommodation

1. If a person asserts an inability to comply with a Notice because of a disability, Jurisdiction personnel may consult their respective Accessibility Manager and/or counsel in determining the appropriate response under applicable law. Jurisdiction staff may inquire about the nature of the asserted disability however, a person does not have to disclose a diagnosis or specify the disability to qualify for a modification to the guidelines. Requests for modification or accommodation shall be considered on an individual basis, and accommodations should be reasonable and not cause an undue burden or threat to public health and safety. In most instances, modifications are likely to be additional time to comply or move.
2. If a person asserts an inability to comply with a Notice because of having a minor child in their care, or having an employment obligation, personnel/staff representing the Jurisdiction personnel should request the person identify what requirements of the Notice need modification, and utilize their discretion in applying the guidelines, and should consult with agency counsel or other staff as appropriate.

Approved by the Deschutes County Board of Commissioners May 21, 2025.

Nick Lelack
County Administrator