

REQUEST FOR COUNCIL ACTION

Title:	Ordinance Amendment Concerning Personal Property
Preferred Agenda:	January 24, 2023
Submitted By:	Robert Snyder, City Attorney
Reviewed By:	Kelcey Young, City Manager
Type of Action:	Resolution___ Motion___ Roll Call___ Other_x__
Relevant Code/Policy:	SHMC Chapter 3.08 City Disposition Of Property
Towards Council Goal:	Goal 2 (1) Update and streamline processes and Goal 3(2) Improve community safety. Vision Statement I & II WE ASPIRE to have a desirable community and an effective and efficient local government.
Attachments:	Pictures of Old City Hall clean up sleeping area

PURPOSE FOR THIS RCA:

Presentation of an amendment to the SHMC in Ordinance form concerning items that have no apparent value or utility or in an insanitary condition coming into the possession of the city through its employees.

BACKGROUND/CONTEXT:

The City is making available an overnight sleeping area near the Sweet Home Police Department. From experience at the Old City Hall sleeping area the City needs to have effective and efficient ways of disposing of personal property for health reasons, safety reasons and the general welfare of the area users and the general public. Wording from ORS 195.505 that sets forth the procedures used in closing a homeless camping site state: "Items that have no apparent value or utility or are in an insanitary condition may be immediately discarded upon removal of the homeless individuals from the camping site."

The proposed Ordinance incorporates the essence of the above wording in the City Disposition Of Property Ordinance that is currently in the SHMC Chapter 3.08 but making it fit in with the wording used in the remainder of said Ordinance.

The said amendment would be effective at any time on public property where an employee of the city takes possession of the personal property in question and the named items or condition are found to exist not just at the overnight sleeping area. The original ordinance sets forth how the city is to dispose of personal property that for some reason comes into the possession of the city through its employees from returning it to

the owner, selling it after notice etc, to throwing it away. The amendment will provide an additional option to address problems with disposing of the said items.

THE CHALLENGE/PROBLEM:

Should the City of Sweet Home pass the proposed ordinance amendment?

STAKEHOLDERS

- Staff- for an ordinance provision that will be helpful in dealing with personal property on public property.
- City Council - for an effective remedy for certain personal property on public property.
- Citizens of Sweet Home - for effective and efficient local government.

ISSUES & FINANCIAL IMPACTS:

The financial terms of the proposed ordinance are dump fees.

ELEMENTS OF A STABLE SOLUTION:

Using the state law wording to address the local problem of personal property clean up on public property.

OPTIONS:

1. Do Nothing- Keep the current ordinance without the amendment.
2. Motion to conduct a first reading of the proposed ordinance as presented- If the voting is unanimous, a second reading, by title only, may take place during the same meeting.
3. Motion to conduct a first reading of the proposed ordinance with changes- The Council may make changes to the proposed ordinance. If the voting is unanimous, a second reading, by title only, may take place during the same meeting.
4. Direct Staff to research other ways to accomplish the same goals.

RECOMMENDATION:

Option 2 is the recommended option: Motion to conduct a first reading of the proposed ordinance as presented.