



**CITY COUNCIL MEETING
STAFF REPORT**

Meeting Date: March 6, 2023		Subject: Prohibited Camping Code Update Project	
		Staff Members: Amanda Guile-Hinman, City Attorney; Nick McCormick, Law Clerk	
		Department: Legal	
Action Required		Advisory Board/Commission Recommendation	
<input type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 st Reading Date: <input type="checkbox"/> Ordinance 2 nd Reading Date: <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda		<input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input checked="" type="checkbox"/> Not Applicable	
		Comments: N/A	
Staff Recommendation: N/A			
Recommended Language for Motion: N/A			
Project / Issue Relates To:			
<input type="checkbox"/> Council Goals/Priorities:	<input type="checkbox"/> Adopted Master Plan(s):	<input checked="" type="checkbox"/> Not Applicable	

ISSUE BEFORE COUNCIL:

Review initial feedback from community members and stakeholders regarding potential prohibited camping regulations and discuss policy questions to inform development of prohibited camping regulations.

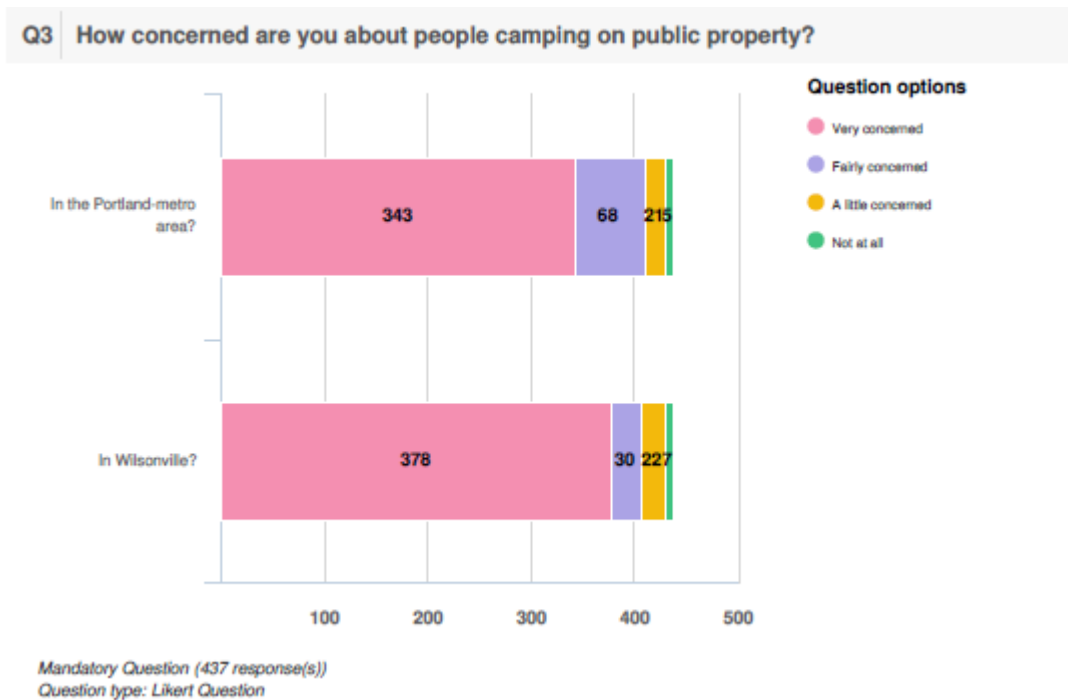
EXECUTIVE SUMMARY:

The City is undertaking a review and update to its local code provisions regarding camping on city property and city rights-of-way such as streets and sidewalks in response to new state laws and federal court cases. This is state-mandated work that every city in Oregon is or will be in the process of doing. The goal of the City’s camping code update project is to do so in a way that is humane, and complies with state and federal law, by establishing clear rules about where, when, and how camping is allowed or not allowed on City property and rights-of-way.

This Staff Report provides background information that requires the City to revise its prohibited camping code provisions, what the City can and cannot regulate, and policy questions for the Council that staff will use to help inform the ultimate revisions to the City Code.

Woven within the policy questions discussion is the information staff has garnered thus far from its public outreach, including responses to the Let’s Talk, Wilsonville! questionnaire, communications from community members to staff, and stakeholder interviews. A memo of the initial outreach results is attached hereto as **Attachment A**. As evidenced in the Let’s Talk, Wilsonville! questionnaire (**Exhibit 1** attached to Attachment A), community members are particularly engaged and interested in this topic. Over 400 community members responded to the questionnaire, the largest response received since the City implemented Let’s Talk, Wilsonville! Moreover, the vast majority of respondents stated they are either very concerned or fairly concerned regarding camping on public property both in the Portland metro area and Wilsonville – 94% and 93% respectively.

CHART 1: Level of Concern Regarding Camping on Public Property



I. BACKGROUND

A. Federal Cases on Camping Ban Enforcement

1. *Martin v. Boise* – Ninth Circuit Court of Appeals (2019)

In 2019, the 9th Circuit in *Martin v. Boise* examined the constitutionality of two Boise ordinances: one that made it a misdemeanor to use “any streets, sidewalks, parks, or public places as a camping place at any time,” and one that banned occupying or otherwise using a public or private structure without permission. The facts of the case are important to understand the nuance of the resulting limitations imposed on local governments – at the time, Boise had a “significant and increasing homeless population” and point-in-time counts of unhoused individuals in the county in which Boise is located, Ada County, ranged between approximately 750 to 870 individuals with 46 to 125 identified as unsheltered. The court noted that Boise had three homeless shelters at the time, all of which were run by nonprofits. These shelters were the only identified shelters in the county. One of the shelters had 96 beds for individuals and several additional beds for families, and it did not impose any religious requirements on its residents. The two other shelters were run by a religious nonprofit that offered Christian religious services and displayed religious messages and iconography on the walls – one shelter was exclusively for men and the other was exclusively for women and children. There were also time limits for how long individuals could stay at the two shelters. All told, Boise’s three homeless shelters contained 354 beds and 92 overflow mats for unhoused individuals.

The 9th Circuit ruled that these two ordinances generally violated individuals’ rights under the 8th Amendment, which prohibits government from imposing cruel and unusual punishment. What came out of *Martin* was the general understanding that a city cannot criminalize being involuntarily homeless – as the court explained, “[T]he Eighth Amendment prohibits the imposition of criminal penalties for sitting, sleeping, or lying outside on public property for homeless individuals who cannot obtain shelter.” 920 F.3d 584, 617. In other words, if a city does not have enough beds for unhoused individuals, it cannot punish those individuals for sleeping outside because they have nowhere else to go. The court focused on the following facts by determining that Boise’s prohibited camping ordinances violated the 8th Amendment: (1) there were not enough shelter beds in Boise for the unhoused population; and (2) some of the shelters had gender, time, and religious limitations that were additional barriers to unhoused individuals. In an effort to narrow the scope of the court’s decision, the court caveated its prohibition by holding that cities do not have to provide shelter and do not have to allow sitting, lying, and sleeping on public property at any time or at any place. Rather, cities can still have reasonable time, place, and manner restrictions for camping.

2. *Blake v. City of Grants Pass* – US Federal District Court for the District of Oregon (2020)

After *Martin*, many jurisdictions began revising their state and local statutes to comply with the recent decision. In 2020, a class of unhoused individuals challenged various Grants Pass regulations that were similar to those in *Martin* before the U.S. Federal District Court of Oregon in *Blake v. Grants Pass*. Grants Pass had attempted a limited revision to its regulations in light of *Martin* to allow “sleeping” in certain circumstances, but retained all other prohibitions of camping on public property. Among the regulations were bans on camping in parks, camping on public property, and sleeping in public places when any bedding is used, as well as exclusions from parks for violating more than one regulation in one year’s time. A particular focus by both the Federal District Court and later the Ninth Circuit Court of Appeals was that Grants Pass’s ordinances, while allowing sleeping, did not allow individuals to use any items to facilitate sleep, such as a pillow, blanket, cardboard, or tent. The fact scenario in the Blake case was similar to *Martin* – the point in time count for Grants Pass in 2019 identified 602 unhoused individuals. Grants Pass had no “shelters” as defined by the criteria established by the US Department of Housing and Urban Development (“HUD”)¹. The one shelter in Grants Pass was run by Gospel Rescue Mission (“GRM”) and had very stringent rules and religious requirements. Thus, not only were there insufficient beds in Grants Pass even counting the GRM shelter, the Federal District Court indicated a reticence to even counting those shelter beds given the barriers imposed on unhoused individuals to accessing GRM’s shelter and the fact that GRM was not a HUD certified emergency shelter.

The District Court ultimately held that Grants Pass’s regulations violated *Martin*, and provided further clarification regarding when cities can or cannot enforce camping prohibitions. The Court held that the 8th Amendment prohibits a jurisdiction from punishing people for taking necessary steps to keep themselves warm and dry while sleeping (such as using bedding or a barrier between themselves and the ground). The court explained, “[I]t is not enough under the Eight Amendment to simply allow sleeping in public spaces; the Eight Amendment also prohibits a City from punishing homeless people for taking necessary minimal measures to keep themselves warm and dry while sleeping when there are no alternative forms of shelter available.” 2020 WL 4209227, *6. The Court also held that enforcement through imposition of a civil penalty as opposed to a criminal charge did not relieve Grants Pass from the 8th Amendment analysis in *Martin*.

The Federal District Court did reiterate the *Martin* caveat that local jurisdictions do not have to provide shelters or to allow camping at all times on all public property. It also suggested that some regulations, such as prohibiting the use of tents, may be permissible under the Eighth Amendment analysis. The court stated:

¹ Interestingly, the *Martin* decision did not focus on whether the shelters in Boise met the HUD criteria. Rather, even with the shelter beds at the three shelters in Boise, there were not enough to meet the point-in-time count of unhoused individuals. This question of whether a shelter needs to meet the HUD criteria to be considered in the comparison of unhoused individuals to available beds remains unanswered. The implication is that jurisdictions do not know whether “available beds” must be in shelters that meet HUD criteria or other alternative sheltering that is becoming commonplace as temporary sheltering for unhoused individuals within the Ninth Circuit.

“The City may implement time and place restrictions for when homeless individuals may use their belongings to keep warm and dry and when they must have their belonging packed up. The City may also implement an anti-camping ordinance that is more specific than the one in place now. For example, the City may ban the use of tents in public parks without going so far as to ban people from using any bedding type materials to keep warm and dry while they sleep. The City may also consider limiting the amount of bedding type materials allowed per individual in public places.” *Id.* at *15.

3. *Johnson v. City of Grants Pass* – Ninth Circuit Court of Appeals (2022)

Grants Pass appealed the *Blake* decision² to the Ninth Circuit Court of Appeals, the same court that issued the *Martin* decision. The Ninth Circuit did not focus on the type of shelter (whether HUD certified or not), but rather agreed with the District Court’s analysis that the allowance to sleep necessarily includes materials needed to keep warm and dry. The Ninth Circuit held that Grants Pass’s ordinances violated the Eighth Amendment to the extent the ordinances prohibited individuals from taking minimal measures to keep warm and dry while sleeping. The court explained that the only plausible reading of its *Martin* decision is that “it applies to the act of ‘sleeping’ in public, including articles necessary to facilitate sleep.” 50 F.4th 787, 808.

The Ninth Circuit, like the Federal District Court, also reiterated that certain prohibitions may be permissible, such as restricting construction of structures or use of tents, though it does suggest that such prohibitions need to be justified:

“Our holding that the City’s interpretation of the anti-camping ordinances is counter to *Martin* is not to be interpreted to hold that the anti-camping ordinances were properly enjoined in their entirety. Beyond prohibiting bedding, the ordinances also prohibit the use of stoves or fires, as well as the erection of any structures. The record has not established the fire, stove, and structure prohibitions deprive homeless persons of sleep or ‘the most rudimentary precautions’ against the elements. Moreover, the record does not explain the City’s interest in these prohibitions. Consistent with *Martin*, these prohibitions may or may not be permissible.” *Id.* at 812.

The Ninth Circuit jurisprudence has established the following rules regarding prohibited camping: (1) outright bans on camping on public property are impermissible when there are not enough beds available for unhoused individuals; (2) time, place, and manner regulations to limit when, where, and how people camp are permissible, but the regulations cannot have the effect of essentially banning camping or prohibiting individuals the ability to use materials necessary to facilitate sleep and to keep warm and dry; and (3) whether a jurisdiction imposes civil or criminal penalties does not change the applicability of the Eighth Amendment on camping bans.

² The named plaintiff in the matter was substituted because Debra Blake died after the federal district court decision.

The Ninth Circuit case law does leave some questions for jurisdictions working to implement regulations that comply with the cases:

- Can alternative sheltering options be part of the calculation of available beds, or do only shelters that meet HUD criteria count? Only the Federal District Court discussed this nuance.
- Can shelter options available in the County be part of the calculation if the city can provide transportation to the shelters? Given that the counties in Oregon, and particularly in the Metro area, receive funding for shelters, their shelter opportunities could be relevant.
- Can the restriction on the erection of structures, including tents, survive Eighth Amendment scrutiny? Both the Federal District Court and the Ninth Circuit suggest that such prohibitions may be constitutional, if justified – though there is no discussion of the type of justification needed.

B. New Oregon Laws Regulating Local Camping Bans

1. HB 3115 (2021)

With the guidance of both *Martin* and *Blake* (2020), the Oregon legislature passed HB 3115 in 2021 (codified as ORS 195.530), which set up specific requirements and limitations for city and county camping ordinances. A copy of HB 3115 is attached hereto as **Attachment F**.

Among the requirements is a provision stating that any regulation of use of public property by unhoused persons must be “objectively reasonable.” Whether or not a regulation is objectively reasonable depends on an analysis of all the circumstances, including the impact of the law on the person, as well as other relevant considerations related to the specific conditions involved.

The law also provides for both an affirmative defense to any crime that is objectively unreasonable, as well as a private right of action for declaratory and injunctive relief (not money damages), which means that individuals can sue the City alleging the City Code is unreasonable on its face (no enforcement action by the City is required prior to suing the City for violating the new state law). The private right of action allows for the collection of attorney’s fees at the judge’s discretion also. The law goes into effect on July 1, 2023.

2. HB 3124 (2021)

Additionally, passed as HB 3124 (2021) (attached hereto as **Attachment G**), and effective on June 23, 2021, ORS 195.505 added provisions requiring reasonable prior written notice to individuals of an intent to close an established campsite within 72 hours at each campsite entrance before closure. This policy does not apply if the site is housing illicit activities, in case of emergencies, or sites near a funeral service. Additionally, a citation cannot be given if within 200 feet of a notice posted less than two hours before or after such time.

The law also added provisions regarding the receipt and storage of persons' belongings left after a valid site closure. Any unclaimed property is to be stored at a designated facility located in that community. The city must leave reasonable notice as to where and how the person may find and retrieve their belongings. A city is not required to store goods that are deemed to have no value or utility, or are unsanitary. A city will give all weapons, illicit substances, and stolen property to law enforcement. The city will store the items for 30 days after reasonable notice is given.

C. Other Considerations Regarding Camping Bans

Other concerns related to the regulation of camping on public property include the 1989 U.S. Supreme Court decision of *Deshaney v. Winnebago County Department of Social Services*, which viewed the 14th Amendment as imposing a duty on government actors when they have created dangerous conditions for others. This has been further refined by the 9th Circuit to apply a duty to government actors where an affirmative act puts a person in danger with a deliberate indifference to a known or obvious danger. *LA Alliance for Human Rights v. City of Los Angeles*, 2021 WL 1546235.

This is an important policy consideration for cities in deciding where to prohibit camping and where to allow it. The city must ensure that regulations for camping and related prohibitions do not expose individuals to a greater danger than under current circumstances. This will sometimes require a case-by-case analysis of current environmental conditions and potential harms that may occur after site removal. It is still unclear as to how far the duty stretches under the State Created Danger principle.

II. CITY PROJECT

Staff formed an inter-departmental internal team to review Wilsonville Code provisions that regulate camping, and other related provisions. This internal team has three goals: (1) to ensure that the City is compliant with HB 3115 prior to its operative date of July 1, 2023; (2) to verify, through work sessions with Councilors and feedback from the community and stakeholders, that any regulations in the Wilsonville Code reflect City values; and (3) to communicate with and educate the Council and the community about these changes in Oregon law and any corresponding revisions to the Wilsonville Code. As staff continues to undertake the community outreach component of this project, staff seeks feedback from the City Council regarding policy questions concerning this prohibited camping project.

A. What Can and Can't We Do?

Below is a summary of the policy considerations that we can examine and that we cannot examine regarding prohibited camping:

1. **We cannot ban camping outright** – in the Ninth Circuit’s jurisdiction (Alaska, Arizona, California, Hawaii, Idaho, Montana, Nevada, Oregon, Washington), only cities with sufficient shelter beds for unhoused individuals can ban camping outright. Whether such shelter beds must be traditional shelters, pallet shelters, tent sites, or other city-sanctioned sheltering is not clear from the case law and state statutes. Regardless, Wilsonville does not have any such sheltering and currently there is no evidence that there is enough sheltering opportunities within Clackamas County more generally³. Currently, staff is not aware of any city that is able to meet this threshold of having enough beds available for its unhoused residents. Portland’s mayor recently stated a policy goal to reach this threshold, but otherwise, no city is able to ban camping outright.
2. **We are only covering regulations on City-owned property and rights-of-way** – the requirements from the case law and state statutes only require cities to either provide shelter beds or allow camping on City-owned property and rights-of-way, not privately owned property or property owned by other public entities. Thus, any regulations regarding camping that may be ultimately adopted by Council are not applicable to business complexes, HOA-owned parks, school district property, or residences. However, we can consider a program that allows private property owners to apply to provide some camping on their property – several Oregon jurisdictions have implemented such programs. Again, this type of program is beyond the scope of the prohibited camping code revisions.
3. **We can regulate the timing when camping may occur**, such as between certain hours (e.g., from 10 pm to 6 am).
4. **We can regulate where camping occurs on City-owned property** (e.g., parking lots, vacant City-owned lots, sidewalks, parks, etc).
5. **We can regulate how camping occurs**, such as to prohibit open flames/fire, certain structures, size of structures, and size of overall space occupied. However, we must allow for unhoused individuals to be warm and dry while they sleep. This likely means, at a minimum, allowing barriers between the individual and the ground, using sleeping bags or blankets to stay warm, and some protection from the rain.
6. **We cannot have regulations that are objectively unreasonable**. Reasonableness is determined by examining the totality of the circumstances, including the impact of the regulations on persons experiencing homelessness. Thus, if our time, place, and manner regulations have the impact of essentially prohibiting all camping or extremely limited camping (*see Blake v. City of Grants Pass*), then the regulations are not objectively reasonable.

³ The case law is not clear on whether shelters within a county but outside a city may count toward availability of shelter beds for a city to prohibit camping, but the cases do generally look at resources within larger metro/county areas when conducting its analysis.

B. Policy Questions

These policy questions are designed for the Council to consider not just how unhoused individuals may use City-owned property and rights-of-way, but also how other community members also use such facilities, to ensure that any restrictions and regulations do not specifically target unhoused individuals while allowing others to engage in the same conduct. For example, if a person may use a shade tent during a soccer tournament in a park, the City cannot restrict others from also using such a tent for other lawful purposes, such as resting, while the park is open. In order to assist the Council in this discussion, staff has compared the regulations of other jurisdictions that have already amended their local codes. That comparison chart is attached hereto as **Attachment B**. As noted above, staff has also prepared an initial public outreach report that is attached hereto as **Attachment A**. To the extent the feedback and other jurisdictions' regulations are relevant to a specific policy question, that information has been incorporated.

Policy Question 1: Whether the hours an individual may camp should be limited to a specific time period. For example, the City could allow camping on certain city property between the hours of 10 pm and 6 am. Currently, the City closes parks at night (parks posted to be closed from 10 pm to 6 am). The City could continue to close parks at night, which would have the effect of prohibiting all camping in public parks at night. This allows the preservation of the parks and the City's investment in the parks, but the City will likely need to ensure that there are other City-owned areas where individuals are able to camp in order for such a prohibition to be considered "objectively reasonable." Also, importantly, individuals may still use the parks during the daytime in any way that does not otherwise violate city code. In other words, individuals are allowed to recreate in city parks during open hours in any manner that does not violate City regulations. A map of park spaces, delineating between City-owned parks and park facilities owned by homeowners associations, is attached hereto as **Attachment C**.

Community members responded in the questionnaire that duration of stay should receive the most consideration in the development of a new camping policy and hours during which camping is allowed was the second most important consideration. Bend, Medford, and Newport limit the period of camping in one location to 24 hours; Seaside limits camping to occur between 8 pm and 8 am. See **Attachment B**. In some of the stakeholder interviews conducted, individuals were not opposed to a specific time limitation, such as 10 pm to 6 am. Some individuals wanted a longer duration (such as 24 hours) for individuals camping in their vehicles because that felt a little less disruptive than sleeping on sidewalks or in parks/forested areas. Additionally, information from service providers indicates that most of Wilsonville's unhoused population either sleep in their vehicles or "double-up" – meaning they find shelter at someone else's home.

CHART 2: Forced Ranking of Factors to Consider When Developing Camping Policy

Q6 With #1 being most important, which factors should receive the most consideration in the development of new overnight camping policy?

OPTIONS	AVG. RANK
Duration of stay	2.64
Hours during which camping is allowed	3.16
Compatibility with nearby uses	3.32
Environmental impacts	4.13
Proximity to services	4.25
Access to buildings, sidewalks	5.08
Access to public parking lots	5.17

*Optional question (432 response(s), 5 skipped)
Question type: Ranking Question*

Policy Question 2: Should camping be prohibited outright in areas identified within the Significant Resource Overlay Zone (SROZ)? Given the environmental protections in place for areas within the SROZ, continuing to protect such areas will likely be considered objectively reasonable. A map of the City SROZ is attached hereto as **Attachment D**.

Policy Question 2a: In the forested park areas that are not part of the SROZ, should certain conduct be prohibited at all times (not just when the parks are closed)? If so, what conduct would be prohibited? For example, should the City consider allowing anyone, while the park is open, to sit, lie, and/or sleep in forested areas? Should the City consider restricting the items an individual may use if sitting/lying/sleeping, such as chairs or tents? This policy question implicates not only the place, but the manner in which individuals may recreate and camp in the forested areas while the park is open.

In the Let's Talk, Wilsonville! questionnaire, environmental impacts ranked fourth out of the seven considerations (see Chart 2 above). However, it was rated as one of the least suitable places for overnight camping, along with areas around parks and trails, near schools, and near residences.

CHART 3: Forced Ranking of Locations' Suitability to Allow Camping

Q5 With #1 being the best alternative, rank each location's suitability as a space to allow overnight camping (as required by ...

OPTIONS	AVG. RANK
City/Government-owned Property	2.57
Industrial Areas	3.40
Transit Areas	4.02
Parking Lots	4.41
Office/Commercial Areas	5.76
Town Center	6.82
Rights-of-Way/Streets	7.07
Retail Areas	7.27
Forested/Environmentally Sensitive Areas	7.47
Parks & Trails	8.00
School Grounds	10.54
Residential Neighborhoods	10.68

*Mandatory Question (437 response(s))
Question type: Ranking Question*

Medford expressly prohibits camping in its greenways and Bend prohibits camping in its waterway overlay zone (each are similar to Wilsonville's SROZ).

Policy Question 3: Should there be restrictions on the kinds of materials that may be used while camping? Currently, the City already restricts open flames in parks except in designated areas. Open flames/stoves pose fire risks that will likely make prohibiting them objectively reasonable.

Bend only allows "approved fires for cooking and warmth" and prohibits power generators. In the stakeholder interviews, individuals were comfortable with prohibiting accessories that may be a fire risk from being used in environmentally sensitive areas in particular. One service provider also noted that the food that unhoused individuals receive from that provider are generally "grab-and-go" food that does not need to be heated or cooked.

Policy Question 4: Should the City prohibit camping within a specific distance of certain land uses, such as schools or residences? As long as there are other locations available for camping, these regulations may be objectively reasonable to ensure child safety. As noted in Chart 3 above and Chart 4 below, proximity to schools and residences is a key concern of community members.

CHART 4: Factors to Consider When Reviewing Potential Locations to Allow Camping



Newport prohibits camping within 200 feet of schools and childcare facilities. All cities reviewed prohibit camping in residential areas or near residences.

Policy Question 5: Should the City limit the space a campsite may occupy? The City could impose a size limitation of campsites so that people have enough room for their personal belongings and to sleep while preventing the expansion of the footprint of campsites.

Bend imposes a spatial limit of 12x12 feet or 144 square feet of a campsite, prohibits any more than 3 campsites per block, and each must be at least 150 feet apart. One stakeholder interviewee expressed specific support for limiting the footprint of a campsite.

Policy Question 6: Should the City allow camping in City-owned parking lots and certain vacant City-owned property(ies)? Attached hereto as **Attachment E** is a map of City-owned taxlots and vacant properties (as identified by Metro).

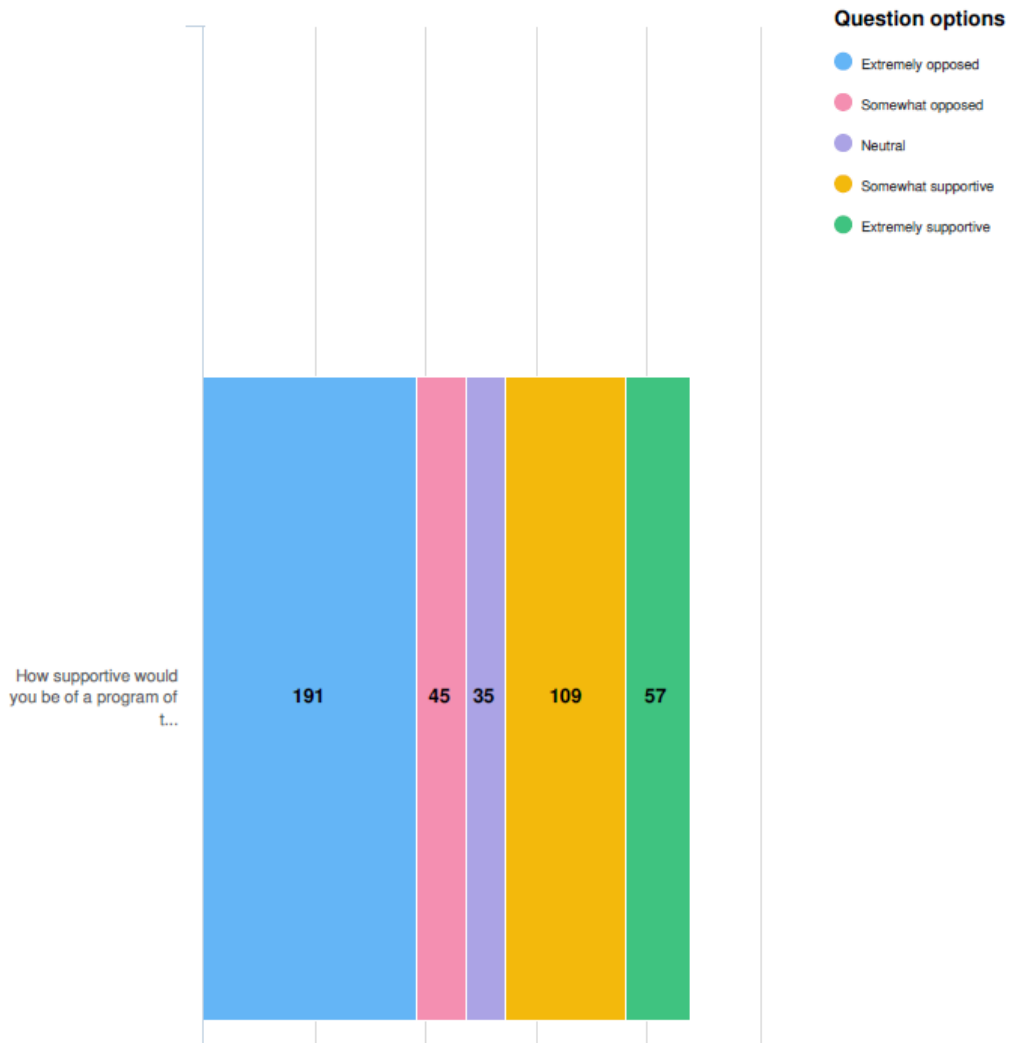
As noted in Chart 3, City-owned property was ranked as the most suitable option to allow camping and City parking lots was ranked fourth. Bend and Newport, to the extent they allow the use of City-owned parking lots and property, have designated places where unhoused individuals may camp. Medford and Seaside do not have explicit designated parking lots or other City-owned properties listed.

Policy Question 7: Should the City consider a private property safe camping program? Cities such as Bend, Medford, Newport, Seaside, and several other cities offer a private property camping program to property owners. See **Attachment B**.

While policy specifics would need to be further explored, the Let's Talk, Wilsonville! question on this topic received a mixed response, though most indicated they were opposed to a private property camping program. See Chart 5 below. Many of the individuals in the stakeholder interviews were receptive to such a program.

CHART 5: Whether to Consider a Private Property Camping Program

Q7 One consideration is a program to allow camping on private property, with approval of the property owner. Typically, these programs allow temporary camping (a maximum of 90 days, 6 months, etc.), with the maximum number of camp sites dependent on t...



Policy Question 8: Should the City have separate considerations for car camping versus tent camping/sleeping directly on City property and sidewalks?

One of the stakeholder interviews raised the concept of having different standards for car camping versus other types of camping. This idea recognized that most unhoused individuals in Wilsonville do not tent camp or sleep directly on City property, but instead camp in their vehicles. Vehicle camping was noted in the interview as feeling less disruptive and would better accommodate Wilsonville's unhoused residents.

Policy Question 9: Are there any other regulations that should be considered as part of this prohibited camping project – particularly, regarding the time, place, or manner that camping is allowed?

EXPECTED RESULTS:

Contemporaneous with the community outreach, the project team has begun the process of reviewing current city code and locating code sections to be revised in light of the new state laws, with the city potentially approving a final revised code by May 2023.

TIMELINE:

Approximate timeline of expected upcoming events:

1. February 23, 2023 – Second Council Work Session to go over policy considerations and initial community feedback
2. March 20, 2023 – Third Council Work Session to review draft Code revisions
3. April 17, 2023 – Fourth Council Work Session for any last revisions
4. May 1, 2023 – First Reading of Ordinance
5. May 15, 2023 – Second Reading of Ordinance
6. July 1, 2023 – New regulations become effective

CURRENT YEAR BUDGET IMPACTS:

None immediately, but there could be potential costs depending on the chosen system for managing prohibitions on camping. Cities are not required to provide facilities for those who are experiencing houselessness, but may be required to create additional procedures for regulating camping.

COMMUNITY INVOLVEMENT PROCESS:

Public involvement is a focal point of the city camping code revision process to ensure a diverse group of community members and stakeholders can provide their priorities, interests, and concerns related to the potential code revisions. The City provided a community survey through Let’s Talk, Wilsonville! and staff have met and are meeting with stakeholders, including City advisory boards, private service providers, business and community groups, Clackamas County, the School District, TVF&R, and other government agencies.

POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:

There are several potential impacts on the residential, commercial, and related communities depending on the adopted code revisions. The project team will work with local residents and stakeholders to address concerns and provide equitable solutions that benefits both the community and other impacted individuals.

ATTACHMENTS:

1. Attachment A – Initial Public Outreach Memorandum dated February 7, 2023
2. Attachment B – Prohibited Camping Regulations Comparison Chart
3. Attachment C – Map of parks
4. Attachment D – Map of SROZ
5. Attachment E – Map of City-owned taxlots and Metro regional vacant lands inventory of City-owned properties
6. Attachment F – ORS 195.530 (HB 3115)
7. Attachment G – ORS 195.505 (HB 3124)