

**BE IT REMEMBERED, that at a regular term of the Board of Commissioners of the State of Oregon, for the County of Union, sitting for the transaction of County business, begun and held at the Joseph Building Annex in the City of La Grande, in said County and State, on Wednesday of said month and the time fixed by law for holding a regular term of said Commissioner, when were present:**

<b>The Honorable</b>	<b><u>Paul Anderes</u></b>	<b><u>Chair</u></b>
	<b><u>Donna Beverage</u></b>	<b><u>Commissioner</u></b>
	<b><u>R. Matthew Scarfo</u></b>	<b><u>Commissioner</u></b>

WHEN, on WEDNESDAY, the 6th day of September 2023, among others the following proceedings were had to-wit:

<b>IN THE MATTER OF AN ORDINANCE</b>	)	<b>ORDINANCE</b>
<b>REGULATING THE REMOVAL OF</b>	)	<b>2023-05</b>
<b>CAMPsites ON PUBLIC PROPERTY</b>	)	<b>Page 1 of 2</b>

WHEREAS, ORS 195.500 requires all counties to develop a policy to ensure the most humane treatment for removal of homeless individuals from camping sites on public property; and,

WHEREAS, Union County recognizes the social nature of the problem of homeless individuals camping on public property; and,

WHEREAS, Union County desires to implement a policy in compliance with ORS 195.500 and also recognizes the need to provide safe, secure public spaces for residents,

WHEREAS, Union County encourages the active participation of all concerned persons, organizations, businesses and public agencies to work in partnership with the County and the homeless community to address the short- and long-term impacts of homelessness in the community.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS, COUNTY OF UNION, STATE OF OREGON:

Section 1. TITLE.

This Ordinance shall be known as the Removal of Campsites on Public Property Ordinance of Union County.

Section 2. DEFINITIONS.

“Personal Property” means any item that can reasonably be identified as belonging to an individual and that has apparent value or utility.

“Established Camping Site” means a campsite that has been in its current location for at least five days. If law enforcement officials do not have evidence about the age of a campsite, law enforcement officials should presume it is an established camping site.

Section 3. NOTICE.

- A. At least 72 hours before removing homeless individuals from an established camping site, law enforcement officials shall post a written notice, in English and Spanish, at all entrances to the camping site to the extent that the entrances can reasonably be identified.
- B. When a 72-hour notice is posted, law enforcement officials shall inform the local agency that delivers social services to homeless individuals as to where the notice has been posted.
- C. Written notice must state the following:
  - a. Where unclaimed personal property will be stored;

- b. A phone number that individuals may call to find out where the property will be stored; or
  - c. If a permanent storage location has not yet been determined, the address and phone number of an agency that will have the information when available.
- D. Exceptions to Notice. The 72-hour notice requirement under subsection (3) of this section does not apply:
- a. When there are grounds for law enforcement officials to believe that illegal activities other than camping are occurring at an established camping site.
  - b. In the event of an exceptional emergency at an established camping site, including, but not limited to, possible site contamination by hazardous materials, a public health emergency or other immediate danger to human life or safety.

**Section 4.      REMOVAL OF PERSONAL PROPERTY**

- A. All personal property at the camping site that remains unclaimed after removal shall be given to a law enforcement official, a local agency that delivers social services to homeless individuals, an outreach worker, a local agency official or a person authorized to issue a citation.
- B. 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.
- C. Weapons, controlled substances other than prescription medication and items that appear to be either stolen or evidence of a crime shall be given to or retained by law enforcement officials.
- D. The unclaimed personal property shall be stored in an orderly fashion, keeping items that belong to an individual together to the extent that ownership can reasonably be determined.
- E. The property shall be stored for a minimum of 30 days during which it shall be reasonably available to any individual claiming ownership. Any personal property that remains unclaimed after 30 days may be disposed of or donated to a corporation described in section 501(c)(3) of the Internal Revenue Code as amended and in effect on December 31, 2020.

**Section 5.      EFFECTIVE DATE**

This ordinance will take effect after 30 days from and after its passage by the Board.

First Reading Date: \_\_\_\_\_  
Second Reading Date: \_\_\_\_\_

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

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Paul Anderes, CHAIR

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Donna Beverage, COMMISSIONER

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R. Matthew Scarfo, COMMISSIONER