

CITY OF LA GRANDE
ORDINANCE NUMBER 3259
SERIES 2023

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA GRANDE, UNION COUNTY,
OREGON, REGULATING CAMPING ON PUBLIC PROPERTY AND PROHIBITING CAMPING IN
CERTAIN AREAS; AND DECLARING AN EFFECTIVE DATE**

WHEREAS, The City of La Grande desires to allow individuals and families that are temporarily experiencing the effects of homelessness to camp in relatively safe and sanitary locations while they are actively seeking access to stable and affordable housing; and,

WHEREAS, The City desires to establish codes related to camping in the City to allow for legal camping during reasonable time periods, while protecting sensitive areas of the City that are disproportionately impacted by the negative effects of such activity; and,

WHEREAS, The City desires to discourage camping in areas where such activities fundamentally undermine the public's ability to use that public property for its intended purpose and create unsafe and unsanitary living conditions, which can threaten the general health, welfare and safety of the City and its inhabitants; and,

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

NOW, THEREFORE, THE CITY OF LA GRANDE ORDAINS AS FOLLOWS:

Section 1. TITLE. This Ordinance shall be known as the Camping on Public Property Ordinance of the City of La Grande.

Section 2. PURPOSE. It is found and declared that:

- A. From time-to-time persons establish campsites on sidewalks, public rights-of-way, under bridges, and so forth;
- B. Such persons, by such actions create unsafe and unsanitary living conditions which pose a threat to the peace, health, and safety of themselves and the community;
- C. Camping, lying, or sleeping on a playground or sports field fundamentally undermines the public's ability to use that public property for its intended purpose;
- D. Camping, lying, or sleeping on rights of way, or in a manner that obstructs sidewalks prevents the public's ability to use that public property for its intended purpose and can in some situations result in imminent threats to life;
- E. These regulations are meant strictly to regulate the use of publicly owned property, and are not intended to regulate activities on private property; and
- F. The enactment of this provision is necessary to protect the peace, health, and safety of the City and its inhabitants.

Section 3. DEFINITIONS. As used in this Ordinance, the following terms and phrases shall have the meaning set forth herein:

"Camp" or Camping means to pitch, erect, create, use, or occupy camp facilities for the purposes of habitation, as evidenced by the use of camp paraphernalia.

"Campsite" means any place where one or more persons have established temporary sleeping accommodations by use of camp facilities and/or camp paraphernalia.

"Camp Facilities" include, but are not limited to, tents, bivouacs, huts, other temporary or portable shelters, and vehicles or recreation vehicles as defined by ORS.

"Camp Paraphernalia" includes, but is not limited to, tarpaulins, cots, beds, sleeping bags, blankets, mattresses, hammocks, or other sleeping matter, or non-city designated cooking facilities and similar equipment.

"La Grande Commercial Historic District" has the meaning and boundary set forth in the National Register of Historic Places (see attached Appendix A),

"Parking Lot" means a developed location that is designated for parking motor vehicles, whether developed with asphalt, concrete, gravel, or other material.

"Public Property" means any real property or structure owned, leased or managed by a public agency, including public rights-of-way and utility easements. A public agency includes, but is not limited to the City of La Grande, Union County, Oregon Department of Transportation, La Grande School District and Eastern Oregon University.

"Store" or "Storage" means to put aside or accumulate for use when needed, to put for safekeeping, to place or leave in a location.

"Park Areas" means publicly owned grounds operated under the supervision of the Parks and Recreation Department whether within or outside of the corporate limits of the City of La Grande providing outdoor passive and active recreation opportunities.

Section 4. PROHIBITED CAMPING. This section's regulations are meant strictly to regulate the use of public property within the City of La Grande and are not intended to regulate activities on private property.

- A. Except as expressly authorized by the City of La Grande Municipal Code, it shall be unlawful for any persons to establish or occupy a campsite at any time on the following Public property:
 1. All Park Areas;
 2. On sidewalks in a manner reducing the clear, continuous sidewalk width of less than five feet;
 3. All public property located within the boundaries of the La Grande Commercial Historic District, as shown in attached Appendix A;
- B. Except as expressly authorized by the City of La Grande Municipal Code, it shall be unlawful for any person to camp or maintain a campsite on any public property during the hours of 7:00 a.m. to 9:00 p.m.
- C. Except as expressly authorized by the City of La Grande Municipal Code, it shall be unlawful for any person to store personal property, including camp facilities and camp paraphernalia, on any public property during the hours of 7:00 a.m. to 9:00 p.m.
- D. Except as expressly authorized by the City of La Grande Municipal Code, it shall be unlawful to knowingly leave personal property unattended on public property during the hours of 7:00 a.m. to 9:00 p.m. Personal property left unattended may be removed and disposed by the City, in accordance with State law, if:
 1. The property poses an immediate threat to public health, safety or welfare; or

2. The property has been posted with a written notice in accordance with State law.
3. Any property removed by the City shall be held and disposed of pursuant to State law if not claimed within 30-days after removal.
 - a. Individuals may claim their property, without a fee, by contacting the Police Department or Parks and Recreation Department within 30 days.
 - b. Items that have no apparent utility or are in unsanitary condition may be immediately discarded.
 - c. Weapons, controlled substances other than prescription medication and items that appear to be either stolen or evidence of a crime shall be retained and disposed of by the Police Department in accordance with applicable legal requirements for the property in question.
- E. Notwithstanding the provisions of this Chapter, the City Manager or designee may temporarily authorize camping or storage of personal property on public 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 City Council goals and policies.

Section 5. PENALTIES AND ENFORCEMENT.

- A. Violation of any provisions in this Ordinance is a Type I violation pursuant to the City of La Grande Enforcement Ordinance. Each day that a violation occurs will be considered a separate offense.
- B. In addition to any other penalties that may be imposed, any campsite used for overnight sleeping in a manner not authorized by this Ordinance or other provisions of this code shall constitute a public nuisance and may be abated in accordance with State law.


Section 6. SEVERABILITY. If any court of competent jurisdiction declares any Section of this Ordinance invalid, such decision shall be deemed to apply to that Section only, and shall not affect the validity of the Ordinance as a whole or any part thereof other than the part declared invalid.

Section 7. EFFECTIVE DATE. This Ordinance shall become effective thirty (30) days after its adoption by the City Council of the City of La Grande, Union County, Oregon and its approval by the Mayor; specifically, February 3, 2023.

ADOPTED AND APPROVED on this Fourth (4th) day of January, 2023, by Six
(6) of Six (6) Councilors present and voting in the affirmative.


Stephen E. Clements, Mayor

ATTEST:


Stacey M. Stockhoff
Acting City Recorder

Appendix A

Roughly bounded by the U.P. Railroad tracks along Jefferson Avenue on the North; Greenwood Street and Hemlock Street on the East; Washington Avenue on the South; and Fourth Street on the West.

