

Rec

AGENDA



WASHINGTON COUNTY BOARD OF COMMISSIONERS FILED

Agenda Category: Action - Housing Services

DEC 04 1996

Agenda Title: POLICY REGARDING HOMELESS CAMPING SITES

Washington County
County Clerk

To be presented by: Susan A. Wilson, Director

SUMMARY (Attach Supporting Documents if Necessary)

State legislation adopted in 1995 requires that the local jurisdiction develop and implement a policy relating to the removal of homeless individuals from camping sites on public property, including specific criteria required under the law (ORS 203.077-.081, attached), to ensure the most humane treatment of persons removed from camping sites.

Working in partnership, the Department of Housing Services and the Sheriff's Office have prepared the attached "Policy Regarding Homeless Camping Sites in Washington County," which addresses issues of 24-hour advance notice for camp closures, provision of appropriate information on available social services, storage and handling of personal property, and the opportunity for review of activities implementing the policy. The policy document also defines emergency circumstances in which the 24-hour notice requirement will not apply. Under the policy, persons receiving the 24 hour notice to vacate a camping site on public property will be referred to the Department of Housing Services, and will receive a packet of information on homeless services available from a variety of agencies in the County. An example of the information packet is available for review at the Clerk's desk. Sheriff's Office personnel will inform DHS when a camping site is posted, and the two departments will coordinate information and services as defined in the attached policy.

Adoption of the policy guidelines, in keeping with State law, will establish a clear process for addressing camp sites on public property should the need arise. However, based upon the experience of both the Sheriff's Office and homeless service providers, the County has only rarely encountered any problems or complaints with homeless camps, and Sheriff's personnel do not anticipate extensive activity arising under the policy.

DEPARTMENT'S REQUESTED ACTION:

That your Board approve the attached Resolution and Order adopting a "Policy Regarding Homeless Camping Sites in Washington County" pursuant to ORS 203.077-.081.

COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the department's requested action.

RO 96-193

Agenda Item No. 4a.
Date: 12-3-96

000003

IN THE BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

In the Matter of Adopting a Policy)
Regarding Homeless Camping) RESOLUTION AND ORDER
Sites in Washington County) NO. 96-193

This matter having come before the Board at its regular meeting of December 3, 1996; and

It appearing to the Board that, the State of Oregon, under ORS 203.077 through 203.081, requires that local jurisdictions develop and implement a policy relating to the removal of homeless individuals from camping sites on public property; and

It appearing to the Board that such policy is required to include specific criteria to ensure the most humane treatment of persons removed from camping sites on public property; and,

It appearing to the Board that the attached "Policy Regarding Homeless Camping Sites in Washington County," having been developed by the Washington County Sheriff's Office and the Department of Housing Services, complies with the State legislation and provides for timely, humane, and effective action regarding closure of camping sites on public property; now, therefore, it is

RESOLVED AND ORDERED that the attached "Policy Regarding Homeless Camping Sites in Washington County" is hereby approved.

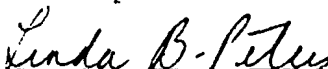
ADOPTED by the Board of County Commissioners for Washington County, Oregon, this 3rd day of December, 1996.

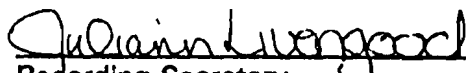
	AYE	NAY	ABSENT
PETERS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CHRISTY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
KATSION	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
DUYCK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ROGERS	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

APPROVED AS TO FORM


ASSISTANT COUNTY COUNSEL
FOR WASHINGTON COUNTY, O.R.E.


Chair


Recording Secretary

**POLICY REGARDING HOMELESS CAMPING SITES
IN
WASHINGTON COUNTY**

Pursuant to ORS 203.077-.081 (Exhibit A attached), the following policy is adopted by Washington County governing homeless individuals camping on public property. It is the County's policy to ensure humane treatment of persons removed from camping sites on public property.

Advance Notice and Social Services Assistance

It is the policy of Washington County that, prior to removing homeless individuals from an established camping site on public property, the Washington County Sheriff's Office shall post a notice, written in English and Spanish, at the site no less than 24 hours in advance advising of the impending removal. At the time such notice is posted, Sheriff's Office officials shall also inform the Department of Housing Services of the location of the camping site and the scheduled posting of the notice. The Department of Housing Services shall arrange for outreach workers from the appropriate local agencies to visit the camping site where a notice has been posted to assess the need for social services assistance in arranging shelter and other assistance for individuals in the camp.

Personal Property

It is the policy of Washington County that all unclaimed personal property that is reasonably recognizable as belonging to a person and has apparent utility which is located in a camping site will be turned over to Washington County Sheriff's Office officials, whether a 24-hour notice is required or not. The Sheriff's Office shall store such property for a minimum of 30 days during which it will be reasonably available to any individual claiming ownership. Any personal property remaining unclaimed after 30 days may be disposed of. Items that have no apparent utility or are in an insanitary condition may be immediately discarded upon removal of the homeless individuals from the camping site. Weapons, drug paraphernalia and items that appear to be either stolen or evidence of a crime shall be seized by the Washington County Sheriff's Office.

Review of Notice and Removal Activities

It is the policy of Washington County that, following the removal of homeless individuals from a camping site on public property, Sheriff's Office and local agency officials and outreach workers shall meet to assess the notice and removal policy, to discuss whether removals are occurring in a humane and just manner, and to determine if any changes to the policy or procedures should be recommended. Results or findings of any such debriefing meeting(s) will be reported to the Board of County Commissioners within 30 days.

Waiver of 24 Hour Notice

It is the policy of Washington County that the 24 hour notice required under this policy shall not apply when:

1. There are grounds for Sheriff's Office officials to believe that illegal activities other than camping are occurring.
2. There is an exceptional emergency such as possible site contamination by hazardous materials or immediate danger to human life or safety.
3. There are, at the discretion of the Sheriff's Office, other circumstances which merit extension of the 24 hour notice.

Camping Sites

For purposes of this policy, the term "camping site" does not include:

1. Public property that is a day use recreational area.
2. Public property that is a designated campground occupied by an individual under an agreement with Washington County or a municipality within Washington County.

c: County Counsel

stitution of higher education or community college located in the state.

SECTION 2. The Governor shall appoint the additional student member required by the amendments to ORS 348.510 by section 1 of this Act when the next vacancy occurs on the State Scholarship Commission.

Approved by the Governor May 22, 1995
Filed in the office of Secretary of State May 23, 1995
Effective date September 9, 1995

CHAPTER 121

AN ACT

HB 2482

Relating to removal of homeless individuals from camping sites on public property.

Be It Enacted by the People of the State of Oregon:

SECTION 1. All municipalities and counties shall:

(1) Develop a policy that recognizes the social nature of the problem of homeless individuals camping on public property.

(2) Implement the policy as developed, to ensure the most humane treatment for removal of homeless individuals from camping sites on public property.

SECTION 2. (1) A policy developed pursuant to section 1 of this Act shall include, but is not limited to, the following:

(a) Prior to removing homeless individuals from an established camping site, law enforcement officials shall post a notice, written in English and Spanish, 24 hours in advance.

(b) At the time that a 24-hour notice is posted, law enforcement officials shall inform the local agency that delivers social services to homeless individuals where the notice has been posted.

(c) The local agency may arrange for outreach workers to visit the camping site where a notice has been posted to assess the need for social service assistance in arranging shelter and other assistance.

(d) All unclaimed personal property shall be given to law enforcement officials whether 24-hour notice is required or not. The property shall be stored for a minimum of 30 days during which it will be reasonably available to any individual claiming ownership. Any personal property that remains unclaimed for 30 days may be disposed of. For purposes of this paragraph, "personal property" means any item that is reasonably recognizable as belonging to a person and that has apparent utility. Items that have no apparent utility or are in an insanitary condition may be immediately discarded upon removal of the homeless individuals from the

camping site. Weapons, drug paraphernalia and items that appear to be either stolen or evidence of a crime shall be given to law enforcement officials.

(e) Following the removal of homeless individuals from a camping site on public property, the law enforcement officials, local agency officials and outreach workers may meet to assess the notice and removal policy, to discuss whether the removals are occurring in a humane and just manner and to determine if any changes are needed in the policy.

(2) The 24-hour notice required under subsection (1) of this section shall not apply:

(a) When there are grounds for law enforcement officials to believe that illegal activities other than camping are occurring.

(b) In the event of an exceptional emergency such as possible site contamination by hazardous materials or when there is immediate danger to human life or safety.

SECTION 3. As used in this Act, "camping site" does not include:

(1) Public property that is a day use recreational area.

(2) Public property that is a designated campground and occupied by an individual under an agreement with a municipality or county.

Approved by the Governor May 22, 1995
Filed in the office of Secretary of State May 23, 1995
Effective date September 9, 1995

CHAPTER 122

AN ACT

HB 5001

Relating to the financial administration of the Economic Development Department; appropriating money; limiting expenditures; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. There is appropriated to the Economic Development Department, for the biennium beginning July 1, 1995, out of the General Fund, the sum of \$2,942,064 for the purpose of carrying out its functions and duties.

SECTION 2. Notwithstanding any other law, including the limitation in ORS 285.915 (1)(d), the amount of \$6,248,999 is established for the biennium beginning July 1, 1995, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the Economic Development Department.

SECTION 3. Notwithstanding any other law, the amount of \$154,845,984 is established for the