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6/11/20

**WORK STUDY SESSION OF THE
ROSEBURG CITY COUNCIL**

JUNE 15, 2020 – 6:00 PM

**Roseburg Public Safety Center Umpqua Conference Room
700 SE Douglas Avenue, Roseburg, OR 97470**

CALL TO ORDER – Mayor Larry Rich

City Councilors

Beverly Cole	Sheila Cox	Bob Cotterell	Alison Eggers
Linda Fisher-Fowler	Ashley Hicks	Brian Prawitz	Andrea Zielinski

DISCUSSION ITEM

A. Council Goal #6 – Explore Strategies to Address Issues Related to Unhoused Individuals Within the Community

- Roundtable Discussion – 10 minutes each
- Next Steps

ADJOURNMENT – 8:00 p.m.

***** AMERICANS WITH DISABILITIES ACT NOTICE *****

Please contact the City Recorder's Office, Roseburg City Hall, 900 SE Douglas, Roseburg, OR 97470-3397 (Phone 541-492-6866) at least 48 hours prior to the scheduled meeting time if you need an accommodation. TDD users please call Oregon Telecommunications Relay Service at 1-800-735-2900.

ROSEBURG CITY COUNCIL AGENDA ITEM SUMMARY



WORK STUDY SESSION – GOAL 6

Meeting Date: June 15, 2020
www.cityofroseburg.org

Contact: Larry Rich/Nikki Messenger
Contact Telephone Number: 541-492-6866

ISSUE STATEMENT AND SUMMARY

Council will be holding a work-study session related to Council Goal #6, “Explore strategies to address issues related to unhoused individuals within the community”.

BACKGROUND

A. Council Action History.

The City Council held goal setting sessions on November 12, December 3, and December 16, 2019. On January 13, 2020, the Council adopted Resolution No. 2020-01, the 2020-2022 Goals and Actions Items.

Council was scheduled to hold this work-study session on March 16, 2020. The meeting was cancelled due to the COVID-19 pandemic and subsequent Governor’s Orders.

B. Analysis.

The Council’s adopted Goal #6 is as follows:

6. Explore strategies to address issues related to unhoused individuals within the community

- Identify City’s proactive role in the unhoused crisis
- Communicate with organizations on their efforts to help the unhoused
- Continue participation/support for LPSCC & Sobering Center
- Work with ADAPT towards sustainable funding for crisis intervention
- Streamline process for lien/tax foreclosures and partner with developers of low income/government subsidized housing to create affordable housing

Council has expressed a desire to work together in a work-study session to specifically address the first bullet point, “Identify City’s proactive role in the unhoused crisis”.

As outlined by the Mayor at the June 8th Council meeting, Council will hold a series of at least three of these work-study sessions related to this item. For the first meeting, each Councilor will be allotted ten minutes to share their beliefs, ideas, and priorities and to make suggestions on whom to invite to the second meeting. At the second meeting, the Council will hear from outside groups with expertise in this area. The third meeting will be a “decision meeting”.

As part of the discussion, it is important to recognize the types of policy changes the City can affect and the types of things we have to rely on community partners to provide. The City does not provide social services. Those are accomplished through community partners such as non-profit organizations or contracted services funded through the state, county, or federal government. For instance, the City does not provide mental health services, but is working with Compass and other partners on the grant funded Crisis Intervention Program. The City also provides a contribution to Douglas County to support Mental Health Court. Another example would be the City's participation in the Sobering Center. The City does not have the staff or expertise to provide this service directly, but can contribute to a community effort led by others, in this case ADAPT.

This topic is being discussed not only statewide, but nationally. To give the Council some ideas on what other cities may be pursuing, staff has attached information provided to the City Councils of the cities of Brookings and Medford on various approaches to provide opportunities through zoning codes to provide temporary relief facilities.

Attached is information prepared by the Lane Council of Governments (LCOG) for the City of Brookings that provides an overview of some of the programs that other cities (Coos Bay and Eugene) have enacted in an effort to curb this issue. Also attached is the agenda item and corresponding ordinance related to City of Medford's policy on temporary shelters allowed during declared "severe weather events".

The following links are examples of projects facilitated by non-profits, one in Medford:
<https://www.rogueretreat.com/>

and one in Walla Walla, Washington.

<https://www.wwallianceforthehomeless.com/>

New definitions include “severe event” and “severe event shelter”; modified definitions include “emergency shelter”, “homeless”, and “temporary shelter”.

Zones Districts Proposed in 10.314 & 10.337

As proposed, Severe Event Shelters would be permitted in all zones. In residential zones, Severe Event Shelters would need to be an accessory use to an institutional use; in commercial and industrial zones it could be an accessory or primary use.

Proposed Special Use Standards, 10.825 Severe Event Shelters

Staff has proposed land use standards that clarify which policy to follow regarding Severe Event Shelters. Additionally, the proposed section 10.825 includes definitions pertaining to Severe Event Shelters, permit requirements, operational requirements, operational periods, standards for closure, consent to inspection and site standards. The proposed standards were modeled after the Temporary Shelter standards that are in Section 10.819A, but reduced as the policy (Exhibit B) is intended to dictate the standards for Severe Event Shelters. Using the policy, as opposed to the MLDC, for Severe Event Shelters will provide for best practices in providing Severe Event Shelters.

Key Provisions	Severe Event Shelter	Temporary Shelter
Permitting Requirements	Operational Permit (can only operate during severe event per policy)	Conditional Use Permit & Operational Permit
Intended Operational Period	During declared severe events (typically 2-3 days) (see Council Report for explanation)	3-6 months
Applicable standards	Exhibit A; City Temporary Shelter Policy	MLDC Section 10.819A; City Temporary Shelter Policy
Minimum Staffing	2+ Fire Watch	2+ Fire Watch
Public Input Process	No	Yes



AGENDA ITEM COMMENTARY

Key Provisions	Severe Event Shelter	Temporary Shelter
Intended Populations Served	Homeless and persons without adequate shelter	Homeless

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

There are no direct impacts with the adoption of DCA-19-004. However, staff time must be considered for administration of the pre-approval process and periodic inspections of the severe event shelter facilities. This process has already been incorporated into the work flow of Building, Fire-Rescue and Planning staff

TIMING ISSUES

With winter months fast approaching, adoption of the proposed ordinance will enable community organizations to operate severe event shelters.

COUNCIL OPTIONS

- Approve the ordinance as presented.
- Modify the ordinance as presented.
- Deny the ordinance and provide direction to staff.

STAFF RECOMMENDATION

Staff recommends approval of the ordinance.

SUGGESTED MOTION

I move to approve the ordinance authorizing the Land Development Code Amendment as described in the Council Report dated October 31, 2019, and as recommended by the Planning Commission.

EXHIBITS

- Ordinance
- Council Report, including Exhibits A-I

ORDINANCE NO. 2019-119

AN ORDINANCE amending Sections 10.012, 10.314, and 10.337 of the Medford Municipal Code and adding Section 10.825, pertaining to emergency shelters.

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

SECTION 1. Section 10.012 of the Medford Code is amended to read as follows:

10.012 Definitions, Specific.

Emergency Shelter. Any facility, the primary purpose of which is to provide permanent or **temporary** facilities that are used as a temporary or transitional shelter for the homeless in general or for specific populations of the homeless. See SIC Classification 832.

Homeless. Individual(s) or families who are experiencing one or more of the following living conditions:

- (1) Living in a place not meant for human habitation;
- (2) Living in an emergency shelter or in transitional housing;
- (3) At risk of imminently (within 14 days or less) losing their primary nighttime residence, which may include hotels/motels or sleeping in a residence as a temporary guest, and lack the resources or support networks to remain in housing;
- (4) Unstably housed and likely to remain unstably housed;
- (5) Attempting to flee domestic violence, have no other residence, and lack the resources or support networks to obtain permanent housing; or
- (6) At risk to exposure of extreme weather/**severe event** conditions; **See Severe Event definition per section 10.012.**

Severe Event. An act of nature or unforeseen circumstance that constitutes an uninhabitable living experience for individual or groups, as defined in the City of Medford Temporary Shelter Policy.

Severe Event Shelter. A temporary use within a building, typically not used as a residence, meant to provide relief during a Severe Event to individuals or groups who are homeless or at risk of exposure to a severe event.

Ordinance No. 2019-119

Temporary Shelter. A temporary use within a building, **typically not used as a residence**, meant to provide relief from extreme weather and substandard living conditions overnight sleeping accommodations and related services for individuals or families-groups who are homeless.

SECTION 2. Section 10.314 of the Medford Code is amended to read as follows:

10.314 Permitted Uses in Residential Land Use Classification.

PERMITTED USES IN RESIDENTIAL ZONING DISTRICTS	SFR 00	SFR 2	SFR 4	SFR 6	SFR 10	MFR 15	MFR 20	MFR 30	Special Use or Other Code Section(s)
6. NONRESIDENTIAL SPECIAL USES									
* * *									
(c) Institutional Uses	Cs	Cs	Cs	Cs	Cs	Cs	Cs	Cs	10.815-817
(c)(i) Temporary Shelters Accessory Uses	Cs	Cs	Cs	Cs	Cs	Cs	Cs	Cs	10.816-817 & 10.819A
(c)(ii) Severe Event Shelters, Accessory Uses	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	10.825

SECTION 3. Section 10.337 of the Medford Code is amended to read as follows:

10.337 Uses Permitted in Commercial and Industrial Zoning Districts.

SIC USE ZONING DISTRICT

O. USES NOT CLASSIFIED. This major group includes uses not covered in the Standard Industrial Classification (SIC) Manual, 1987 Edition.

		C-S/P	C-N	C-C	C-R	C-H	I-L	I-G	I-H
005	Severe Event Shelters	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps

See section 10.839 for special use regulations on marijuana-related businesses.
 See section 10.819A for special use regulations for Temporary Shelters.
 See section 10.825 for special use regulations for Severe Event Shelters.

Ordinance No. 2019-119

SECTION 4. Section 10.825 is added to the Medford Code, to read as follows:

10.825 Severe Event Shelters.

(A) Purpose and Intent.

Severe Event shelters provide short-term relief from Severe Events, as defined in the City of Medford Temporary Shelter Policy, such as extreme weather. The City of Medford Temporary Shelter Policy, as referenced in Section 10.825, shall be herein referred to as “The Policy” in this section. Severe Event shelters shall be within an existing institutional building or other buildings, typically not intended for residential uses. It is the intent of these standards to ensure that any conflicts with Severe Event shelters and the surrounding land uses are mitigated through the special regulations set forth in this Section 10.825.

(B) Definitions Pertaining to Severe Event Shelters.

When used in Chapter 10 in reference to Severe Event shelters, the following terms shall have the meanings as herein ascribed:

(1) **Access Point:** The main point of entry and exit where users, visitors, and other persons must sign in and out to maintain security within a shelter.

(2) **Client(s):** Person or persons who receive services from an operator of a Severe Event Shelter which shall include overnight sleeping, and may include other items established per the shelter’s operations plan.

(3) **Operator:** The organization in charge of daily operations of a Severe Event Shelter. The operator shall be a civic, non-profit, public, faith, membership based, or otherwise competent organization and shall be the applicant for the Severe Event shelter. The words operator and applicant may be used interchangeably as they are one in the same.

(4) **Operational Period:** Days in which a Severe Event shelter are permitted to operate per the Policy

(5) **Operations Plan:** The guiding document for an operator to use in determining the standards clients must adhere to in a shelter.

(6) **User(s):** See 10.825 (B)(2) client(s).

(C) Severe Event Shelter Permit Requirements

(1) In order to begin operating a Severe Event shelter, an operator shall apply for and receive an approved permit per The Policy.

(D) General Standards for Severe Event Shelters

The following standards shall apply to Severe Event shelters:

(1) **Operational Requirements.** The operator shall be required to meet the following standards as it pertains to shelter operations:

(a) **Conformance.** It shall be the duty of the operator to ensure and maintain compliance with the City of Medford Shelter Policies and the requirements of the Operational Permit.

(b) **Operations Plan.** An operations plan shall be required for a Severe Event shelter. An operations plan shall include, at a minimum, items addressing client interaction, rules for shelter use and opening, facility operations and maintenance, safety and security provisions, and signage that complies with the

Medford Municipal Code.

(2) Operational Period.

(a) The operational period of a Severe Event shelter shall only be permitted in accordance with The Policy.

(b) The operator shall notify Medford Fire-Rescue each time the shelter is closing.

(c) The operator may be required to provide the opportunity for inspection prior to operating the shelter.

(3) Reporting Requirements. April 1 of each calendar year, the operator may be required to submit a report to the Housing Advisory Commission (HAC) or applicable conditions of approval on the operational permit.

(4) Standards for Closing/Suspending Severe Event Shelters

A shelter may be closed or suspended in accordance with the following procedures and criteria.

(a) A Severe Event shelter shall close or the operations may be suspended if:

i. Conditions are considered non-severe per The Policy.

ii. The City Manager, or designee, has determined that it would be in the public interest to do so.

iii. Any safety issues are identified during an inspection, including, but not limited to fire and life safety issues.

iv. Any violation of the Medford Municipal Code and/or state or federal law occurs.

(b) Clients of a temporary shelter, the operator, and the property owner shall be given a 24-hour notice to cease operations, unless immediate closure is necessary due to issues pertaining to fire or life safety. The owner or operator shall not be required to remove components utilized for the severe weather shelter if:

i. The shelter is closing due to condition changes per 10.825(D)(4)(a)(i); or

ii. The components of the shelter are customarily used for the primary use of the building.

(c) The City Manager, or designee, may revoke a shelter's permits and the decision shall be effective immediately. Appeals of this decision shall be made to the City Council.

(5) Consent to Inspection of Severe Event Shelter(s)

(a) Severe Event Shelters are subject to inspection at any time by the City to verify safe operation of a shelter.

i. Inspections by the City may include inspections of all portions of a Severe Event Shelter. Inspections shall be in conformance with all applicable local, state, and federal laws.

ii. Areas used for bathrooms and showers shall be subject to inspections by the City, but any users of the facilities shall be given ten minutes notice prior to inspection to allow for the privacy needs of individuals who may be using the facilities.

(b) Inspections may be required prior to each opening of a Severe Weather Shelter. All violations of applicable codes found through an inspection shall be resolved prior to commencing operations of a Severe Event Shelter. Inspections may be required by the following City departments to verify conformance with applicable codes, prior to operations commencing:

- i. Building Department
- ii. Planning Department
- iii. Police Department
- iv. Fire-Rescue Department

(c) Signage stating "Inspection by the City of Medford officials, including Medford Fire-Rescue and Medford Police Department, may occur without notice" shall be prominently posted in the sleeping units, shower areas, and toilet areas of the temporary shelter.

(E) Site Standards for Severe Event Shelters

The following standards shall apply to the development and use of Severe Event shelters.

- (1) Severe Event Shelters shall be an accessory use, in residential zones, to institutional uses.
- (2) In commercial and industrial zones, Severe Event shelters may be an accessory or primary use.
- (3) Adequate space shall be provided for client's personal items and shall not displace required parking per Sections 10.741-10.751.
- (4) Access points shall have a trash receptacle that does not block the public right of way and is large enough for trash disposal during times of intake.
- (5) Adequate access shall be given for emergency vehicles and personnel, where applicable.

(6) Operators of Severe Event shelters shall comply with all provisions contained in the most recently adopted/approved City of Medford Temporary Shelter Policy.

PASSED by the Council and signed by me in authentication of its passage this ____ day of November, 2019.

ATTEST: _____
City Recorder

Mayor

APPROVED _____, 2019.

Mayor

NOTE: Matter in bold is new. Matter ~~struck out~~ is existing law to be omitted. Three asterisks (***) indicate existing law which remains unchanged by this ordinance but was omitted for the sake of brevity.



TO: Tony Baron, Public Works & Development Services, City of Brookings

FROM: Anne Davies, Principal Attorney, Lane Council of Governments

RE: Homelessness Summary

DATE: August 12, 2019

Issue to be Addressed

The City of Brookings is looking to investigate options and opportunities for dealing with homelessness in the City. The City seeks to adopt ordinances either specifically or generally aimed at providing solutions for unhoused individuals and for easing the pressures the unhoused population imposes on the City and its other residents.

Legal Landscape

Homelessness has been increasing steadily throughout the state and the nation in the past decade or so. It is an issue that began in the larger cities, but which is now prevalent in even the smallest Oregon cities. Because the issue has grown so rapidly, most cities do not have the resources or legal regulatory landscape in place to effectively address the issues that arise. That said, because larger cities have been struggling with these issues for a while longer than cities like Brookings, there are strategies that have been successful in other jurisdictions that Brookings can look to for guidance.

Martin v. City of Boise

About a year ago, the Ninth Circuit Court of Appeals issued a decision, *Martin v. City of Boise*, that arguably changed the landscape of the possible laws that local jurisdictions could use to regulate where homeless people sleep. Simply put, the media covered this decision as deciding that “cities cannot criminalize homelessness.” That is a broad, vague statement that does not provide much guidance to a city attempting to regulate activities of unhoused individuals. The specific facts of the case are important for a complete understanding of what the case did and did not say.

Facts

The City of Boise has an ordinance that imposes criminal sanctions on individuals sleeping in public places. There are a number of homeless shelters in the City that provide beds for homeless individuals. Some of the shelters were affiliated with religious institutions and had certain religious requirements that were unacceptable to certain individuals. The shelter(s) that had no religious affiliation were often fully occupied. The Court held that, where an individual essentially has no option but to sleep outside in a public place, criminalizing the act of sleeping

outside is unconstitutional (i.e., violates the US Constitution's prohibition on Cruel and Unusual Punishment).

What the decision does not say

The decision is specifically aimed at regulations that impose criminal, as opposed to civil, sanctions. Further it does not address the situation where there is shelter space available to the individual, but the individual chooses to not to avail themselves of that resource. The Court also stated that ALL regulations imposing criminal sanctions are not necessarily illegal. **“Even where shelter is unavailable, an ordinance prohibiting sitting, lying, or sleeping outside at particular times or in particular locations might well be constitutionally permissible. . . . So, too, might an ordinance barring the obstruction of public rights of way or the erection of certain structures.”**

Front End Solutions

One way the cities can deal with the issue of increased homelessness is to regulate the activities of those individuals. However, another approach is to attempt to minimize the number of homeless individuals who find the need to sleep and occupy public places in the first place. Some of these solutions implicate zoning issues, and some do not.

Car Camping

Some jurisdictions allow a certain number of vehicles to be parked and used for sleeping on properties owned by religious institutions, businesses or a public entity. Sanitary and garbage services at these sites are usually required.

Temporary Lodging Facilities

The City of Coos Bay and others have adopted a “Temporary Lodging Facility” ordinance. A temporary lodging facility includes buildings or land for parking vehicles on a temporary basis. A copy of the Coos Bay ordinance is attached to this memo.

Designated Rest Stops

This solution allows up to approximately 20 people to camp in tents or Conestoga huts at a site designated by the City Council. There is generally an operator on site and affiliated resources to assist residents in finding permanent shelter.

Camping on Private Properties

Some cities allow private citizens to open up their yards for a certain number of homeless people or families.

Tiny home villages

All sorts of approved villages are being sited in communities around the country. They often consist of small bungalows, Conestoga huts, or tiny houses for sleeping with community infrastructure such as showers, restrooms, kitchen, laundry, and communal space. Others have tiny units that are self-contained with kitchenettes and bathrooms in each unit. These villages often have rules and regulations and some type of oversight and management elements.

ORDINANCE NO. +++

AN ORDINANCE ADDING SECTION 8.45 TO THE COOS BAY MUNICIPAL CODE RELATED TO TEMPORARY LODGING FACILITY REGULATIONS.

Section 1. The proposed regulations are to be filed with this ordinance in the Office of the City Recorder, City of Coos Bay as found in "Exhibit 2" and include the following:

- A. A variety of definitions specific to the new regulations (Section 8.45.020);
- B. An authorization process requiring parties interested in establishing indoor and outdoor temporary lodging facility to engage with city staff in advance of an application, notification of nearby owners of property regarding temporary lodging proposals, and the City process to take action on temporary shelter permits. Additional requirements include specificity that temporary shelters are subject to sanitary, security, ingress/egress and management criteria (Sections 8.45.030-.040);
- C. Standards and Requirements for shelter operation (Sections 8.45.050);
- D. Direction on modification and revocation of authorization to operate a Temporary Lodging facility (Sections 8.45.50-.055);
- E. Statement of protection and liability as the responsibility of the Temporary Lodging facility (Section 8.45.060);
- F. Periodic and Annual review requirements (Section 8.45.065);
- G. Penalty for violation of the requirements (8.45.070).

Section 2. Notice of time and place of the City Council hearing was provided on June 7, 2019 by posting notice on the bulletin boards in the City Hall of the City of Coos Bay and the Coos Bay Library. The notices were posted in a conspicuous place where they could be easily read.

Section 3. Notice was published in The World, a newspaper of general circulation printed and published in Coos Bay, Oregon on June 12, 2019, as shown on attached Exhibit 1.

Section 4. On June 18, 2019, July 2, 2019, and July 16, 2019, the City Council held duly noticed public hearings in the Coos Bay City Council chambers located at 500 Central Avenue in Coos Bay during the hour of 7:00 p.m. when all persons had an opportunity to appear and object to the subject addition to the addition of section 8.45 to the Coos Bay Municipal Code.

Section 5. After careful consideration of all evidence and testimony presented during the public hearing, the City Council found that the public interest would not be prejudiced by the proposed addition of section CBMC 8.45 as outlined in "Exhibit 2".

Section 6. The City Council hereby adopts the regulations outlined in "Exhibit 2".

Section 7. Noticing of the subject amendments is consistent with ORS 271.110 and CBMC section 17.130.120.

Section 8. This Ordinance shall take effect 30 days after enactment by the Council and signature by the Mayor, whichever is later.

The foregoing ordinance was enacted by the City Council of the City of Coos Bay this _____ day of July 2019 by the following vote:

Yes:

No:

Absent:

Joe Benetti
Mayor of the City of Coos Bay
Coos County, Oregon

ATTEST:

Nichole Rutherford
City Recorder of the City of Coos Bay
Coos County, Oregon

EXHIBIT 1 – AFFIDAVIT

AFFIDAVIT OF PUBLICATION

The World

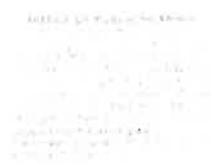
Lee Enslinette, Coos County
350 Commercial Ave. Coos Bay, OR 97420
P.O. Box 1840 Coos Bay, OR 97420

STATE OF OREGON - COUNTY OF COOS

City of Coos Bay
Attn: Finance
500 Central Avenue
Coos Bay, Oregon 97420

REFERENCE: 60005035 - 20347718

I, Kelly L. Swingle, first duly sworn
deposed and say that I am the Legal
Advertising Clerk for THE WORLD, a
newspaper of general circulation
published in Coos Bay, Oregon, in the
aforesaid county and state, that I know
from my personal knowledge that the
Notice of Public Hearing, copy of
which hereto annexed, was published in
the entire issue of said newspaper one
time(s) in the following issue(s):



PUBLISHED: June 12th, 2019

TOTAL COST: \$ 59.66

Kelly L. Swingle
Legal Clerk, Kelly L. Swingle, Subscribed and
sworn before this 12th day of June 2019

[Signature]
Notary Public of Oregon; My Commission
Expires



EXHIBIT 2

**Chapter 8.45
Temporary Lodging Facilities**

Sections	
8.45.010	Applicability
8.45.020	Intent
8.45.030	Definitions
8.45.035	Facility location and Permit requirement
8.45.040	Authorization Process and Permitting
8.45.045	Standards and Requirements for Operation
8.45.050	Modifications to Permit
8.45.055	Permit Revocation
8.45.060	Protection and Liability
8.45.065	Periodic and Annual Review

8.45.010 Applicability.

This Chapter applies to all Temporary Lodging Facilities as defined in Chapter 8.45.030 established after ++++++, ++, 2019. Existing Temporary Lodging Facilities established prior to adoption of this Chapter shall continue to operate under the conditions of approvals and permits granted by the City, all other applicable provisions of the Municipal Code, and any limitations and requirements imposed as a condition of funding.

8.45.020 Intent.

The City recognizes the value and benefit of temporary housing and services until permanent housing can be realized. It is the intent of Chapter 8.45 to create a process and standards for the establishment of Temporary Lodging Facilities to address individual and family temporary shelter needs.

8.45.030 Definitions.

For the purposes of CBMC Title 8 Section 8.45 the following mean:

Building: A walled and roofed structure above ground.

Building Official: The Coos Bay Building Official or his/her designee.

Fire Chief: The Coos Bay Fire Chief or his/her designee.

City Engineer: The Coos Bay City Engineer or his/her designee.

City Manager: The Coos Bay City Manager or his/her designee.

Director: Public Works and Community Development Director or his/her designee.

Guests: Homeless individuals and families in need of temporary shelter.

Lodging Facility Operator: Any noncommercial entity or entities working together to meet the standards and criteria specified by this chapter to provide temporary lodging at no cost.

Noncommercial: Not engaging in commerce or making a profit.

Property Owner: Temporary Lodging Facility site property owner.

Structure: A building or any piece of work joined together in some definite manner, which requires location on the ground or is attached to something located on the ground.

Temporary: 30 consecutive days and 90 days in a single calendar year.

Temporary Lodging Facility: A building, buildings or area of land for parking vehicles on private property for family and/or individual for temporary and noncommercial (less than 30 consecutive or 90 days per family or individual in a single calendar year) overnight accommodations for families and/or individuals transitioning to a long-term housing solution. An indoor lodging facility meeting City fire and life safety requirements may offer beds, meals, shower, laundry or other amenities within a structure of a Lodging Facility Operator subject to an annual inspection by the City for life/safety code compliance and compliance with Coos County Health Department Requirements. Outdoor lodging facilities are parking lots to provide parking for vehicles to be used as shelter on a temporary basis.

Temporary Lodging Facility Permit: A permit issued by the City to provide temporary shelter for families and/or individuals

Vehicle: A car, truck or recreational vehicle 1) of one hundred square feet or less; 2) occupied by no more than two (2) persons per car or truck and no more than four (4) persons per recreational vehicle; 3) hold current DMV registration; 4) be operational and capable of moving within a 4-hour notice on its own power; and 5) have four (4) working tires.

8.45.035 Facility location and Permit requirement

Temporary Lodging Facilities are permitted on private property with City authorization of either an Indoor or Outdoor Temporary Lodging Facilities Permit. No more than one Temporary Lodging Facilities Permit may be secured for any facility.

8.45.040 Authorization Process and Permitting

1) Indoor Temporary Lodging Facility.

- A. Prior to submittal of an application for an Indoor Temporary Lodging Facility Permit, (Permit) the Property Owner and Lodging Facility Operator shall engage in a pre-application conference with the City Building Official, Fire Chief and Director and provide a draft Facility proposal with a site plan, floor plan and management plan consistent with the requirements of 8.45.040(1B). Additionally, the Property Owner will provide the Building Official and Fire Chief access to the proposed Facility for an on-site inspection to assess the structures layout and compliance with Building Code requirements. Within ten (10) working days of the pre-application meeting, the Building Official will provide a written assessment of the proposed Facility to the Property Owner relative to compliance with Building Code requirements.

B. An application to the Director can be submitted following the pre-application conference noted in 8.45.040(1A). The Indoor Temporary Lodging Facility Permit application shall include information consistent with Section 8.45.045(A) and the following:

1. A floor plan identifying:
 - a. the location and square feet of sleeping and gathering area,
 - b. smoke/fire detection and carbon monoxide detectors,
 - c. restroom amenities, including location and number of sanitation fixtures,
 - d. the route guests would use to exit or enter the proposed sleeping and gathering areas, and the area in square feet proposed for sleeping and gathering.
2. A site plan identifying parking location for guest parking on-site.
3. A Facility Management Plan addressing:
 - a. The number of individuals to be served.
 - b. Eligibility criteria, enforcement rules, and procedures for disruptive guests.
 - c. Number and responsibilities of on-site Lodging Facility Operator staff, training standards, copy of the facilities insurance policy naming the City as an additional insured party, management procedures, security procedures and a primary and secondary contact person.
 - d. Refuse collection.
 - e. Security procedures.
 - f. Compliance with Coos County Health Department requirements.
 - g. The requirements of 8.45.045(A)
 - h. An emergency contact phone number and any additional information requested by the Director.
4. Insurance. The Temporary Lodging Operator will maintain in force and effect a policy of general liability insurance with limits of not less than one million dollars. A copy of the certificate of insurance shall be provided to the City prior to issuance of a Temporary Lodging Facility permit.

2) Outdoor Temporary Lodging Facility.

A. Prior to submittal of an application for an outdoor Temporary Lodging Facility Permit, the property owner and Lodging Facility Operator shall engage in pre-application conference with the City Engineer and Director and provide a draft Facility proposal to allow on-site vehicle parking for the purpose of sleeping accommodations. Also provided will be a site plan and management plan consistent with the requirements of 8.45.040(2B). Additionally, the property owner will provide the City Engineer access to the proposed Facility, so s/he may evaluate the parking lot design and site ingress/egress. Within ten (10) working days of the pre-application meeting, the Director will provide the Property Owner with a written assessment of the proposed facility.

B. An application for a Temporary Lodging Facility Permit can be submitted to the Director following the pre-application conference noted in 8.45.040(2A). The Outdoor Temporary Lodging Facility Permit application shall include:

1. A site plan identifying compliance with Section 8.45.045 (B) and the following:

- a. Location and distances to residential properties, public transportation, and location of designated overnight parking spaces.
 - b. The permitted locations for an amount pre-determined by the property owner during the permitting process with a maximum of 5 recreational vehicles, automobile or truck parking unless otherwise authorized by the City Police Chief and Fire Chief.
 - c. ADA Restroom amenities, including location and number of sanitation fixtures,
 - d. Property ingress and egress,
 - e. Property lighting,
 - f. Trash and recycling facilities.
2. A Facility Management Plan addressing:
- a. The number of individuals to be served.
 - b. Eligibility criteria, enforcement rules, and procedures for disruptive guests.
 - c. Number and responsibilities of on-site Lodging Facility Operator staff, training standards, other management procedures, and a primary and secondary contact person.
 - d. Refuse collection.
 - e. Security procedures.
 - f. Any additional information requested by the Director.
 - g. The requirements of 8.45.045(B)
 - h. An emergency contact phone number and any additional information requested by the Director.
3. **Insurance and Bonding.** The Temporary Lodging Operator will maintain in force and effect general liability insurance with a limit of not less than one million dollars and a \$10,000 Restoration bond in the event City clean-up is required. A copy of the certificate of insurance and the bond instrument shall be provided to the City prior to issuance of a Temporary Lodging Facility permit.

3) Action on the Temporary Lodging Facility Permit application

- A. Within ten working days of the receipt of a complete application for a Temporary Lodging Facility Permit, the Director will notify all owners and occupants within a 500-foot radius of the proposed Facility site that an application has been received and is available for ten (10) working days for public review and comment. At the end of the ten working day period, the Director shall consider public comments and compliance with this Chapter and formulate a recommendation for the City Manager's action.
- B. The City Manager, upon considering the recommendation of the Director and the requirements of this Chapter, shall act upon the Temporary Lodging Facility Permit within ten (10) working days. To authorize a Temporary Lodging Facility, Permit the City Manager must find that the Facility proposal 1) meets the requirements of Section 8.45.045, 2) will be compatible with the use of adjacent properties, and 3) will not constitute a nuisance or a threat to the public welfare.
- C. The City Manager will notify owners and occupants within 500 feet of the proposed Facility site of his/her decision with advisement that the decision can be appealed to the City Council within ten (10) working days of his/her decision date. If the Temporary Facility Permit is authorized, a copy of the Permit will be included in the notification to

owners and occupants. If the Temporary Facility Permit is denied, reasons for the denial will be included in the notification.

- D. Should the City Manager's decision be appealed, the City shall, within ten (10) working days of the receipt of the appeal, notify all owners and occupants within a 500-foot radius of the proposed Facility site that an appeal has been filed and the date of the appeal public hearing. The City Council, in a public hearing shall affirm, modify or reverse the revocation within thirty (30) days of the date of the appeal of the City Manager's decision.

8.45.045 Standards and Requirements for Operation.

A. Indoor Facilities

1. No Indoor Temporary Lodging Facility (Indoor Facility) shall be located within 500 feet of another Lodging Facility, kindergarten through 12th grade curriculum school or, child care center, or park as measured from the closest property line.
2. Appropriately sized and located exterior and interior on-site waiting and intake areas shall be provided. When abutting a residentially-zoned property all areas for Indoor Facility activities and uses, including but not limited to waiting and intake, personal storage, facility storage, and recreation, shall be located indoors.
3. The Lodging Facility Operator will provide on-site management services and security for the guests and staff during all open hours of the Indoor Facility.
4. The Indoor Facility shall comply with city and state health and safety codes.
5. Maximum occupancy for overnight guests shall be determined by the Building Official and Fire Chief.
6. For Indoor Facilities, one parking space for every three guests shall be provided on site. One (1) space per employee on the largest shift shall also be provided. A covered and secured area for bicycle parking shall be provided for use by staff and guests commensurate with demonstrated need.
7. On-site management by the Lodging Facility Operator shall be provided at all times the Indoor Facility is in operation and at least one hour prior to and after Indoor Facility operation hours.
8. Exterior lighting on pedestrian walkways and parking areas on the Indoor Facility premises are required. All lighting shall be stationary, directed away from adjacent properties and public right-of way, and of an intensity compatible with the neighborhood.

B. Outdoor Facilities

1. No Outdoor Temporary Lodging Facility (Outdoor Facility) shall be located within 500 feet of another Outdoor Temporary Lodging Facility, kindergarten through 12th grade curriculum school, child care center, residential area or park as measured from the closest property line of the proposed Outdoor Facility.

2. The number of overnight vehicles at the Outdoor Facility shall not exceed five (5); unless otherwise authorized by the Chief of Police and the Fire Chief with requirements for additional garbage disposal and toilet facilities.
3. Sleeping outside a vehicle at the Outdoor Facility is not permitted.
4. Vehicles shall be located on paved areas only.
5. Restroom accommodations shall be made available for individual use.
6. Garbage disposal services shall be provided.

8.45.50 Modifications to Permit.

After receipt of a Temporary Lodging Facility Permit, the Lodging Facilities Operator may request modifications to the Permit upon application to the City Manager. Modifications must meet the intent of this chapter and may not conflict with the Facility occupancy and parking requirements nor be in conflict with the health, safety and welfare of the citizens of Coos Bay. Section 8.45.040(3) requirements for neighboring property notification and appeals shall be applied to modification requests.

8.45.055 Permit Revocation.

The Temporary Lodging Facility Permit may be revoked by the City Manager if:

- A. The requirements of the Permit are violated.
- B. The Facility Operator violates any applicable federal, state or City law, ordinance, rule, guideline or agreement.
- C. The Facility activity is determined to be incompatible the quiet enjoyment, health, safety or welfare of adjacent properties or the well-being of the surrounding area and/or the Coos Bay community.

To revoke a Permit, the City Manager will notify all owners and occupants within a 500-foot radius of the Facility site that revocation of the Permit is under consideration for ten (10) working days period for public comment. At the end of the ten working day period, the City Manager shall reach a decision on the action to be taken related to the Permit.

The City Manager will notify owners and occupants within 500 feet of the proposed Facility site of his/her decision and reasons regarding the revocation and that his/her decision can be appealed to the City Council within ten (10) working days of his/her decision date.

The City Council shall, if the City Manager's decision is appealed, affirm, modify or reverse the City Manager's action regarding the revocation within thirty (30) days of an appeal. Permit revocation appeals are subject to Section 8.45.040 requirements for neighboring property notification.

8.45.60 Protection and Liability.

Nothing in this section creates any duty on the part of the City or its agents to ensure property or persons protection regarding the authorized Temporary Lodging Facility.

8.45.065 Periodic and Annual Review.

Periodic review – The City may periodically review a Lodging Facility Operator Permit and its related facility.

Annual Review - The Lodging Facility Operator shall annually submit to the Director an assessment of the Temporary Lodging Facility operation over the prior year, including the number of Facility guests served.

8.45.070 Penalty

A violation of any provision of this chapter is punishable by a fine not to exceed \$500. However, if there is a violation of any provision identical to a state statute with a lesser penalty, punishment shall be limited to the lesser penalty prescribed in the state law. Each day a violation continues constitutes a separate offense.

A 2



Eugene Building & Permit Services

PERMITTED OVERNIGHT SLEEPING (CAMPING)

The City of Eugene allows for overnight sleeping (camping) in certain situations with the property owners' permission. The requirements are set out in Chapter 4 of the Eugene Code (EC) beginning at EC 4.816. The Eugene Code is available online at www.eugene-or.gov/citycode.

Where is camping allowed?

Parking Lots People may sleep overnight in a vehicle, camper, trailer, tent, or Conestoga hut in a parking lot of a religious organization, business, or public entity as long as there is an occupied structure on site. The property owner may grant permission for up to 6 vehicles used for sleeping at any one time.

Residential Zones No more than one family may sleep overnight in the backyard or in a vehicle, camper, or trailer parked in the driveway of a single family dwelling. Permission of the tenant, as well as the property owner, is required. Only one tent or camping shelter is allowed in the backyard and must be at least five feet from any property line. A "family" means people related by blood or marriage, or no more than two unrelated adults.

Vacant Lots People may sleep overnight in a vehicle, camper, or trailer on a paved or graveled surface located on a vacant or unoccupied lot. The city may require the camping site to be part of a supervised program operated by the city or its agent. The property owner may grant permission for up to 6 vehicles used for sleeping at any one time.

Are there any other regulations I should be aware of?

Yes, a property owner that allows people to sleep overnight on a property must provide the following:

- Sanitary facilities;
- Garbage disposal services;
- Storage area for campers to store any personal items, so the items are not visible from any public street.

Also, the property owner CANNOT require payment of any fee, rent, or other monetary charge for overnight sleeping.

The City has the right to revoke permission for overnight sleeping if such an activity on that property is incompatible with the uses of adjacent properties or constitutes a nuisance or other threat to the public welfare.

If you have any questions please check with Code Compliance staff at 541-682-5819 or codecompliance@ci.eugene.or.us.

Note: This document should not be used as a substitute for codes and regulations. The applicant is responsible for compliance with all code and rule requirements, whether or not described in this document.

www.eugene-or.gov/bps

Planning & Development
99 W. 10th Avenue, Eugene, OR 97401
P 541.682.5086 * F 541.682.5593

Form #LU-245
Updated: November 2018



Eugene's Rest Stop Pilot Program

What is a rest stop?

A rest stop is a designated area within city limits where up to 20 people are allowed to sleep in tents or Conestoga Huts. Unless for security or health reasons, residents vacate the site during the day and a limited number of visitors are permitted during designated hours. There are currently five rest stops in Eugene that provide temporary, safe, legal places for people who are experiencing homelessness to sleep at night. Each site is approved by the Eugene City Council. The City then enters into an agreement with a nonprofit organization to manage the rest stops, and the program must be periodically renewed by the City Council.

How are sites selected?

The City tries its best to find workable rest stop sites that minimize impacts to neighbors and sensitive areas. Sites are not located in developed parks, environmentally sensitive areas, or in close proximity to residential neighborhoods or schools. The land must be suitable to camping and have road access. Central locations with access to public transportation and services are preferable. These conditions make it very challenging to site a rest stop. We will continue to try to balance the needs and views of all community members when selecting sites.

Who pays for the rest stops?

The cost of establishing and operating each rest stop is paid for and managed by a nonprofit organization. The land is currently provided by the City of Eugene and the Eugene Mission.

Who operates the rest stops?

Two local organizations are responsible for day to day oversight of the rest stops:



Who stays at rest stops?

Individuals 18 or over who are experiencing homelessness are eligible to apply for a space at a rest stop. Applicants are screened to determine if they are a good fit. Rest stops are intended to be a temporary respite, and the managing nonprofit works to connect residents with support and resources to help them move toward a more sustainable housing solution.

How are rest stops kept healthy and safe?

Residents sign agreements to abide by rest stop rules and an onsite manager provides supervision. Best practices for water, handling and preparing food, cooking and cleaning, heating, waste management and illness prevention are followed. There is zero tolerance for violent behavior or alcohol and drug use onsite. Children must be supervised and are prohibited from staying overnight. Portable restrooms and trash collection are provided. Residents are expected to keep the site tidy, refrain from disruptive behavior and be good neighbors. The sites are also fenced to control access and promote safety.

Why is the City allowing rest stops?

There is simply not enough affordable shelter for the high numbers of people who are experiencing homelessness in our area. The rest stop concept is being piloted as an option to help alleviate this need. Residents report that having a secure and safe place to sleep is crucial as they work to access services and find long-term, stable housing.

To view a video about the Rest Stop program, visit eugene-or.gov/reststops.

Questions or concerns? Call 541-682-8442. For additional information, visit eugene-or.gov/reststops.

A.4

COUNCIL ORDINANCE NO. 20559

COUNCIL BILL 5149

**AN ORDINANCE ADOPTING THE "DUSK TO DAWN"
PERMITTED OVERNIGHT SLEEPING PILOT PROGRAM AND
PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.**

ADOPTED: November 23, 2015

SIGNED: November 24, 2015

PASSED: 8:0

REJECTED:

OPPOSED:

ABSENT:

EFFECTIVE: Immediate



ORDINANCE NO. 20559

AN ORDINANCE ADOPTING THE "DUSK TO DAWN" PERMITTED OVERNIGHT SLEEPING PILOT PROGRAM AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

The City Council of the City of Eugene finds as follows:

A. In order to create additional sleeping options for people who are homeless, a pilot program ("the Dusk to Dawn program") expanding the permitted overnight sleeping provisions should be established allowing homeless persons to sleep overnight on City approved sites between the hours of 4:30 p.m. and 7:30 a.m.

B. The Dusk to Dawn program should remain in effect until March 31, 2016. The termination date of this program coincides with the current sunset date of the Rest Stop program, and will allow the City to monitor the program to determine whether it should be made permanent, revised or abandoned.

NOW, THEREFORE,

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. The following provisions are adopted as the Dusk to Dawn program and shall sunset and be repealed on March 31, 2016, unless extended or made permanent by future Council action:

Dusk to Dawn Permitted Overnight Sleeping Pilot Program. Notwithstanding section 4.815 of the Eugene Code, 1971, the City Manager is authorized to permit persons to sleep overnight at designated sites, between the hours of 4:30 p.m. and 7:30 a.m., under the following circumstances:

1. The City Manager shall recommend to the City Council proposed sites for the Dusk to Dawn program. Any such site may not be located in a residential area or close to a school, and must be owned or leased by the City of Eugene, another governmental entity, a religious institution, a non-profit organization, or a business if the business is located on property zoned commercial or industrial.
2. Before a proposed site may be used, the site must be approved by the City Council by motion and the City Manager must adopt an administrative rule governing use of the site.
3. The City Manager may close a site at any time upon determining that allowing camping at a site would create dangerous conditions or a health threat to the public.

Section 2. Pursuant to the provisions of Section 32(2) of the Eugene Charter of 2002, with the affirmative vote of two-thirds of the members of the City Council, this Ordinance shall become effective immediately upon adoption by the Council and approval by the Mayor, or passage over the Mayor's veto. An immediate effective date is necessary in order to provide additional places for people to camp.

Passed by the City Council this
23rd day of November, 2015.

Beth Forrest
City Recorder

Approved by the Mayor this
24 day of Nov, 2015

Kitty Pirry
Mayor

AS

ADMINISTRATIVE ORDER NO. 53-17-03-F
of the
City Manager

**ADOPTION OF PERMANENT RULES AND REGULATIONS FOR THE
REST STOP AND DUSK TO DAWN OVERNIGHT SLEEPING PROGRAMS.**

The City Manager of the City of Eugene finds that:

A. Section 2.019 of the Eugene Code, 1971 (EC) authorizes the City Manager to adopt rules for administration of provisions of the Eugene Code.

B. On September 25, 2013, the City Council adopted Ordinance No. 20517 which established a temporary permitted overnight sleeping ("Rest Stop") Pilot Program allowing persons to sleep overnight at approved City locations until March 31, 2014. The Rest Stop Program has since been amended by Ordinance No. 20547, and the sunset date extended, most recently by Ordinance No. 20563.

C. On November 26, 2013, I issued Administrative Order No. 53-13-13 establishing temporary regulations to implement the Rest Stop Pilot Program until March 31, 2014. The regulations have since been amended by Admin Order No. 53-14-03, and the sunset date extended, most recently by Administrative Order No. 53-16-12.

D. On November 23, 2015, the City Council adopted Ordinance No. 20559 which established a temporary permitted overnight sleeping ("Dusk to Dawn") Pilot Program allowing persons to sleep overnight between specified hours at approved City locations until March 31, 2016. The Dusk to Dawn Program has since been amended and sunset date extended, most recently by Ordinance No. 20563.

E. On December 16, 2015, I issued Administrative Order No. 53-15-18 establishing temporary regulations to implement the Dusk to Dawn Pilot Program. The regulations have since been amended by Admin Order 53-16-06, and the sunset date extended, most recently by Administrative Order No. 53-16-13.

F. On February 27, 2017, Council adopted Ordinance No. 20576 repealing the sunset date of the Rest Stop Program and Dusk to Dawn Program which were set to expire on March 31, 2017.

G. Due to Council's repeal of the sunset date of the Rest Stop Program and Dusk to Dawn Program, on March 3, 2017, I issued Administrative Order No. 53-17-03 proposing to adopt the temporary Rest Stop and Dusk to Dawn Program Rules and Regulations as permanent Rules.

H. Notice of the proposed Rule adoption was given by making copies of the Notice that was attached as Exhibit A to Administrative Order No. 53-17-03 available to any person who

had requested such notice and by publication of the Notice in the Register Guard newspaper on March 7, 8, 9, 10 and 11, 2017. Copies of the Notice were also provided to the Mayor and City Councilors, and to persons operating Rest Stop and Dusk to Dawn sites. The Notice provided that written comments be submitted within 15 days of the first date of publication of the Notice. No comments were received within the time or in the manner provided in the Notice.

BASED UPON the above findings and the findings in Administrative Order No. 53-17-03, and pursuant to the authority contained in Section 2.019 of the Eugene Code, 1971, effective March 31, 2017, the Rest Stop Program and Dusk to Dawn Program Rules and Regulations are adopted to provide as follows:

PERMITTED OVERNIGHT SLEEPING PROGRAM
RULES AND REGULATIONS

I. REST STOP PROGRAM

A. Rest Stop - Property Provider/Site Manager Responsibilities:

1. The property provider/operator shall designate a site manager who shall be responsible for providing supervision when provider is not present. Designation of a site manager does not relieve the property provider/operator of responsibility to ensure compliance with the Contract and these regulations.

2. A contract shall be executed providing for one or more portable toilets with weekly cleaning, and weekly trash/recycling pick up.

3. The property provider/site manager shall maintain a roster of individuals who are authorized to be at the property.

4. The property provider/site manager shall ensure that guests and visitors comply with all provisions of these rules, the site agreement, and provisions adopted by City Council.

B. Rest Stop - Guest Responsibilities:

1. The following activities/items are prohibited from the property:
 - Alcohol; illegal drugs
 - Weapons
 - Illegal activity
 - Open flames, unless approved by the Fire Marshal.
 - Loud music or other disruptive noise
 - Overnight visitors
 - Physical violence, intimidating or threatening behavior or language while on or in the vicinity of the property; damage or harm to the property or property in the surrounding area.

- Engage in behavior on or near the property that may negatively affect the peace and enjoyment of the property and surrounding property for other overnight sleepers or for neighbors.
- Children, except children who are accompanied by a parent or guardian during daytime hours.

2. Only tents are permitted on the property, unless specifically approved in writing by the City Manager or the Manager's designee.

3. The provider, guests and visitors shall comply with all applicable provisions of federal, state and local laws, including the requirements of the fire code.

4. Guests shall keep personal property in the permitted tent.

5. Visitors are allowed only between 9 a.m. and 9 p.m. and are not permitted to bring animals onto the property. Guests shall be responsible for the behavior of visitors while on the property, and visitors shall adhere to all of the obligations of guests under these regulations. Not more than 20 people, counting both guests and visitors, may be on the property between 9 a.m. and 9 p.m.

6. Guests shall be selected by the property provider and may stay on the property until the provider revokes that permission. If permission to remain on the property is revoked, the guest(s) must immediately remove themselves and their property or risk citation for trespassing, having their vehicle towed, at the owner's expense, and their property disposed of.

7. Guests shall deposit all garbage in waste receptacles provided by the property provider/site manager or transport it off site and dispose of it lawfully, and shall keep the area where they are sleeping clean.

8. Guests shall use bathroom facilities provided by the property provider/site manager, or available to the public off-site.

II. DUSK TO DAWN PROGRAM

A. Dusk to Dawn - Property Provider/Site Manager Responsibilities:

1. A property provider/site manager will be designated who shall be responsible for providing supervision during site operating hours.

2. Site will be occupied no earlier than 4:30 p.m. and no later than 7:30 a.m. in a 24 hour period. The City Manager, may adjust site operating hours upon considering, among other things, the seasonal sunset. However, the City Manager may not adjust operating hours such that sites are open earlier than 4:30 p.m. or later than 7:30 a.m.

3. Personal property will be stored in compliance with criteria set by the property provider/site manager and must be taken with guests when they vacate the site each day.
4. Provide one or more portable toilets with weekly cleaning, and weekly trash/recycling pick up.
5. Keep the site and surrounding property free from accumulation of trash or items left behind by guests.
6. Maintain a current roster of individuals who are authorized to be at the property ("guests").
7. Shall open a site only after the City Manager has provided written authorization allowing the site to open. The written authorization shall include the number of people permitted to use the site, and any other regulations applicable to the specific site.
8. Make sure that the number of people at the site(s) between 4:30 p.m. and 7:30 a.m. does not exceed the number of people permitted by the City Manager's written authorization.
9. Ensure that guests comply with all provisions of these regulations and provisions adopted by City Council.
10. All applicable provisions of federal, state and local laws will be complied with, including the requirements of the fire code.

B. Dusk to Dawn - Guest Responsibilities:

1. The following activities/items are prohibited from the property:
 - Alcohol; illegal drugs
 - Weapons
 - Illegal activity
 - Open flames, unless approved by the Fire Marshal.
 - Loud music or other disruptive noise
 - Overnight visitors
 - Physical violence, intimidating or threatening behavior or language while on or in the vicinity of the property; damage or harm to the property or property in the surrounding area.
 - Behavior on or near the property that may negatively affect the peace and enjoyment of the property and surrounding property for other overnight sleepers or for neighbors.
 - Children.
2. Compliance with all applicable provisions of federal, state and local laws, including the requirements of the fire code.

3. Guests shall be selected by the property provider/site manager and may stay on the property until the property provider/site manager revokes that permission. If permission to remain on the property is revoked, the guest(s) must immediately remove themselves and their property or risk citation for trespassing, having their vehicle towed, at the owner's expense, and their property disposed of.

4. Guests shall deposit all garbage in waste receptacles provided by the property provider/site manager or transport it off site and dispose of it lawfully, and shall keep the area where they are sleeping clean.

5. Guests shall use bathroom facilities provided by the property provider/site manager, or available to the public off-site.

6. Guests must comply with any additional rules or regulations not covered here but established by the property provider/site manager.

C. Dusk to Dawn - Closure of Site by the City Manager.

The City Manager may close a site at any time upon determining that allowing camping at a site would create or continue dangerous conditions or a threat to the public health, safety or welfare, or if the property provider/site manager fails to comply with these regulations or the provisions adopted by the City Council.

Dated this 27th day of March, 2017.



Jon R. Ruiz
City Manager