

ORDINANCE NO. NS-2508

AN ORDINANCE AMENDING BEND MUNICIPAL CODE CHAPTER 4.20, USE OF PUBLIC RIGHTS-OF-WAY AND CITY PROPERTY FOR CAMPING

Findings:

- A. The City of Bend adopted Ordinance No. 2458 in December 2022. The Ordinance created Title 4, City Responses to Houselessness, and amended Bend Municipal Code Chapters 5.55 and 5.70. Chapter 4.20 of Title 4 is sometimes colloquially referred to as the camping code.
- B. Ordinance No. 2458 included regulations that are consistent with HB 3115 (2021), later codified at ORS 195.530.
- C. Ordinance No. 2458 included extensive findings outlining the public process to develop a camping code, the City's purposes in regulating activities on City property and in public rights-of-way, concerns about health and safety for everyone in the City, the City's efforts to address homelessness in a comprehensive way, and other issues. The findings in Ordinance No. 2458 are incorporated by reference into this Ordinance as background and context for the City's development, adoption, and implementation of the proposed amendments to Bend Municipal Code Chapter 4.20.
- D. Since the adoption of Title 4 in 2022, which includes objectively reasonable time, place, and manner regulations for how people may use City of Bend property and public rights-of-way for the acts of sitting, lying, sleeping or keeping warm and dry (sometimes known as camping or sheltering), the City has applied its regulations to maintain safety, order, and access to public places while also balancing the reality that people experiencing homelessness may need to use public places to meet their basic needs.
- E. While the City of Bend continues to experience an unacceptable level of unhoused people living in the City's rights-of-way, City, regional and service provider efforts have continued the path of progress and seeking solutions to complicated problems.
- F. According to the 2024 Point-in-Time Count, there were 959 homeless individuals in Bend, a 5% decrease from January 2023. The 2024 count also found that 55% of homeless individuals in Bend were unsheltered, meaning living in a place not meant for human habitation (such as a vehicle, outside, on streets or public lands, in abandoned buildings, etc.); this percentage of unsheltered is also a decrease from 2023.
- G. There are approximately 523 shelter beds in Bend, of which 216 are low-barrier. This exceeds the City Council goal of 505 beds for the current biennium.
- H. Along with its efforts to increase shelter capacity in Bend, the City began

implementing and enforcing its camping code in 2023. Directing resources and support toward shelter and other services while also regulating public places for safe use by everyone reflects the balanced approach the City is obligated to take in addressing an issue as complex as homelessness.

I. Initial efforts by City staff to apply the camping code's time, place, and manner regulations focused on applying the rules to situations involving tent camping. Those efforts accomplished many of the goals of Title 4, which include, among other things, controlling the proliferation of larger, longer-term camps that had tended to experience deteriorating health and safety conditions over time. With the adoption of the camping code and application of its regulations to tent camping, people experiencing homelessness could still use public places to meet their basic shelter needs, subject to the rules, in a way that did not contribute to unacceptably unsafe conditions for themselves or others.

J. While the City's effort to educate the community and apply the regulations to tent camping was successful, the initial focus on tent camping meant the City was not able to devote all of the resources necessary to fully address issues related to camping in vehicles, which is also regulated in the code provisions adopted by the City Council in 2022.

K. When the City began to devote more resources to regulating vehicle camping in 2024, operational issues, communication challenges, and other issues arose due to differences in the way the time, place, and manner regulations applied to and impacted different kinds of camping in public places.

L. One such instance was the fact that vehicles were not clearly considered to be camps or camp sites under Title 4. Another was that there were different time limitations for tent camping and vehicle camping. Yet another difference was that the initial version of the camping code provided that people in tents and people in vehicles could remain in the same location for different periods of time before moving: 24 hours in location for tent camping, and three business days for vehicle camping. These differences contributed to difficulty in communicating and applying the regulations.

M. Title 4 contains another key distinction: it prohibits tent camping in residential areas but allows vehicle camping in those areas. This has also contributed to communication and other challenges for City staff and has raised policy questions about whether residential areas are appropriate places for people experiencing homelessness to use vehicles for shelter, and whether there are other public places in the city where vehicle sheltering is more appropriate.

N. Based on input received by staff and Council from community members, vehicle camping can and has impacted local businesses and residents and has detracted in some instances from a healthy and safe environment.

O. Questions about vehicle sheltering have also illuminated the fact Title 4 does

not specifically define vehicle camping or vehicle sheltering. Doing so has become increasingly common in other cities.

P. From January 1, 2023, to January 1, 2024, the City of Bend Police Department received approximately 5,000 non-emergency calls related to vehicles. Roughly one-third of those calls related to sheltering in a vehicle (the others related to parking violations, abandoned vehicles or using the right-of-way for storage).

Q. The City has also received multiple complaints from residents and businesses of people sheltering in vehicles, including blocking access to residential streets or businesses, harassing customers, trespassing onto private property, drug use and paraphernalia, trash and unsanitary environmental conditions due to the lack of the ability to access restroom facilities. Council expressly recognizes that many individuals sheltering in vehicles do so consistent with the existing time, place and manner regulations, but also acknowledges the real problems that do exist with the current vehicle regulations.

R. City staff presented these and other issues to the City Council during a work session at the August 21, 2024, City Council meeting. Staff presented several recommendations that, generally speaking, would more closely align the regulations for tent camping and vehicle camping, adopt a definition of vehicle camping, and make other amendments to Bend Municipal Code Chapter 4.20 to improve the code and its ability to be administered and applied based on the experience of City staff in 2023 and 2024.

S. At the August 21st work session, the City Council directed staff to return with the recommended Code amendments.

T. At the first reading of the Ordinance at the October 2, 2024, Council meeting, the Council approved a motion directing staff to return to Council in approximately one year to report the City's experience and findings related to these code amendments and to the City's application of Bend Municipal Code 4.20.

Based on these findings, THE CITY OF BEND ORDAINS AS FOLLOWS:

Section 1. Bend Municipal Code Chapter 4.20 is amended as shown on the attached Exhibit A.

Section 2. All other provisions of Bend Municipal Code remain unchanged and in full effect.


Section 3. If any provision, section, phrase or word of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions that can be given effect without the invalid provision or application.

First reading: October 2, 2024

Second reading and adoption by roll call vote: October 16, 2024

YES: Mayor Melanie Kebler
Mayor Pro Tem Megan Perkins
Councilor Anthony Broadman
Councilor Ariel Méndez
Councilor Mike Riley
Councilor Megan Norris

NO: Councilor Barb Campbell



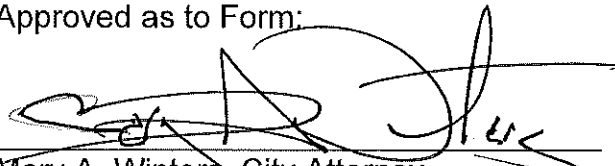
Melanie Kebler, Mayor

ATTEST:



Morgen Fry, City Recorder

Approved as to Form:



Mary A. Winters, City Attorney

Chapter 4.20
USE OF PUBLIC RIGHTS-OF-WAY AND CITY PROPERTY FOR CAMPING

Sections:

4.20.010	Purpose.
4.20.015	Definitions.
4.20.020	Camping Prohibited on City Property.
4.20.025	Enforcement.
4.20.030	Time, Place and Manner Regulations.
4.20.035	Vehicles.
4.20.03540	Violations.

4.20.010 Purpose.

This chapter is intended to balance and prioritize several interests: recognition of the essential human dignity of everyone in the City of Bend; the need to have safe and orderly conditions in City rights-of-way for the safety and benefit of everyone in Bend; the right of everyone in Bend to have shelter for sleep and safety; and respect for public spaces and public property in service to the entire community.

With this in mind, this chapter is intended to regulate the use of public rights-of-way and City property to protect and preserve public places for their designed and intended purposes, while also making them available for shelter and sleeping by people who have no other options for shelter.

The City recognizes that surviving on City streets is typically an option of last resort. This chapter and the City's enforcement efforts will be focused on mitigating the impacts to public health and safety that can arise from survival camping in public places. [Ord. NS-2458, 2022]

4.20.015 Definitions.

A. To **camp** or the act of **camping** means to pitch, use, or occupy camp materials and/or a camp for the purpose of occupancy, habitation, or sheltering for survival, and in such a way as will facilitate sleeping or storage of personal belongings, carrying on cooking activities, taking measures to keep protected from the elements including heat and cold, or any of these activities in combination with one another or in combination with either sleeping or making preparations to sleep. A "camp" is a location where people camp or are camping, and may consist of or include a vehicle or vehicles. For purposes of this Chapter, vehicles may include any and all cars, trucks, motor homes, recreational vehicles, campers, trailers, and other moveable units.

_____1. Observations and/or evidence of or related to any combination of the following may be indicia that a vehicle is being used to camp or for camping: litter, rubbish, or waste in, on, or near a vehicle; activities of daily living such as eating, sleeping, bathing, preparing or cooking meals; items that are not generally associated with basic vehicle use such as bedding, kitchen items, cookware, food, food or water containers, personal grooming items, camp materials, items used as furniture, etc.; urination or defecation near a vehicle; obscuring of some or all of a vehicle's windows; and other indications that a vehicle is being used for more than transportation.

2. For the purposes of this section, if a vehicle is otherwise legally parked, the vehicle will not necessarily be considered a camp or used for camping if it is being used for temporary alleviation of sickness, a temporary medical emergency or a temporary physical inability to operate the vehicle, or for similar reasons, simply because someone is occupying the vehicle or asleep in the vehicle, provided there are no violations of the time, place and manner regulations in this Chapter.

~~For the purpose of this section, if a vehicle is otherwise legally parked, human habitation does not mean the use of a camp car or motor vehicle for alleviation of sickness, a medical emergency or a temporary physical inability to operate the motor vehicle, to nap during the day or picnicking in the vehicle, without other indicia of camping present, provided there are no other violations of the time, place and manner regulations. [From Boulder: Vehicle camping does not include temporary residence associated with the performance of a governmental service by emergency responders or relief workers during a Disaster Emergency as defined...]~~

B. Camp materials may include, but are not limited to, tents, huts, awnings, lean-tos, chairs, tarps or tarpaulins, cots, beds, sleeping bags, blankets, mattresses, sleeping or bedding materials, food or food storage items, vehicles, and/or similar items that are or appear to be used as living and/or sleeping accommodations, or to assist with living and/or sleeping activities.

C. Established campsite means a location or locations in the public right-of-way or on City property where a camp, camps, and/or camp materials have been set up or used to camp or for camping for 24 hours or more.

~~Note: "Camp," "camping," "camp materials" and "established campsite" do not include vehicles, automobiles, or recreational vehicles used for shelter and/or sleeping, which are regulated at BC 4.20.035.~~

~~**D. City parking lot or parking structure** is a type of City property, and means a developed or undeveloped area or facility owned, maintained, and/or leased by the City that is designated and/or used for parking vehicles.~~

DE. Public rights-of-way means all City-owned or controlled rights-of-way, whether in fee title or as holder of a public easement for right-of-way or public access purposes. Public rights-of-way include but are not limited to any public road, street, sidewalk, or private street or other property that is subject to a public access easement dedicated or granted to the City for vehicular, pedestrian, or other means, and any planter strip or landscaped area located adjacent to or contained within streets that is part of the public right-of-way.

EF. City property includes all real property, land and public facilities within the City of Bend that are owned, leased (either to the City or by the City), controlled, or managed by the City of Bend including City parking lots or parking structures, but excluding City owned or managed rights-of-way. [Ord. NS-2458, 2022]

4.20.020 Camping Prohibited on City Property.

It is prohibited at all times for any person to use City property to camp or for camping ~~or for the purpose of occupancy, habitation, or sheltering for survival in vehicles, automobiles, or recreational vehicles;~~ provided, that the City Manager may, in their discretion, designate certain City properties or portions of properties as areas where camping ~~or using vehicles for sheltering and/or sleeping~~ may be allowed on a limited basis, and may set the terms and conditions of any camping or vehicle use that may be allowed. Any use of City property will follow the applicable processes, including, where applicable, the Bend Development and/or City Code. [Ord. NS-2458, 2022]

4.20.025 Enforcement.

A. The City Manager is specifically authorized to modify or suspend enforcement of any section or element of this chapter in the event of a declared emergency, pursuant to administrative rules or policies, weather conditions (including but not limited to extreme heat or cold), or for any other reason within the City Manager's authority, regardless of whether an emergency has been declared.

B. The City Manager may adopt administrative rules or policies governing or guiding enforcement of this chapter, including but not limited to ensuring consistent and appropriate enforcement for various circumstances.

C. Enforcement should be tailored for various circumstances, including but not limited to situations where a person has a disability under the Americans with Disabilities Act, where minor children are present or otherwise involved, where a person has employment obligations that may relate to their ability to comply with the code, or for other reasons that may support discretion in enforcement.

D. Methods of enforcement for violations of this chapter are not exclusive and may consist of multiple enforcement mechanisms where legally authorized and appropriate. However, the intent of the City is to always resolve violations at the lowest possible level, and to engage to seek compliance and solve problems while maintaining the dignity of all involved. To that end, violations of this chapter should only result in

citations when other means of achieving compliance have been unsuccessful, or are not practicable for the particular situation. [Ord. NS-2458, 2022]

4.20.030 Time, Place and Manner Regulations.

~~A. People who do not have any other permanent residence or domicile and/or are involuntarily homeless are~~ Camping is not prohibited from camping in the public rights-of-way, provided it camping is occurring in compliance with the following time, place and manner regulations.

B. *Time.*

1. Unless otherwise specified, any camping or camp, where allowed, may only occur for 24 hours at a time in any one location. After a camp has been in one place for 24 hours or more, the City may post notice at the location that the camp, and all associated camp materials, must be removed no more than 72 hours later and all personal property remaining will be removed, as described in this section.

2. After 24 hours in one location, the camp and all associated camp materials must be moved at least one block or 600 feet. In the case of vehicles that are being used for camping, as a camp, or as camp materials, the vehicle must be moved at least 1,500 feet.

3. Enforcement of time restrictions may be suspended when an individual does not have access to shelter and when an individual is engaged in case management or behavioral health services, or when necessary or appropriate to respond to an individual's disability, as further set forth in the City's comprehensive administrative policy implementing this chapter, adopted by the City Manager.

C. *Place.*

1. In addition to the prohibition on camping on City property in BC 4.20.020, camping, camps, or camp materials are ~~is not~~ allowed at any time in any of the following places:

a. If there is a property with an active residential use or any type of residential dwelling unit(s), the prohibition on camping applies to the block containing the property, meaning both sides of the street between intersections or an intersection and the terminus of the street. any type of(s). Any area zoned Residential (RL, RS, RM, RH) on the City of Bend Zoning Map in effect at the time.⁴

b. Within the Waterway Overlay Zone, as determined by the City of Bend Zoning Map and Bend Development Code.

- c. Any place where camping, a camp, or camp materials create a physical impediment to emergency or nonemergency ingress, egress or access to property, whether private or public, or on public sidewalks or other public rights-of-way, including but not limited to driveways providing access to vehicles, and entrances or exits from buildings and/or other real property.
- d. Any vehicle lane, bicycle lane, or roundabout within any public right-of-way.
- e. Within 1,000 feet from any safe parking site or shelter approved under the Bend Development Code and/or any applicable provision of State law.
- f. On any street or public right-of-way, the City has closed to camping due to construction, heavy vehicle use, or other use of the roadway that is incompatible with camping in the right-of-way. The City does not need to close a street to vehicle traffic to close a street to camping under this section.

D. *Manner.*

1. Camping, when and where allowed, is subject to all of the following:
 - a. Individuals, camp materials, camps, or personal property may not obstruct sidewalk accessibility or passage, clear vision, fire hydrants, City or other public utility infrastructure, or otherwise interfere with the use of the right-of-way for vehicular, pedestrian, bicycle, or other passage.
 - b. A camp or camping must be limited within a spatial footprint of 12 feet by 12 feet, or 144 square feet. The intent of this section is to allow a person to sleep protected from the elements and maintain the essentials for living, while still allowing others to use public spaces as designed and intended.
 - c. To prevent larger camping sites from forming and the impacts that can result, no more than three camps may be set up per block. If there are any camps set up on a particular block, no other camp may be within 150 feet of any of those camps, including but not limited to across the street or on another block face. A group of up to three camps may not be within 150 feet of any other group of camps. This subsection applies to any combination of camps, including vehicles being used to camp or for camping.
 - d. Individuals may not accumulate, discard, or leave behind garbage, debris, unsanitary or hazardous materials, or other items of no apparent utility in public rights-of-way, on City property, or on any adjacent public or private property.

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- e. Open flames, recreational fires, burning of garbage, bonfires, or other fires, flames, or heating deemed unsafe by Bend Fire and Rescue are prohibited. Types of cooking stoves and other devices for keeping warm are permitted, as allowed by adopted City policies.
 - f. Dumping of gray water (i.e., wastewater from baths, sinks, and the like) or black water (i.e., sewage) into any facilities or places not intended for gray water or black water disposal is prohibited. This includes but is not limited to storm drains, which are not intended for disposal of gray water or black water.
 - g. Unauthorized connections or taps to electrical or other utilities, or violations of building, fire, or other relevant codes or standards, are prohibited.
 - h. Obstruction or attachment of camp materials or personal property to fire hydrants, utility poles or other utility or public infrastructure, fences, trees, vegetation, vehicles, or buildings is prohibited.
 - i. Individuals may not build or erect structures, whether by using plywood, wood materials, pallets, or other materials. Items such as tents and similar items used for shelter that are readily portable are not structures for purposes of this section.
 - j. Storage of personal property such as vehicle tires, bicycles or associated components (except as needed for an individual's personal use), gasoline, generators, lumber, household furniture, extra propane tanks, combustible material, lumber, or other items or materials is prohibited, other than what is related to camping, sleeping, or keeping warm and dry.
 - k. Digging, excavation, terracing of soil, alteration of ground or infrastructure, or damage to vegetation or trees is prohibited.
 - l. Use of emergency power generators that result in a violation of BC 5.50.020(A) is prohibited.
 - m. All animals must be leashed or crated at all times.
 - n. Vehicles must be operational, i.e., capable of being started and driven under their own power, or ready to be towed if designed to be towed and may not be discarded or left inoperable in public rights-of-way or on City property.
 - o. Storage of material outside vehicles is prohibited, other than what is incidental to activities such as short-term loading or unloading a vehicle.

p. No building or erecting of any structures connecting or attaching to vehicles is permitted, including tents that are not designed and manufactured to be attached to a vehicle.

g. Vehicles used as camps or for camping must be legally parked in accordance with City code and any applicable policies.

~~4. Zone changes amend the City of Bend Zoning Map but may not always be evident on the most recently published version of the map. The formal zoning designation of an area will control even if not reflected on the most recently published map. For public rights-of-way adjacent to properties with different zoning designations, the designation that is more restrictive for purposes of this chapter will govern the use of that segment of the right-of-way.~~

~~4.20.035 Vehicles.~~

~~A. BC Chapter 6.20 governs where and for how long individuals may legally park vehicles on public rights-of-way within the City of Bend. Those standards are applicable to all individuals, including those who use vehicles for shelter and/or sleeping on public rights-of-way in the City.~~

~~B. Individuals may use vehicles for shelter and/or sleeping on public rights-of-way under the following circumstances:~~

- ~~1. The vehicle is legally parked in compliance with the Bend City Code and any applicable policies.~~
- ~~2. Open flames, recreational fires, burning of garbage, bonfires, or other fires, flames, and/or heating deemed unsafe by Bend Fire and Rescue are prohibited in, on, or around vehicles. Types of cooking stoves and other devices for keeping warm are permitted, as allowed by adopted City policies.~~
- ~~3. Dumping of gray water (i.e., wastewater from baths, sinks, and the like) or black water (i.e., sewage) into any facilities or places not intended for gray water or black water disposal is prohibited. This includes but is not limited to storm drains, which are not intended for disposal of gray water or black water.~~
- ~~4. Storage of material outside vehicles is prohibited, other than what is incidental to activities such as short-term loading or unloading a vehicle.~~
- ~~5. Vehicles must be operational, i.e., capable of being started and driven under their own power, or ready to be towed if designed to be towed and may not be discarded or left inoperable in public rights-of-way or on City property.~~

~~6. No building or erecting of any structures connecting or attaching to vehicles is permitted, including tents that are not designed and manufactured to be attached to a vehicle.~~

~~7. Persons may not accumulate, discard or leave behind garbage, debris, unsanitary or hazardous materials, or other items of no apparent utility in public rights-of-way, on City property, or on any adjacent public or private property.~~

~~8. Use of emergency power generators that result in a violation of BC 5.50.020(A) is prohibited.~~

~~9. All animals must be leashed or crated at all times.~~

~~C. Notwithstanding BC Chapter 6.20 or any other applicable rules or policies governing parking on public rights-of-way, under no circumstances may anyone use a vehicle for shelter and/or sleeping:~~

~~1. Within 500 feet of any safe parking site or shelter approved under the Bend Development Code and/or any applicable provision of State law.~~

~~2. Within 1,000 feet of the City's emergency shelter at 275 NE 2nd Street, but bound by the geographic barriers of the US-97/Parkway to the west and 3rd Street to the east, generally described as follows:~~

~~a. NE 2nd Street between NE Burnside Ave and NE Franklin Ave;~~

~~b. NE Emerson Ave from its western terminus east of US-97/Parkway to NE 3rd Street;~~

~~c. NE Dekalb Ave from its western terminus east of US-97/Parkway to NE 3rd Street;~~

~~d. NE Burnside Ave from NE 2nd Street to NE 3rd Street;~~

~~e. SE Scott Street from the US-97/Parkway overpass to SE 3rd Street; and~~

~~f. SE Aune Street from the US-97/Parkway overpass to SE Scott Street.~~

~~3. In any City parking lots or parking structures.~~

~~D. Enforcement of violations of this section will be in accordance with applicable State law and City ordinances and policies, including laws, ordinances, and policies governing towing and impounding of vehicles. [Ord. NS-2458, 2022]~~

4.20.03540 Violations.

A. A citation for a violation of this chapter will be for a Class C civil infraction. Citations will be issued only when other means of achieving compliance have been unsuccessful or are not practicable for the particular situation.

B. Before a civil infraction citation is issued, the enforcement personnel will contact the person and provide a reasonable opportunity to cure or remedy the alleged violation. In most cases, enforcement personnel will assess whether the person subject to citation has been referred to service providers and/or the ~~Deschutes County Coordinated Homeless Response Office~~, and make a referral if it appears none has been made. The following will be communicated to the person in a manner designed to help them understand the issue or problem:

1. A description or identification of the activity constituting the alleged violation and identification of the recipient as being the person responsible for the violation;
2. A written or verbal statement that the enforcement personnel has determined the activity to be a violation;
3. A written or verbal statement of the action required to fix the violation and the time and/or date by which the violation must be fixed; and
4. A written or verbal statement advising that if the violation is not fixed within the time specified, a citation will be issued and that a civil penalty in the maximum amount provided for the particular infraction may be imposed.

C. A violation of this chapter may result in the removal and/or clean-up of the camp or camps, camp material, or other personal property that are creating or contributing to the violation(s), typically after a request for voluntary compliance has been made as described in subsection (B) of this section, except in the case of an exceptional emergency, such as possible site contamination by hazardous materials or when there is danger to human life or safety or illegal activities, where removal can be immediate or be accomplished more quickly, depending on the severity of the situation. Any camp, camp materials, or personal property in violation of any of the standards in this chapter may be removed or cleaned up by the City or its designated contractors, subject to the requirements of storage of personal property and notice of storage described in subsection (E) of this section. Camps in violation will generally be prioritized for removal or clean-up based on factors such as risks and negative impacts to public health and safety and repeated violations of this chapter. A camp may be subject to removal or citation, or both.

D. Upon a determination by enforcement personnel that a camp or camping is occurring in violation of this chapter, an established campsite may be removed pursuant to the following procedures:

1. Prior to removing an established campsite on public rights-of-way or City property, at least 72 hours in advance, except in the case of exceptional emergency or criminal activity, the City must post notice at the location that the campsite must move and all personal property remaining will be removed and must inform local agencies that deliver services to homeless individuals where

the notice has been posted that such notice has been posted, including the Deschutes County Coordinated Homeless Response Office.

2. A campsite may be removed for violation of this chapter without posting a 72-hour notice:

a. When there are grounds for law enforcement officials to believe that illegal activity, other than camping, is occurring on the campsite or in the immediate vicinity of the campsite, or the property that comprises the campsite is being used or is intended to be used to commit or facilitate the commission of otherwise illegal activity; or 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. If the danger to human life or safety can be reduced by moving the established campsite to a safer location, such as an adjacent landscape strip, the campsite should be moved rather than removed.

3. Once the 72-hour notice has been posted, the City may act on the notice and remove the campsite beginning 72 hours after posting and for up to 10 days following the posting.

4. After a camp has been removed, ~~subject to a 72-hour notice or under circumstances when no advance notice is required, the camp and all associated camp facilities must be moved at least one block or 600 feet, whichever is greater, and~~ the City may order that no camp or camp materials be set up, left, or used in that same location or a 100-foot radius for up to 14 days. The City will post signs informing the public that camping is prohibited at the location.

5. When removing individuals and property from an established campsite, personnel will make reasonable efforts to remove individuals without the use of force, arrest, or citation. No person may be arrested or cited for failing to move under this chapter prior to being asked by City personnel to move.

6. When removing personal property, the City will make reasonable efforts to determine if the property belongs to an individual and has any apparent utility. The City will make reasonable efforts to identify which established campsite property was removed from, to aid in connecting people with their property. Items that are perishable, or that have no apparent use, or that are in an unsanitary condition due to saturation or contamination from bodily fluids, whether human or animal, or other contamination, will be considered garbage, discarded, and need not be stored.

7. Weapons, drug paraphernalia, or other contraband, and items that appear to be either stolen or evidence of a crime, shall be given to law enforcement officials. Items that appear to have a value of \$1,000 or more shall be given to law enforcement officials for storage and safekeeping, and shall be made available as described in subsection (F) of this section.

8. Following removal of personal property from the right-of-way, the City must post a notice at or as near as possible to the location the property was collected, stating where the personal property is being stored, and listing the phone number and hours a person claiming ownership can collect or make arrangements to collect their personal property.

E. Personal property or camp materials may be removed from City rights-of-way, City property, or a camp or campsite if in violation of the provisions of this chapter. Advance notice and an opportunity to cure will be provided in most cases.

F. Personal property removed from City rights-of-way or City property and unclaimed at the time of removal will be stored by the City for a minimum of 30 days, or the duration required by law at the time of the removal.

1. Items that are perishable, that have no apparent use, are not identifiable as belonging to an individual, or that are in an unsanitary condition due to saturation or contamination from bodily fluids, whether human or animal, or other contamination, will be considered garbage, discarded, and will not be stored. Property discarded, dumped, or otherwise abandoned in the City rights-of-way may be immediately discarded.

2. The City will store personal property at or near one of the City business campuses or another suitable location, where people can reasonably retrieve belongings.

3. The City will make reasonable efforts to provide a range of times the storage location will be available for people to collect their personal property. The City may dispose of any personal property that remains unclaimed after 30 days, or such duration as required or allowed by law. [Ord. NS-2458, 2022]