



## AGENDA STAYTON HOMELESS TASK FORCE

**Monday, October 9, 2023**

Stayton Community Center  
400 W. Virginia Street  
Stayton, Oregon 97383

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1. CALL TO ORDER 6:00 PM
2. Review of public outreach and public comments received
3. Public Comment
4. Discussion and Task Force recommendation to Council on modifications to the camping ordinance
5. Next steps
6. ADJOURN 8:00 PM

*The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or other accommodations for persons with disabilities should be made at least 48 hours prior to the meeting. If you require special accommodations, contact City Hall at (503) 769-3425.*

# **SURVEY RESPONSES**

### City of Stayton – Camping Ordinance Survey Results

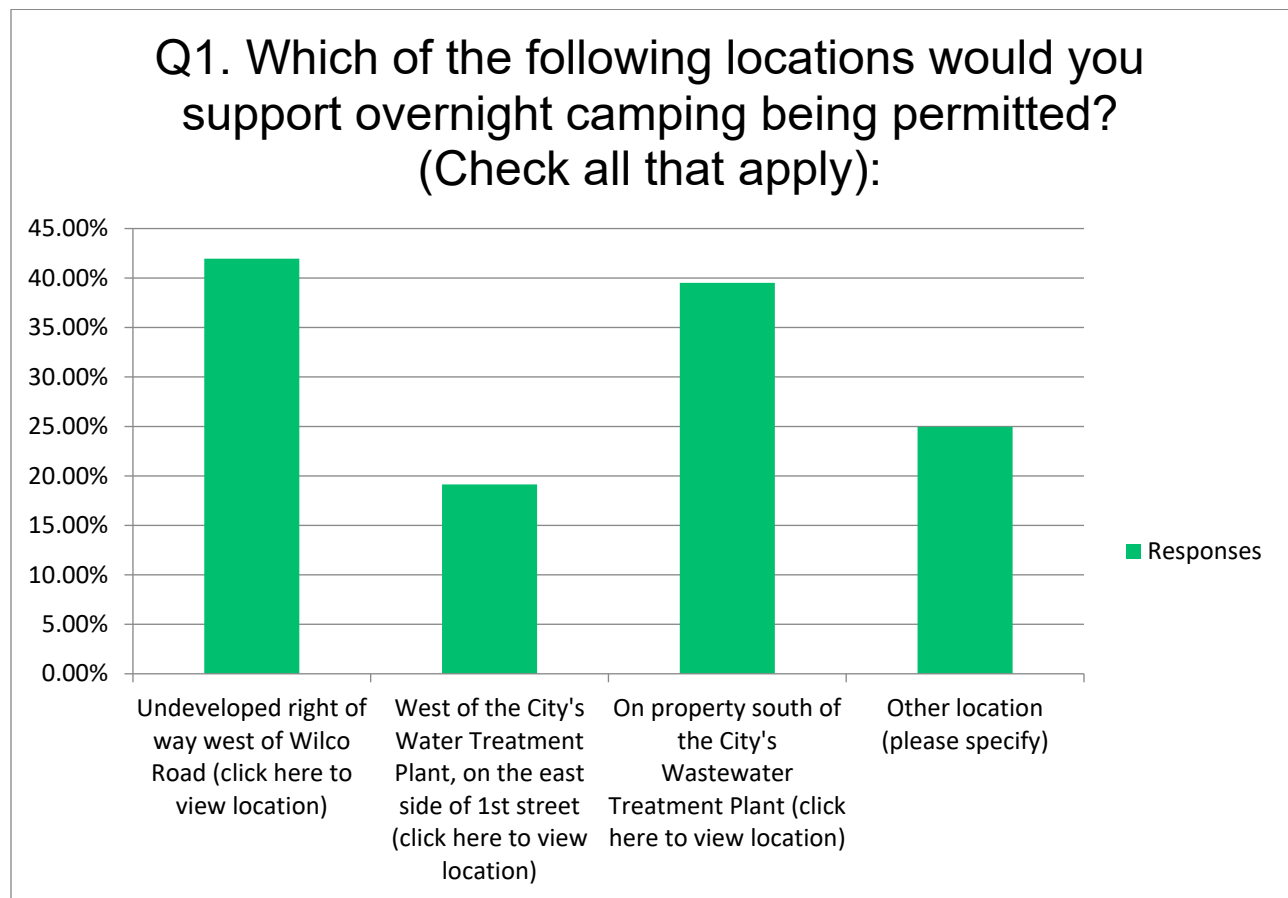
On September 15, 2023, the City of Stayton launched an online survey to collect responses from the community about their opinions on the Overnight Camping Ordinance locations, vehicle camping, supplying hygiene facilities, etc. The survey ended on September 29, 2023 8:30 AM. This is a packet of complied responses and survey data.

#### Community’s preferred location for overnight camping

The first set of questions is about the Overnight Camping location and preferred location for camping.

Based on 653 responses, in descending order: Wilco Road (274), Wastewater Treatment (258), Other (163), Stayton’s Water Treatment (125).

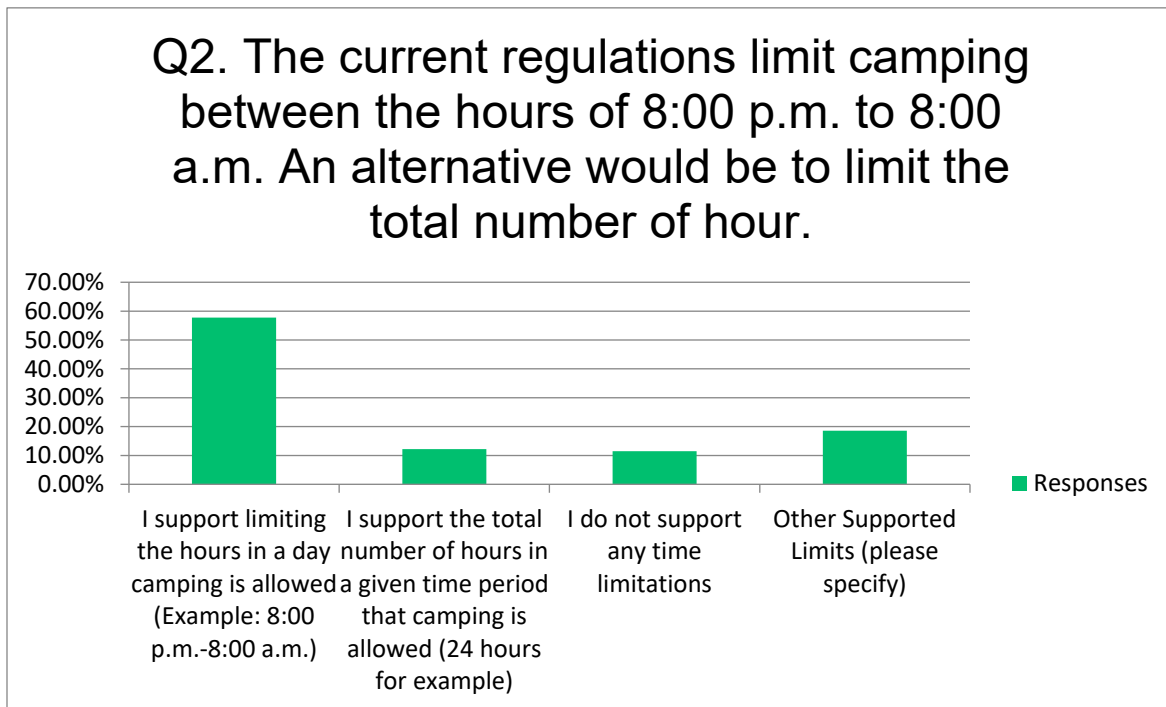
Other responses will be listed in detail at the end of the document.



The second question was about the current regulations that limit camping between the hours of 8:00 PM to 8:00 AM. Alternatives were given to this time limit, such as they may stay for 24 or 48 hours or have no limitation someone can stay on public property.

Of the 663 responses: the current limitation 8 AM – 8 PM (383), an alternative time period (81), no time limit (76), and Other (123).

The Other responses will be listed in detail at the end of this document.

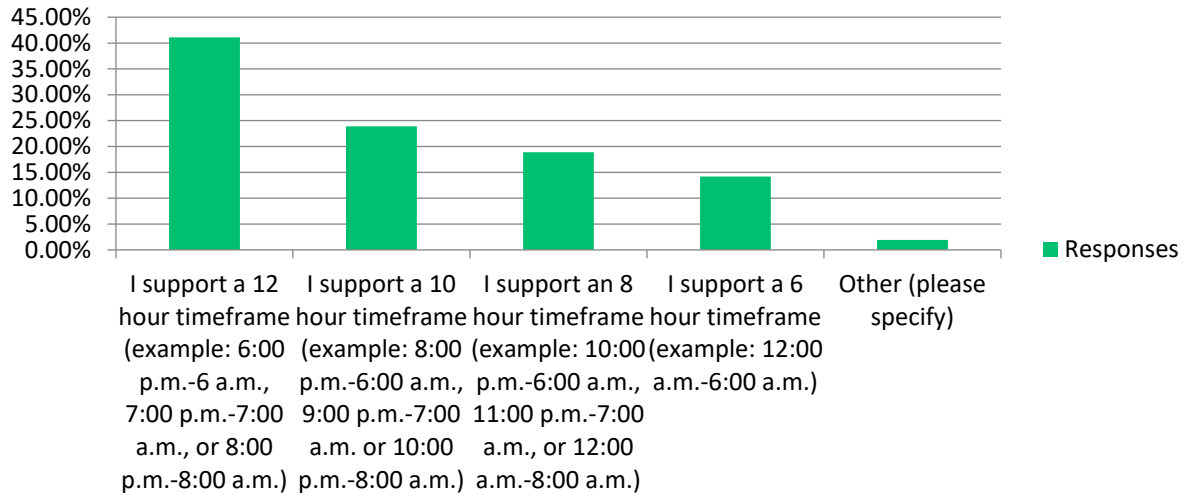


**Based on the response for the second question, respondents would be directed to a different set of questions.**

If a respondent selected ‘I support limiting hours in a day camping is allowed’ they would choose a preferred time frame for camping. Of the 360 responses: 12 hours (148), 10 hours (86), 8 hours (68), 6 hours (51), Other (7).

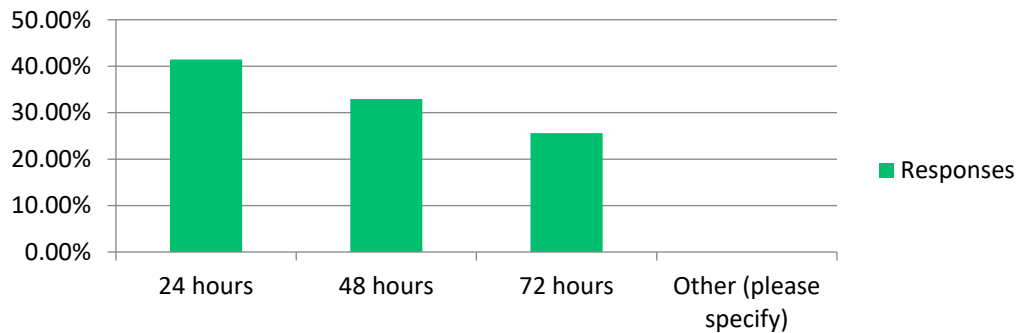
The Other responses will be listed in detail at the end of this document.

**Q3. If you chose "I support limiting the hours in a day camping is allowed", please choose one of the following:**



If respondents chose 'I support the total number of hours in a given time period that camping is allowed' they would choose the preferred amount of hours. Based on the 82 responses: 24 hours (34), 48 hours (27), 72 hours (21).

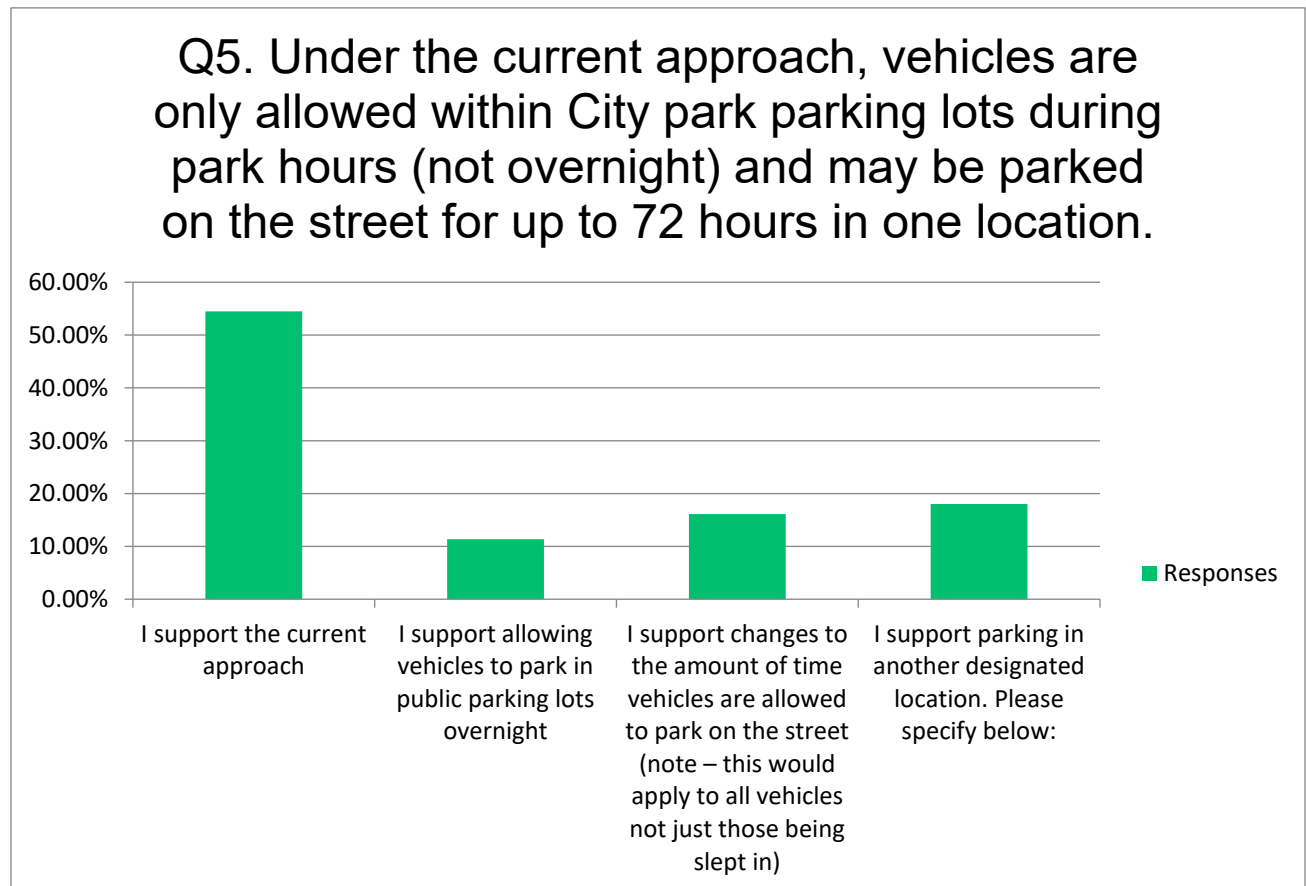
**Q4. If you chose "I support the total number of hours in a given time period that camping is allowed", which amount of hours do you prefer?**



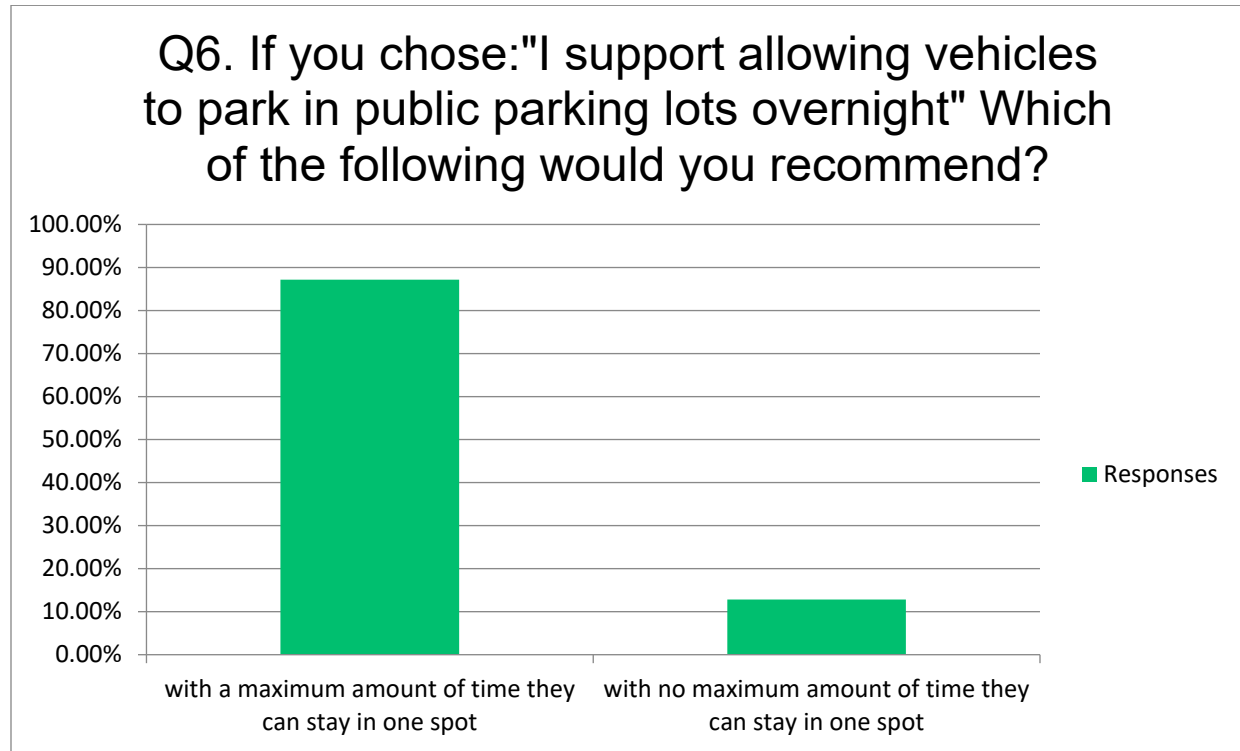
**The next set of questions was about vehicle camping.**

Respondents had the choice of supporting the current approach to vehicle parking or selecting an alternative method. Of the 633 respondents: Support current approach (345), allow overnight public parking (72), change the amount of time vehicles are allowed to park on street (102), support parking in another designated location/other (114).

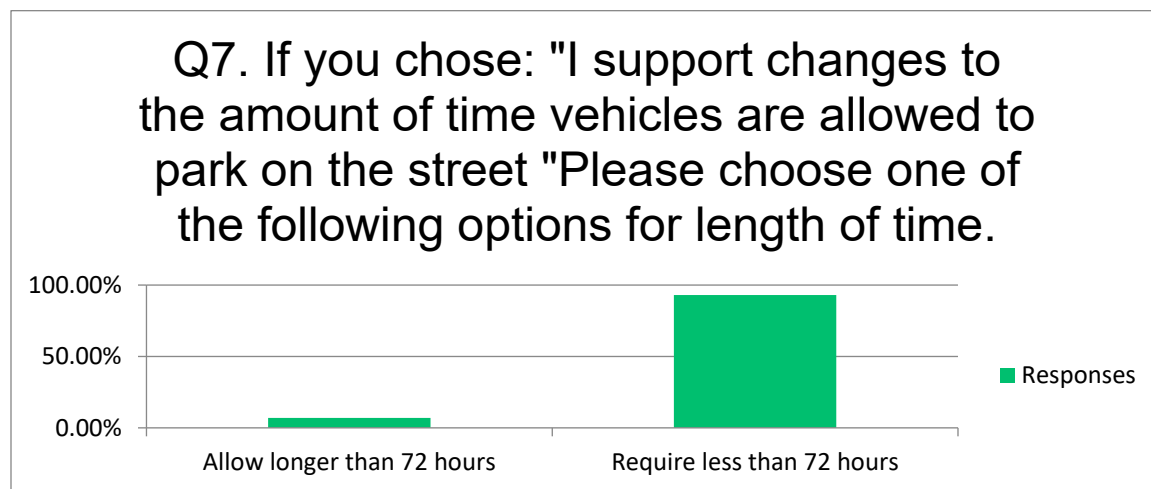
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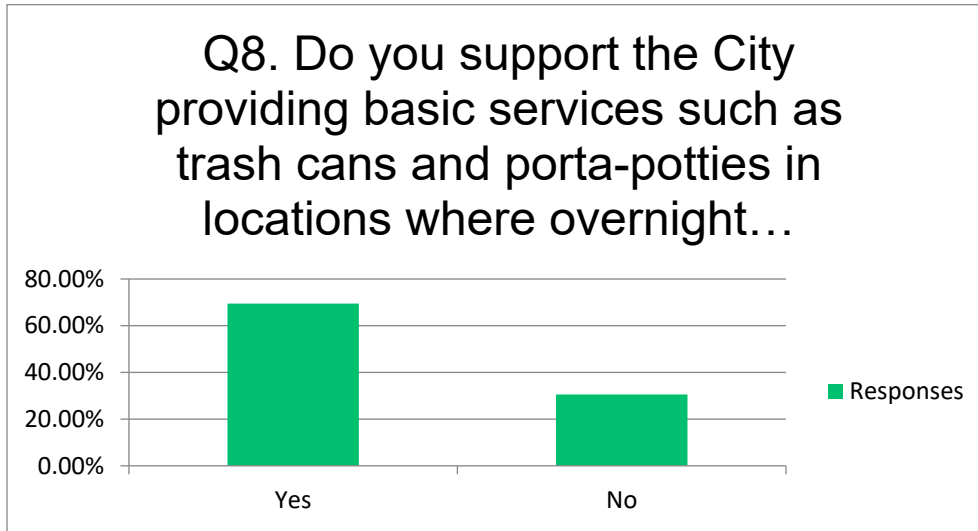
For those who selected "I support allowing vehicles to park in public parking lots overnight" they had the option of selecting a maximum amount of time or no maximum amount of time to stay. Of the 78 respondents: a maximum amount of time (68) and no maximum amount of time (10).



For those who selected "I support changes to the amount of time vehicles are allowed to park on the street" they had the option of selecting longer or less than 72 hours. Of the 100 respondents: Allow longer than 72 hours (7) and require less than 72 hours (93).

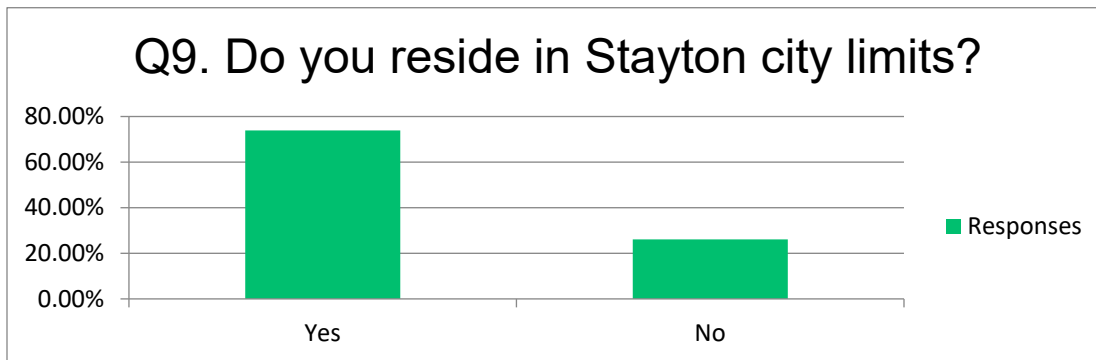


When asked, “Do you support the city providing trash cans and porta-potties in the locations where overnight camping is not prohibited?” Of the 645 respondents: 448 said **Yes**, and 197 said **No**.



**The next set of questions focused on the respondent’s location and relation to the area of Stayton.**

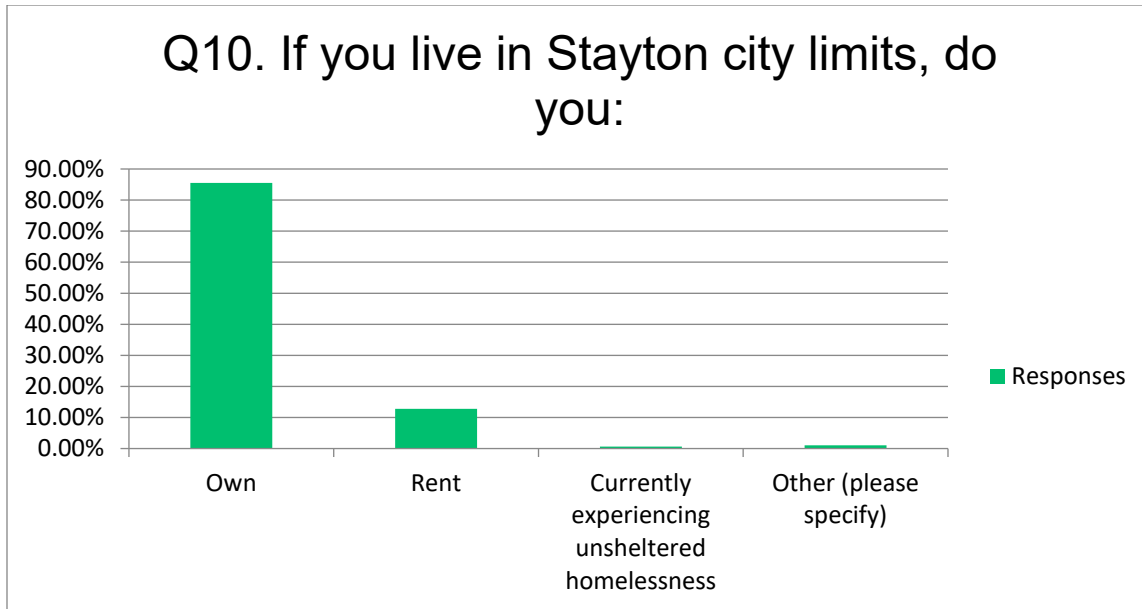
When asked, “Do you reside in Stayton city limits?” Of the 644 respondents: 476 said **Yes**, 168 said **No**.



The next questions focused on who owned or rented property within the city, as well as those experiencing unsheltered homelessness and other.

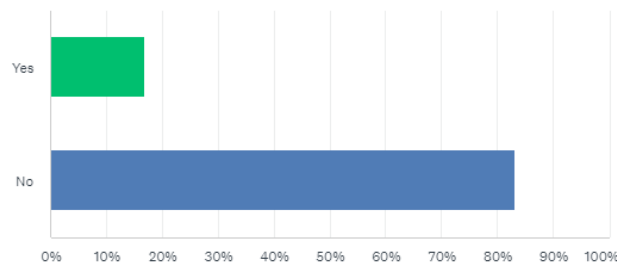
The Other responses will be listed in detail at the end of this document.





The last question asked if those taking the survey owned a business within Stayton. Of the 643 respondents: 108 said **Yes**, 535 said **No**.

Answered: 643 Skipped: 44



ANSWER CHOICES	RESPONSES	
▼ Yes	16.80%	108
▼ No	83.20%	535
<b>TOTAL</b>		<b>643</b>

The last section offered a place for respondents to provide additional comments and feedback, which will be listed at the end of the document.

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**Q1. Which of the following locations would you support overnight camping being permitted?**

**Other Responses:**

- None
- None
- Nowhere
- Transept parking lot by Hwy 22
- No homeless!! Quit
- Park and ride
- Tina Kotex house
- Portland, California, Eugene, New York
- None. Kick them out
- Parking lot of police station
- None
- None
- Mertz Drive :)
- none.
- none. get them in housing
- I think people should be allowed to camp on public property, maybe areas designated at local parks. Homeless people should not have to search for camping areas
- None
- Housing should be a human right. Without shelter people die due to extreme weather
- Police Station parking lot so it can be well monitored.
- Portland
- We don't want any homeless people close to any these areas
- They should be committed to a mental hospital or drug rehab where they can get the help and care they need.
- Front yards of people in town who think we don't have a homeless population
- no where
- None
- No where! The homeless should not be given anywhere to camp. They have no respect for anything and will destroy whatever property they are on. No one but themselves should have to clean up there garbage.
- Homeless shelter is the best place for them. Maybe they can get the help they need. Homeless destroy where ever they go when given places outside.
- None as they leave a mess everywhere they go.
- In salem
- None
- None
- None
- I don't think anywhere near the water treatment is an acceptable place. Somewhere tucked away from our youths sights would be best.

- NONE
- None
- Back to Salem
- Salem
- None
- Not in our town...
- Not in our town... period
- Park and Ride in stayton
- None
- None of the above. I think it is a mistake to allow camping for the homeless.
- NONE
- Not in the city at all
- Nowhere in town. Portland. They voted this problem into existence
- None!
- Split between Tina Kotek and Kate Brown's backyards
- The city hall building, the governor's mansion or state buildings
- The lawn of the governor's mansion; the lawns of everyone who said "someone should allow camping"
- They have no rights to camp anywhere
- Park and ride, industrial lift station
- 303 water st
- None
- Park and Ride
- By the teen center off of Kindle Way SE
- Anywhere else
- No place
- Don't give them a choice
- California
- No where
- bus pass to their hometown
- Am not sure where I would like this camp but for sure not at the Wilco Road area. Our family has been trying to sell this property for years and this certainly would not be an addition a buyer would go for. I wish I could think of some other place but don't know the vacant lots that well, which I don't think there are many anyways.
- Not in our town
- Community Center parking lot and grass field area (That way, at least twice a month, you can witness whats going on)
- Nowhere
- no overnight camping inside city limits
- Washington D.C.
- None
- Anywhere they want, they are not animals to cage up
- harvest festival grounds

- NOT in City Limits
- None
- None - why are you making it easy - no resources
- Portland
- Out of stayton
- Nowhere
- None!!
- No camping
- NONE
- None.
- None
- None
- Salem
- Behind fire department
- none
- NOWHERE.
- Under the Santiam Bridge
- No where
- No where
- Portland
- No overnight camping at all.
- None. Keep it out of the city or we will become Portland
- Absolutely none
- California
- Harvest festival area.
- There is no good location. It should not be allowed at all.
- Keep away from people's homes
- At the established state campsites
- Nowhere
- None-Prohibit in all areas! There are enough homeless assistance programs in Marion Co to help these people!
- Police station parking lot
- Police Station Parking Lot
- Not in town
- Anywhere in Salem
- NONE here, send to salem
- None
- Portland
- None
- None
- None
- None
- Salem
- I support rotating between these given properties monthly.

- No overnight camping
- We don't need to be providing any homeless camping. The state may have made a law. But it is up to the city to stand up to their bullying.. The city needs to be non compliant to these tyrants.
- None
- How about state hospital, or nearest rehab facility.
- None
- City parks rotating nightly, stationing a cop and requiring clean up
- Sublimity
- Places far away from the road, away from schools, and away from parks.
- I don't support any of these areas
- None of these locations. We don't want the crime or garbage in our backyards.
- No where in Stayton- Salem or Portland
- How about no where
- Salem
- None. Why in the world would we want that? Have you been to down town Salem and seen the drug use and filth???
- Do not permit overnight camping.
- None of these. This should not be allowed.
- No where once started it will grow and cause crime
- Park and ride by dairyqueen
- Salem
- Why are all of the options so far from where folks can get food or other necessities easily? What if someone, on top of all their other issues, have limited mobility?
- None of the above.
- None
- Approved pre established campgrounds only.
- Please not close to our water/wastewater facilities.
- I support none of these locations for overnight camping by anyone.
- NONE
- A small city cannot fund the needs of the homeless that are moved in from other locations. They should be moved to larger cities that can adequately take care of the homeless and their needs and give them opportunities that a small town cannot.
- None! This should not be allowed to occur here in Stayton. We are a small town and it should not become a place like I-5 off of Salem was.
- None.
- None
- All three of those locations are no good
- None, I already clean up human waste and needles and we don't have funding to hire people to do so
- No where, camp grounds
- Salem
- none
- The Church parking lot in Westown

- None
- No where
- Camping in unauthorized places is illegal. How can some people break the law and it is ok and protected?
- Salem
- None. Don't allow them to camp here!
- None
- Bus to Portland
- Send them back to Portland!
- Governor's lawn
- NONE
- none, transport them to larger cities that have services for them
- Not in or near our town!
- WE SHOULD NOT BE MAKING A SET LOCATION TO CAMP WE ARE NOT SET UP FOR THIS
- Downtown parking lots

**Q2. The current regulations limit camping between the hours of 8:00 p.m. to 8:00 a.m. This means people must pack up their belongings and move off the site by 8:00 a.m. An alternative would be to limit the total number of hours someone can be camped in one location (24 or 48 hours for example) or have no limitation on the time someone can stay on public property. Which do you prefer?**

**Other Responses:**

- I think it should be monitored on a case by case situation. If drugs, alcohol, crime, etc are involved they should have to leave period Being homeless is one thing. Being a career homeless criminal is another
- If you have to pack up and move everyday, taking all your belongings with you, how are you supposed to work.
- Don't let them camp ever
- Behind Wilco road only all others limited to 8/8
- No homeless
- I don't support
- I support total number of camping hours be 2 hours. Then send them on their way.
- None
- No homeless camping
- How in the heck are you going to manage "total number of hours?" Let them stay but triage their needs, mental and physical conditions. Then funnel them to services.
- get them in housing
- No camping
- All the time. The idea of having to pack up every day is ludicrous. We need to help care for our fellow humans wth respect and dignity.
- NONE
- They should not be camping anywhere within city limits.

- I do not support homeless camping at any time. No matter how long they are allowed to stay, the place will be left with trash/garbage and who will have to clean it up, not them I'm sure.
- Does not matter what time limits you give them they destroy the places in a short amount of time wherever they go when outside. Homeless shelter is the best option.
- 3-5 days max. This should be temporary camping only
- 8pm to 8am only if they are not allowed to leave garbage/belongings behind.
- 6pm to 6am and a limit of 48 consecutive hours but how will you police that kind of limit
- No camping period
- Support the 24-48 hour time frame. But who monitors / enforces that?
- 8pm to 6am
- None
- Who is going to make sure they are not on the property before 8pm and off the property BY 8am? I think that needs to be informed and they also need to CLEAN UP THEIR GARBAGE.
- 9pm- 7am
- NONE
- Overnight. Take their possessions with them during day.
- Not in Stayton
- 1 week
- Not in our town
- Not in our town... period
- Open dawn to dusk
- I don't support any camping at all.
- NONE
- 48 hour
- It depends on the location. I would like to offer some longer term options for camping but only if it is an area that some limitations could be enforced
- No camping.
- No camping. Who's regulating this?
- Limited hours with alternate locations and services offered
- I do not support camping at all.
- 10pm to 5am
- I don't think camping time should happen at all, and focus should be on how this ordinance / law is unconstitutional and illegal
- daytime closure: 10am-2pm for cleaning. Otherwise: two week limit on stays.
- They should not be aloud to camp at all any where unless it is there own house or someone is willing to let them camp on privately owned property
- No time
- Non residential
- 10p-7a
- No hours
- No hours!!
- I am adamantly against allowing public property to be used and destroyed by addicts
- Midnight to 5am
- I support both hours and total hours given restrictions.

- no homeless in our town
- The two areas could be limited so one could be available for cleaning
- I do not support allowing it at all
- This town isn't a sex Offender sanctuary campground
- No camping as possible
- No homeless camp
- I do not support camping at all
- Research Gresham Oregon's policy on homelessness
- None
- NONE!! they need to get a job and soeplace to rent.
- 48 hrs
- I support conditional time limits such as if site is clean, more time is allowed. If registered with Santiam Service Integration and keeping up with tasks, more time is allowed.
- No to Oregon allowing anything
- There are a lot of kids walking to school right around 8am. Maybe 9pm to 9am when the school traffic has died down.
- not at all
- No time.
- 5 days
- 10:30pm-6:30am
- Again, none. Keep it out of the city
- Not permitted at all
- No Homeless allowed in our small town
- 10pm-6am
- Camping should not be allowed at any time.
- Prohibit ALL camping! They are ruining our environment with toxic drug paraphernalia!
- I don't want them staying anywhere near our town as the trash piles up because they don't clean up after themselves and they make our kids feel unsafe.
- No homeless allowed
- 8 PM to 6 AM
- None
- I do not support camping
- Stay in Salem
- In at 8 pm out by 6 am
- Limit the hours but have them less than 12 hours at a time
- I support limiting the hours in a day to camp as well as moving location on a rotating monthly basis.
- 10pm-6am
- No support of this at all
- Camping on public property should be prohibited regardless of time of day, unless it is a dedicated campground where maintanance fees are paid.
- No hours
- Out by 8am and no more than 2 nights total.
- Who is monitoring the hours ?



- Allow folks to keep their stuff set up as long as the camp area stays clean.
- Both hours, and number of nights.
- 9pm-7am
- Do not allow overnight camping. This is not snarky or cynical. This is an option.
- I think camping should only be allowed between certain hours such as 8-8 AND have a limit on how many nights they can stay in the location.
- Adding a time limit won't work. There's no way to enforce that it's followed and frankly a waste of resources by the city.
- I support zero hours
- It should not be aloud for 5 minutes
- Ban it
- No camping outside established campground.
- I support none of these options!
- Working in this small community, the regulations are not upheld and I have personally had to remove human feces and garbage from sites that the homeless have tried taking over. Not to mention the drug paraphernalia that is being used.
- Get them the actual care they f----- and stop trying to put a bandaid on a sucking chest wound! Camping limitations won't help anyone and just continues to expose our youth to risks
- Why do we need to provide a place for them to sleep to begin with? There are resources available to them and they chose not to use them.
- Again, this should not be allowed to occur. Camping should not be allowed within City limits!
- We don't want campers here. There's no campground. They should be out of sight completely.
- None
- No camping
- no camping, period
- 8 to 7
- I do not support people violating the rights of others by littering and camping on private and public property. When they litter and leave needles it is not safe for anyone else to use.
- 2 hours
- Zero they should not be allowed to be vagrants in our town!
- You do not want them wondering the street so you have to keep them in one place. Or you will have increased crime.
- 8pm-6am
- I do not support
- limiting hours in a day, and number of days, if not removed by the morning time, possession to be removed and person prohibited for continued camping
- Is that day camping is not allowed? Says allowed
- Keep them at south of the city wastewater treatment plant where they can camp and be monitored by private security and city maintenance port a potties and trash pickup
- 8PM-5AM WITH A PERMIT FROM CITY HALL NOT A DESIGNATED CAMPING SITE, BUS TICKETS TO SALEM WHERE BEDS ARE OPEN AND RESOURCES ARE AVAILABLE
- 9:00 pm til 6:00 am

**Q3 If you chose "I support limiting the hours in a day camping is allowed", please choose one of the following:**

**Other responses:**

- NONE. Do NOT allow camping. This is only enabling people.
- How are you going to regulate what time they show up and leave ?
- Research Gresham Oregon policy on homelessness
- No more than 10 hour
- 1 hour
- As the weather changes and it gets dark earlier, that time frame should also change!
- I support a strict 8 hours. There has to be a way to monitor and get police involved

**Q5 Under the current approach, vehicles are only allowed within City park parking lots during park hours (not overnight) and may be parked on the street for up to 72 hours in one location. Please let us know your thoughts on this.**

**Specified Location Responses:**

- They should park in the designated location where camping is
- Park and ride for limited time
- None
- City Hall
- Bad survey: two separate questions at work here. I answered with the homeless in mind. My street has one house with 8 cars, several only move 10 feet, never driven. Next door, they have 5 and a houseboat. Down the way, house with derelict cars. City can't even enforce nuisance issues, how are they going to control homeless parking?
- get them in housing
- Salem
- Portland
- I don't know what a good option is I don't like any
- Any place other than parks kids frequent.
- A church parking lot on staff rd
- Out of town where no one has to see them
- Should not be allowed to park and stay in vehicles. Homeless shelter is best choice.
- In salem
- Park and ride locations only and limit to 48 hours the other ordinance stays as is.
- Don't support any allowed parking
- Park and rides
- Park share & Ride north of town

- I don't support parking at a park or public space. Add the space to where they are allowed to be camped. We must deal with the clean up if they are able to park on street or park for up to 72 hours.
- NONE
- Not at parks where children and families are
- Park in Salem
- designated space for camping
- Not here
- Not here
- NONE
- If they have a vehicle, they can drive somewhere else.
- The city hall parking lot
- Church parking lot or other community organization
- They should not be aloud to park at all they do not pay taxes and have no rights to public property
- Industrial area
- None
- Out of town
- I do not support this. Tell them to go to the park and ride or somewhere else. I will not allow my children to go to City Parks when they are hobos sleeping in the parking lot
- Safeway parking lot or park and ride
- Please don't let the city turn into Portland or Eugene
- On the streets where each of the task force members live
- Community Center parking lot (I would support the current approach, but it's already not enforced - Example: Locust Street vehicles have been parked for months.
- Put them where they are all together not strung out across the city.
- If your going to designate a place for them to sleep then designate a place they can park and keep them off the streets we live on and out of our parks.have a park designated for parking and camping in vehicles, I don't want to wake up and someone living in a car in front of my house for 72 hrs.
- park in salem
- I support not allowing lived in vehicles not being parked
- City parks are for kids to enjoy not sex Offenders camping
- In another town
- Police station parking lot
- selected public parking lots with limits such as currently working with Santiam Service Integration
- No parking anywhere there resources are in Salem period
- The Park n Ride by the bridge/on ramp to Highway 22. (I also support allowing parking overnight at parks, but I can only choose one option.)
- Portland
- NO parking.
- I support the current model in addition allowing vehicles to park in designated public parking lot(s) as long as they are moved every 24 hours, not permanently parked.

- What if it is a HOMEOWNER'S AUTO" {might be yours} while you are on vacation for TWO weeks?
- If allowed to park the location should be open and have no where that is hidden from public view
- Waste Water Treatment facility area
- Harvest festival area
- No longer than 24 hours
- Park and ride only. Keep parks safe for kids
- NOT in parks!
- Camping in vehicle should be same rules as camping in designated camping area
- Prohibit ALL - Our taxes pay for these parks to be for family recreation-not homeless campgrounds! Our children are being deprived of the use because 99% are chronic drug users!
- If we allow parking at all we will not be able to get them out, look at Salem for instance. They allow all the parking wherever and camping etc and the sidewalks are trashed the city has a huge on their hands and no way to fix it since it has gotten out of control.
- Not in town
- the harvest festival area
- at Kates house
- None
- No parking on city streets or overnight, stay in camp locations
- Not in this town
- J
- Only 1 public parking lot 8 pm to 6 am
- Out of town
- If you don't have a friend or family members house to park in front of, park in either state Capitol parking area, in front of the mayor of Stayton residence, closest rehab center, or state mental hospital.s
- Not on streets. Parking lot ok
- Not in parks. Not in residential areas.
- One monitored by law enforcement
- Park and ride on Cascade hwy
- I support parking at one park one a rotating nightly basis, not on residential streets
- Off of Wilco Road.
- Park and ride for no more than 24 hours then move along. Again not camping but just in vehicle.
- I support parking in parks overnight
- I think car camping should have a designated location away from parks and schools
- Where the homeless camps are placed.
- Salem or Portland
- I suppose no overnight car camping
- They can park at there own house if not go to Portland
- I do not support any of these options!
- No where

- I do not support parking in the park overnight and I do not support street parking for 72 hours.
- Allowing people to sleep in their vehicles opens it up for long term sleeping in vehicles, broken down awful looking RV's that will begin to be parked all over Stayton. This should not occur.
- Police Station parking lot
- Need a location in the industrial area for parking. Shouldn't be in or near residential.
- I do not support vehicles parked in city neighborhoods at all!!!!
- No other locations tired of cleaning waste
- No parking and camping
- get job, get own place and park there
- None of the above
- Should not even be considered especially for our kids safety!!
- Overnight parking should not be allowed
- City owned property not a park
- Salem
- A designated parking area near the selected homeless encampment
- None, I do not support this at all.
- On their camp grounds. Not in city parks where kids play at all
- Waste spot
- I do not support car camping
- I would support overnight parking in a designated lot with vacate by a certain time. I feel that's necessary to avoid them living in the lot.
- Park in Salem
- The 72 hour limit but not in residential areas.
- Park and ride
- Can people be in the vehicle if it's able to park overnight?
- Only the areas designated to rest and must be in a visible and highly traversed area
- Park and ride between Stayton and Sublimity or park and ride by the golf course
- Not in town
- Option one...or a safe park in one designated parking lot
- City owned parking lots only

**Q10 If you live in Stayton city limits, do you:**

**Other responses:**

- With parents
- Living with my daughter and her husband.
- With parents
- Run a business.
- have lived & have also experienced unsheltered periods.

**Q11 if you do not reside in Stayton city limits, where do you live?****Responses:**

- Stayton off hwy 22 but not in city limits
- Lyons
- Just outside in sublimity/stayton country
- Scio
- 97224
- Jefferson
- Scio,Oregon
- Sublimity
- Aumsville
- Aumsville
- Scio, but I own a business in Stayton
- Sublimity
- Detroit
- Salem
- 40405 River DR SE Stayton
- Salem, but I have a doctor in Stayton
- Lyons. Both my boys went to Mari-Linn and graduated from Stayton High Schools. A good share of our property taxes go to NSSD.
- 4732 Astronaut Ave. NE, Salem OR 97305
- Unincorporated Stayton
- Salem
- Just outside the town of Stayton, West Stayton area.
- Armsville but I work in stayton
- Salem
- SALEM
- Salem, Oregon
- West Stayton
- Salem
- Salem
- Salem
- Albany
- Albany
- Keizer
- Aumsville
- outside city limits of Stayton
- Salem
- Salem
- Salem
- Sublimity
- Sublimity

- Scio
- Salem
- Salem
- About 6 miles south of Scio
- Salem south
- Newberg
- Golf Club Road
- Aumsville
- Newberg Oregon
- Salem
- I live in Aumsville, but family lives in Stayton and my son goes to school in Stayton
- Salem
- Sublimity
- Aumsville
- East of Stayton on Fir Grove Ln
- Keizer, but family in Stayton
- Keizer
- Mill City
- Turner
- In the country off Sherman Rd
- Salem
- Jefferson
- Salem
- Across the bridge
- South salem
- Arizona - I own land in Stayton
- Salem
- Rural Salem/Sublimity
- Lyons but work in Stayton
- Oregon
- South of Silverton, do business in Stayton
- Albany
- Aumsville
- Mehama
- Minden, NV
- AUMSVILLE
- Turner
- 5 miles from city, but own property in city
- Turner
- 3 miles south
- River Drive SE, the homeless people are down here all the time. They don't want help, I tried to get senior services to help and they can't do anything if the people won't accept help. Please keeps them out of the bridge area, they walk down here looking for things to steal.

- Stayton off Hwy 22
- Shaff Rd
- Scio
- Close to Turner
- Stayton
- Salem Turner area
- Outside of limits
- Fern Ridge
- Sublimity
- Scio
- Outside of Stayton but Stayton address
- Aumsville
- Lyons oregon
- Scio - Own Business in Stayton
- I live in Jordan but I spend most of my time in Stayton. My children attend school and activities in Stayton.
- Sublimity
- Sublimity
- Aumsville
- Marion
- Salem
- Lyons
- Aumsville. I am in Stayton and use its parks and support its businesses.
- Kingston jordan rd
- Sublimity
- Scio
- Just outside of town to the south
- Sublimity
- Oregon
- 2 miles from stayton
- Bay de verde
- Out of town a mile but work in town
- Keizer, but I frequent the Stayton area a couple times a week
- Salem, my business is in Stayton
- Have Stayton address, but outside city limits
- Just outside of city limits near Pioneer Park.
- Aumsville
- I'm 1 1/2 miles south of town
- Sublimity...where this stuff is coming next
- Sublimity
- Outside of Stayton
- Lyons
- Outside stayton 3 miles



- Lyons. I own property in stayton. Kids go to school there. Shop there and use other business there.
- Stayton address outside city limits
- Sublimity
- Just outside city limits
- Sublimity, but I spend a lot of time and money in Stayton and hate seeing it become a mini Portland.
- Between stayton & aumsville
- Sublimity
- Rural outside the city, but do business and shopping in Stayton
- Just outside Stayton in UI Marion county. But Stayton is my community.
- Just outside of stayton. I am in town every single day.
- Lyons, I work in Stayton
- Outside city limits but in Stayton fire and school district.
- Kingston Lyons Dr , linn county
- Sublimity
- Sublimity / Aumsville rural.
- Sublimity
- Sublimity
- Sub
- I'm just south of town in Linn County but with a Stayton address. I have to see the homeless problems at the Stayton Bridge everyday.
- Just east of town
- Aumsville, but I work in Stayton.
- Sublimity
- Shaw
- 5 miles out
- Aumsville
- I live in linn County
- Stayton address Marion County. Business is in Stayton downtown
- Salem, OR working in Stayton, OR
- Aumsville
- Marion
- 97362

## **Memo RE: Turner ordinance and permits**



## CITY OF STAYTON

# M E M O R A N D U M

**TO:** Homeless Task Force

**FROM:** Julia Hajduk, City Manager

**DATE:** October 9, 2023

**SUBJECT:** Turner Ordinance and Permit response

---

At the last Task Force meeting, there were comments from the public and interest from some Task Force members to examine the City of Turner's ordinance and/or a permit process. We asked the City Attorney for input and he made the following notes:

- Regarding the Turner ordinance and its fire regulations and penalty provision, he notes that both of those issues are already addressed in Stayton's adopted ordinance. Therefore, there is no need to make additional code language to address those issues.
- The Turner ordinance delegates authority to the City Administrator to find public property for campers. So, as the population of homeless in Turner increases, the City Administrator will be tasked with opening public property for those experiencing homelessness with nowhere else to go. This model appears to be similar to the City of Springfield's solution in that both cities do not name any areas in their code, so the Councils handed that authority over to their City Manager. Under such a model, state law still requires the City to make places available for people to sleep when they are experiencing homelessness with nowhere else to go. Turner and Springfield delegate the authority to staff to decide which public properties will be made available. Without clear direction, this would not appear to address the concerns we have heard in Stayton.
- Our Attorney also notes that Turner is different from Stayton in that they report having no unhoused individuals, making their compliance with state law much easier.
- The Turner example is not a permit system that would have someone come into City Hall and collect an authorization from City staff in order to sleep each night. In the City Attorney's opinion, such a daily permit system would not be objectively reasonable under ORS 195.530, unless certain scenarios were fully addressed. Questions that would need to be addressed include: 1) How would permits be issued after-hours, on holidays, and over the weekend? 2) Will there be staff on-call 24/7? 3) What if the person experiencing homelessness does not have transportation to get to City Hall? 4) Can permits be obtained over the phone? 5) What if the individual does not have a phone? 6) Are permits only issued at City Hall, or can a permit be issued by enforcement staff when they come across a campsite? 7) What if the person does not want to provide their name?
- Finally, he notes that the Turner ordinance also has a provision that forbids spending more than 72-hours in one "sleeping site" during one year. However one year is not defined, so it is not

clear if that is an annual period, or a calendar year. In his opinion, this can only be objectively reasonable if there are enough sleeping sites such that someone can sleep outside in Turner for the year. This regulation then essentially requires the City Administrator to continually open new sleeping sites on public property so that a person experiencing homelessness can comply with the regulation and still sleep in the City. It does force an individual to move around and not stay in one place, but it also forces the City to keep finding new places for the individual to sleep. Turner has made the policy choice to go this route, however, because they report currently having no homeless individuals, this is a less risky choice for them to make.

For all reasons discussed above, staff is not supportive of a permit system or leaving locations up to the City Manager or Police Chief. This would be burdensome at best and a violation of the objectively reasonable requirement at worst. Having clear standards that are enforceable is recommended.

## **Written Comments Received**

**From:** [Debshome](#)  
**To:** [Julia Hajduk](#)  
**Cc:** [Alissa Angelo](#); [Brian Quigley](#); [David Giglio](#); [Ben McDonald](#); [Jordan Ohrt](#); [David Patty](#); [Stephen Sims](#)  
**Subject:** Re: Homeless Task Force  
**Date:** Tuesday, September 12, 2023 10:51:21 AM  
**Importance:** High

**CAUTION:** This email originated from **Outside Your Organization**. Exercise caution when opening attachments or on clicking links from unknown senders. Please contact Information Technology for assistance.

Thank you Julia for the continued emails and updates.

Here are my thoughts, concerns and requests from last night's meeting and the entire issue:

1. I totally agree with Sonja Persey's and Ed Diehl's testimonies from last night. Please have the council and task force be aware of this support.
2. Hold up on sending the Survey - It is too complex and should be reduced for the high points. Please redraft before anything is sent out.
3. The survey should NOT just be sent in water bills, online website and by the electronic survey process. Not all residents in Stayton have access to the Internet, plus many people have auto pay on their water bills and do not open the envelopes to see the notices.
4. Location of any homeless camps near the water and sewer treatment areas are a concern because of the drug paraphernalia and garbage accumulation that we have witnessed near any homeless camp. We have great water quality and don't want to expose any of our citizens to any reduced quality or health hazards because of activity around the treatment plants.
5. Stayton is too small and not financially able to provide "services" – I do have compassion for those that have lost their housing and want to better themselves, however, I question how many are not wanting any assistance. There are so many with mental health and drug issues that need to be addressed. They should be transported to a larger or nearby city (Mill City has a drop in facility?) that have those services available for them. As Ed Diehl mentioned there is room at the facilities in Salem for homeless to stay in a dry and warm/cool space that provides services, food etc.
6. Please obtain a copy of Turner, Sublimity and Dallas' ordinances to see how they have deterred the requirement to provide space and services. As Ed Diehl mentioned the statute is vague for us to work around it and still comply. Have your city attorney research more diligently the options to work around the requirement to provide for locations for homeless camps.
7. The requirement for parked vehicles that must be limited to 72 hours or less AND licensed/insured is important. As mentioned last night it is required of the city's residents it should also apply to homeless vehicle camps
8. If a location is provided, how and who will provide monitoring and cleanup – without taking away from the tax paying citizen's rights to police and public safety and without any added expense to us citizens.

Bottom line, I feel these homeless people need help but I don't support our community providing space and services, as everyone has mentioned over and over "If you build (provide)it they will come". It will draw more homeless residents so I feel that we need to push for a work around to the provisions in the statute. Possibly having the statute put on the ballot to be repealed.

Thank you for your listening ear, I have copied some of the powers that be, please provide for those not on this email – City Attorney and Task Force Committee. This whole process has been a big loss of time for everyone and needs to come to a resolution to protect the tax paying citizens of Stayton – WITHOUT ADDITIONAL TAXATION.

Deb Glander  
 Life long resident and concerned resident and tax payer  
 413 N. 5th Avenue  
 Stayton OR 97383  
 Ph 503-510-1620

**From:** Julia Hajduk  
**Sent:** Monday, August 7, 2023 5:10 PM  
**To:** Alissa Angelo ; Julia Hajduk  
**Subject:** Homeless Task Force update

Hello – You are receiving this email because you are on our interested parties list for the Homeless Task Force. Attached is the agenda for the Task Force meeting next week. You can also find information on the Task Force on the City's website: [City of Stayton, Oregon \(staytonoregon.gov\)](https://www.cityofstaytonoregon.gov). Please feel free to contact me if you have any questions.

Julia

**Julia Hajduk**  
Stayton City Manager

*362 N. 3<sup>rd</sup> Ave  
Stayton, OR 97383  
Phone 503-769-3425*

**From:** [Deborah Glander](#)  
**To:** [Alissa Angelo](#); [Brian Quigley](#); [David Giglio](#); [Ben McDonald](#); [Jordan Ohrt](#); [David Patty](#); [Stephen Sims](#); [Julia Hajduk](#)  
**Subject:** Homeless Task Force-Turner's Ordinance Language  
**Date:** Wednesday, September 20, 2023 10:22:17 PM  
**Attachments:** [2023 TURNER HOMELESS ORD.pdf](#)

**CAUTION:** This email originated from **Outside Your Organization**. Exercise caution when opening attachments or on clicking links from unknown senders. Please contact Information Technology for assistance.

Julia, Mayor, City Council and staff:

Attached is a copy of Turner's ordinance which appears to have been adopted in July. It has some excellent language regarding many issues our community is brought up concerns at the meetings. This is something that I ask the task force and city to review and consider to address the citizens' concerns. I really think we should consider the fire restrictions and penalties for those not abiding to the requirements.

Please contact me with your input. Thank you.

Deb Glander  
 503 510 1620  
[debshome@wvi.com](mailto:debshome@wvi.com)

**From:** Debshome  
**Sent:** Tuesday, September 12, 2023 10:51 AM  
**To:** Julia Hajduk  
**Cc:** [aangelo@staytonoregon.gov](mailto:aangelo@staytonoregon.gov) ; [bquigley@staytonoregon.gov](mailto:bquigley@staytonoregon.gov) ; [dgiglio@staytonoregon.gov](mailto:dgiglio@staytonoregon.gov) ; [bmcdonald@staytonoregon.gov](mailto:bmcdonald@staytonoregon.gov) ; [johrt@staytonoregon.gov](mailto:johrt@staytonoregon.gov) ; [dpatty@staytonoregon.gov](mailto:dpatty@staytonoregon.gov) ; [ssims@staytonoregon.gov](mailto:ssims@staytonoregon.gov)  
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Julia

**Julia Hajduk**  
Stayton City Manager

*362 N. 3<sup>rd</sup> Ave  
Stayton, OR 97383  
Phone 503-769-3425*

**OPTION B****CITY OF TURNER, OREGON  
ORDINANCE 23-101****AN ORDINANCE OF THE CITY OF TURNER, AMENDING TITLE 5, SECTION 24,  
“CAMPING OR OCCUPANCY, PARKING AND STORAGE OF RECREATIONAL  
VEHICLES”**

**WHEREAS**, the City of Turner is a full-service municipal organization, and manages roads, parks and other facilities; and,

**WHEREAS**: The City of Turner, Oregon, is required by Oregon Revised Statute (ORS) 195.500-510 to develop a policy which recognizes the social nature of the problem of homeless individuals camping on public property, and

**WHEREAS**, ORS 195.500(2) requires the City to implement the policy as developed to insure the most humane treatment for removal of homeless people from camping sites on public property,

**WHEREAS**, in order to meet State requirements, the City deems adoption of this ordinance to be an emergency upon first and second reading; now therefore,  
**NOW THEREFORE**,

**THE CITY COUNCIL OF THE CITY OF TURNER HEREBY AMENDS TURNER REVISED CODE TITLE 5, SECTION 5.24.01 through 5.24.02 TO READ AS FOLLOWS:**

**5.24.00 Camping Within City Limits; Parking and Occupancy of Recreational Vehicles.****5.24.01. Camping Prohibited on Public Property.**

As used in this Section:

1. "Camp" or "camping" means to set up, or to remain in or at a campsite, for the purpose of ~~establishing or maintaining a temporary place to live.~~ **of sitting, lying, sleeping or keeping warm and dry outdoors on public property that is open to the public.**
2. "Campsite" means any place where any bedding, sleeping bag, or other sleeping matter, , established, or maintained, whether or not such place incorporates the use of any tent, lean-to, shack, or any other structure, ~~or any vehicle or part thereof.~~
3. **“Keeping warm and dry” does not include using any measure that involves fire or flame.**
4. “Recreational Vehicle” means a vehicle that has a bathroom, kitchen, and/or beds for use during travel and camping. This includes vehicles as described in Oregon Revised Statutes 801.180, 801.350 and 801.565.
5. “Responsible Party” means the owner of the land upon which ~~an RV~~ a recreational vehicle is located.

**5.24.02(a) Prohibited Camping on Public Property.**

It is unlawful for any person to camp in or upon any public property or public right of way, unless otherwise specifically authorized by this Code or by declaration by the Mayor in emergency circumstances.

#### **5.24.02(b) Permitted Camping on Public Property.**

Persons experiencing homelessness may camp for a maximum of three consecutive nights in a sleeping space site on public property as designated by the City Administrator or their designee. No person may occupy a sleeping space site for more than one 72-hour period per year.

#### **5.24.02(c) Regulations for Camping on Public Property**

*All persons camping on a sleeping space site on public property shall comply to the following regulations:*

##### **Sleeping Space Site Use.**

*A sleeping space site at ~~David Sawyer Park~~ is an area of 10 feet by 10 feet.*

*Persons using a sleeping space site in ~~David Sawyer Park~~ (Campers) must vacate the site by 7:30 a.m. and may not return until 7 p.m. each day.*

*The use of tents or a similar temporary overnight cover is allowed within a sleeping space site.*

*Tents erected in ~~David Sawyer Park~~ may not exceed the dimensions of the sleeping space site, nor may any tent be combined with a tent placed on any adjoining sleeping space.*

*All camping gear and personal belongings must be contained in a sleeping space site allotted and removed from the area by 7:30 a.m. each day.*

*Any camping gear and/or personal belongings of value left on site after 7:30 a.m. will be removed and stored by the city. Campers will have 30 days to retrieve belongings.*

*Items determined to pose a health or safety risk to the users of this site are subject to immediate removal and/or disposal.*

*Children must be accompanied by a parent or guardian.*

*Any pet brought to the site ~~David Sawyer Park~~ must remain under the control of the camper.*

*Any pet determined by City to not be under the control of the camper may be determined a stray and removed. ~~from David Sawyer Park.~~*

##### **Conduct of Persons Using a Sleeping Space Site**

*Campers must treat other guests and members of the public with kindness, dignity, and respect.*

*Disrespectful, violent, disruptive, vulgar, or combative behavior will not be tolerated, nor will racism or bullying.*

*Campers must respect the allowable space of each camper.*

*All campers must pick up after themselves and their pets and dispose of all refuse, including cigarette butts in the appropriate receptacles provided.*

*Campers must adhere to a noise curfew from 10 p.m. to 7 a.m.*

*Campers must adhere to any posted speed limits and traffic rules while on the property.*

*No visitors are allowed on this site, only overnight campers.*

*No weapons of any kind are allowed on this site.*

*No cooking, campfires or open flames are allowed on this site.*

***No illegal drug use, or legal recreational drug use including marijuana and/or alcohol use, is allowed on site.***

***Persons found not following the rules are subject to immediate expulsion. Failure to remove personal belongings by 7:30 a.m. constitutes a breach of the rules and persons not removing personal belongings by 7:30 a.m. are subject to expulsion or exclusion from the site. David Sawyer Park.***

**5.24.03 Recreational Vehicle Parking Restrictions.** The following standards apply to the off-street parking, storage, and occupancy of recreational vehicles within the City of Turner:

- (a) Recreational vehicles shall not be parked or stored on any portion of a property when such parking of the vehicle inhibits the necessary view of oncoming traffic.
- (b) No portion of a parked recreational vehicle may block any portion of a sidewalk, street, alley, lane, or public right-of-way.

**5.24.04 Occupancy of Recreational Vehicles.**

(a) Long Term Occupancy of a Recreational Vehicle Defined. As used in this ordinance, “long term occupancy” of a recreational vehicle is occupancy for a period exceeding 21 days.

(b) Occupancy Not Exceeding 21 Days. Any person may occupy any recreational vehicle on public right of way or private property within the City of Turner for a period not exceeding 21 days without a permit. All conditions listed under TRC 5.24.03 shall be followed during this occupancy. Such an allowance can only occur twice in any 12 month period.

(c) Occupancy Exceeding 21 Days Prohibited. It is unlawful for any person to occupy a recreational vehicle on any property within the city for a period of more than 21 days without a permit for that occupancy issued by the City of Turner. No permit shall be required for the long term occupancy occupancy of a campsite or recreational vehicle in an established trailer park or commercial campground.

(d) Occupancy Exceeding 21 Days with Permit. The City Council or city official designated by the City Council may issue a permit for occupancy of a recreational vehicle on private property within the City of Turner for more than 21 days.

**5.24.05 Long Term Occupancy Permit Conditions.** A permit issued under this section may be issued subject to the following conditions:

(a) Any person seeking to occupy a recreational vehicle for a period exceeding 21 days as provided herein must file a written application for a permit for long term occupancy. The person occupying the recreational vehicle shall be the applicant. The application shall provide the following information:

- (1) Documentation for proof of identity of the applicant who will reside in the permitted RV.
- (2) Letter from the property owner stating support for permit.
- (3) Start date, end date and time period for which the permit is requested. Address and site plan for the recreational vehicle location.
- (4) Information on how the following essential services will be provided:
  - A. Method for supplying clean, domestic water.
  - B. Method and schedule for disposal of garbage.
  - C. Method for disposal of sewage.

- (b) Only 1 permit shall be allowed for any property at the same time.
- (c) Permits shall be granted for a maximum of 90 days from the date the RV was in use on the property and shall be good for a total use of 90 days during the 12 months after permit issuance. The permit holder may notify the City of any period of time when the RV is not being occupied, such that the permit is not in use. The City will track these periods to ensure that the full 90 day use limit is available. If the City is not notified, the City hereby determines the RV permit has been in use. (*Amend. Ord. 16-101, 7/23/16*)
- (d) One permit extension of 90 days may be granted by the City Council for good cause and at the City Council's sole discretion.
- (e) Non-compliance with the stated methods for providing essential services shall be considered a violation of this ordinance.
- (f) Applicant must notify the City, in writing, at least 30 days prior to the expiration of the original 90 day permit, of intent to request an extension of the permit from the City Council. Within 10 days the City shall send notices of the proposed permit to all property owners within 250 feet of the property boundary. Owners shall have a minimum of at least 10 business days to respond. (*Amend. Ord. 18-102, 8/9/18*)
- (g) The Council may, by resolution, set an application fee for the permit for temporary occupancy of a recreational vehicle.
- (h) For any applicant, a nine month waiting period shall be required between the end of any RV permit that an applicant has obtained and the initiation of any subsequent permit.

**5.24.06 Littering.** Violation of ORS 164.775 through 164.805, inclusive, as now constituted, is an offense against the city.

**5.24.07 Operation of Recreational Vehicle with Unsealed Disposal System.**

- (a) A person commits the offense of operation of a recreational vehicle with unsealed disposal system if:
  - (1) The person has the use, possession or control of any recreational vehicle or structure constructed for movement on highways;
  - (2) The vehicle or structure is equipped with a plumbing, sink or toilet fixture; and
  - (3) The disposal system for the vehicle or structure is unsealed or uncapped while the vehicle or structure is in use in an area open to the public.
- (b) This section does not apply to disposal systems being discharged into or connected with a sewage disposal system approved by the Health Division.

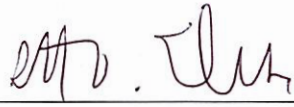
**5.24.08 Penalty.** Any responsible party who violates any of the provisions of this section, or who is not full compliance with the terms of the issued permit, or whose permit is canceled, or who shall fail to remove any recreational vehicle, as defined herein, after being ordered to do so by the City, will have a fine imposed of not more than \$100.00 per day the violation exists.

**5.24.09** If after, the fine is imposed and the recreational vehicle is not removed, the City Administrator is authorized to take the necessary steps for removal of any such recreational vehicle.

Adopted by the Common Council of the City of Turner, Oregon, July 13th, 2023.

Yeas:  
Nays:

Approved:   
Steve Horning, Mayor

Attested:   
Scott McClure, Administrator

First Reading: July 13, 2023  
Second Reading July 13, 2023  
Adopted: July 13, 2023  
Signed: July 13, 2023  
Effective Date: July 13, 2023

**CITY OF TURNER, OREGON  
ORDINANCE 23-101**

**AN ORDINANCE OF THE CITY OF TURNER, AMENDING TITLE 5, SECTION 24,  
“CAMPING OR OCCUPANCY, PARKING AND STORAGE OF RECREATIONAL  
VEHICLES”**

**WHEREAS**, the City of Turner is a full-service municipal organization, and manages roads, parks and other facilities; and,

**WHEREAS**, the City maintains rules for the protection of the public; and,

**WHEREAS**, the City needs to amend its City Code to accommodate new State mandates regarding homeless populations; and,

**WHEREAS**, in order to meet State requirements, the City deems adoption of this ordinance to be an emergency upon second reading; now therefore,

**THE CITY OF TURNER, OREGON ORDAINS AS FOLLOWS:**

The Turner Revised Code shall be amended:

**5.24.00 Camping Within City Limits; Parking and Occupancy of Recreational Vehicles.**

**5.24.01. Camping Prohibited on Public Property.**

As used in this Section:

1. "Camp" or "camping" means to set up, or to remain in or at a campsite, for the purpose of ~~establishing or maintaining a temporary place to live.~~ **of sitting, lying, sleeping or keeping warm and dry outdoors on public property that is open to the public.**
2. "Campsite" means any place where any bedding, sleeping bag, or other sleeping matter, or any stove or fire is placed, established, or maintained, whether or not such place incorporates the use of any tent, lean-to, shack, or any other structure., ~~or any vehicle or part thereof.~~
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5. "Responsible Party" means the owner of the land upon which ~~an RV~~ a recreational vehicle is located.

**5.24.02(a) Prohibited Camping on Public Property.**

It is unlawful for any person to camp in or upon any public property or public right of way, unless otherwise specifically authorized by this Code or by declaration by the Mayor in emergency circumstances.

**5.24.02(b) Permitted Camping on Public Property.**

Persons experiencing homelessness may camp in the designated and marked area of David Sawyer Park the City owned lot at 3<sup>rd</sup> St. and Delaney St.

**5.24.02(c) Regulations for Camping at 3<sup>rd</sup> and Delaney Designated Area in David Sawyer Park.**

All persons using the designated camping area at 3<sup>rd</sup> and Delaney of David Sawyer Park shall comply to the following regulation:

**Sleeping Space Site Use.**

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Persons using a sleeping space site in David Sawyer Park (Campers) must vacate the site by 7:30 a.m. and may not return until 7 p.m. each day.

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Any camping gear and/or personal belongings of value left on site after 7:30 a.m. will be removed and stored by the city. Campers will have 30 days to retrieve belongings.

Items determined to pose a health or safety risk to the users of this site are subject to immediate removal and/or disposal.

Children must be accompanied by a parent or guardian.

Any pet brought to the site David Sawyer Park must remain under the control of the camper.

Any pet determined by City to not be under the control of the camper may be determined a stray and removed. from David Sawyer Park.

**Conduct of Persons Using a Sleeping Space Site**

Campers must treat other guests and members of the public with kindness, dignity, and respect.

Disrespectful, violent, disruptive, vulgar, or combative behavior will not be tolerated, nor will racism or bullying.

Campers must respect the allowable space of each camper.

All campers must pick up after themselves and their pets and dispose of all refuse, including cigarette butts in the appropriate receptacles provided.

Campers must adhere to a noise curfew from 10 p.m. to 7 a.m.

Campers must adhere to any posted speed limits and traffic rules while on the property.

No visitors are allowed on this site, only overnight campers.

No weapons of any kind are allowed on this site.

No cooking, campfires or open flames are allowed on this site.

No illegal drug use, or legal recreational drug use including marijuana and/or alcohol use, is allowed on site.

Persons found not following the rules are subject to immediate expulsion. Failure to remove personal belongings by 7:30 a.m. constitutes a breach of the rules and persons not removing



***personal belongings by 7:30 a.m. are subject expulsion or exclusion from the site. David Sawyer Park.***

**5.24.03 Recreational Vehicle Parking Restrictions.** The following standards apply to the off-street parking, storage, and occupancy of recreational vehicles within the City of Turner:

- (a) Recreational vehicles shall not be parked or stored on any portion of a property when such parking of the vehicle inhibits the necessary view of oncoming traffic.
- (b) No portion of a parked recreational vehicle may block any portion of a sidewalk, street, alley, lane, or public right-of-way.

**5.24.04 Occupancy of Recreational Vehicles.**

- (a) Long Term Occupancy of a Recreational Vehicle Defined. As used in this ordinance, “long term occupancy” of a recreational vehicle is occupancy for a period exceeding 21 days.
- (b) Occupancy Not Exceeding 21 Days. Any person may occupy any recreational vehicle on public right of way or private property within the City of Turner for a period not exceeding 21 days without a permit. All conditions listed under TRC 5.24.03 shall be followed during this occupancy. Such an allowance can only occur twice in any 12 month period.
- (c) Occupancy Exceeding 21 Days Prohibited. It is unlawful for any person to occupy a recreational vehicle on any property within the city for a period of more than 21 days without a permit for that occupancy issued by the City of Turner. No permit shall be required for the long term occupancy occupancy of a campsite or recreational vehicle in an established trailer park or commercial campground.
- (d) Occupancy Exceeding 21 Days with Permit. The City Council or city official designated by the City Council may issue a permit for occupancy of a recreational vehicle on private property within the City of Turner for more than 21 days.

**5.24.05 Long Term Occupancy Permit Conditions.** A permit issued under this section may be issued subject to the following conditions:

- (a) Any person seeking to occupy a recreational vehicle for a period exceeding 21 days as provided herein must file a written application for a permit for long term occupancy. The person occupying the recreational vehicle shall be the applicant. The application shall provide the following information:
  - (1) Documentation for proof of identity of the applicant who will reside in the permitted RV.
  - (2) Letter from the property owner stating support for permit.
  - (3) Start date, end date and time period for which the permit is requested. Address and site plan for the recreational vehicle location.
  - (4) Information on how the following essential services will be provided:
    - A. Method for supplying clean, domestic water.
    - B. Method and schedule for disposal of garbage.
    - C. Method for disposal of sewage.
- (b) Only 1 permit shall be allowed for any property at the same time.
- (c) Permits shall be granted for a maximum of 90 days from the date the RV was in use on the property and shall be good for a total use of 90 days during the 12 months after permit issuance. The permit holder may notify the City of any period of time when the RV is not being occupied, such that the permit is not in use. The City will track these periods to ensure that the full 90 day

use limit is available. If the City is not notified, the City hereby determines the RV permit has been in use. (*Amend. Ord. 16-101, 7/23/16*)

(d) One permit extension of 90 days may be granted by the City Council for good cause and at the City Council's sole discretion.

(e) Non-compliance with the stated methods for providing essential services shall be considered a violation of this ordinance.

(f) Applicant must notify the City, in writing, at least 30 days prior to the expiration of the original 90 day permit, of intent to request an extension of the permit from the City Council. Within 10 days the City shall send notices of the proposed permit to all property owners within 250 feet of the property boundary. Owners shall have a minimum of at least 10 business days to respond. (*Amend. Ord. 18-102, 8/9/18*)

(g) The Council may, by resolution, set an application fee for the permit for temporary occupancy of a recreational vehicle.

(h) For any applicant, a nine month waiting period shall be required between the end of any RV permit that an applicant has obtained and the initiation of any subsequent permit.

**5.24.06 Littering.** Violation of ORS 164.775 through 164.805, inclusive, as now constituted, is an offense against the city.

**5.24.07 Operation of Recreational Vehicle with Unsealed Disposal System.**

(a) A person commits the offense of operation of a recreational vehicle with unsealed disposal system if:

(1) The person has the use, possession or control of any recreational vehicle or structure constructed for movement on highways;

(2) The vehicle or structure is equipped with a plumbing, sink or toilet fixture; and

(3) The disposal system for the vehicle or structure is unsealed or uncapped while the vehicle or structure is in use in an area open to the public.

(b) This section does not apply to disposal systems being discharged into or connected with a sewage disposal system approved by the Health Division.


**5.24.08 Penalty.** Any responsible party who violates any of the provisions of this section, or who is not full compliance with the terms of the issued permit, or whose permit is canceled, or who shall fail to remove any recreational vehicle, as defined herein, after being ordered to do so by the City, will have a fine imposed of not more than \$100.00 per day the violation exists.

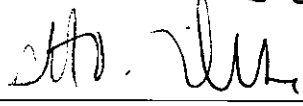
**5.24.09** If after, the fine is imposed and the recreational vehicle is not removed, the City Administrator is authorized to take the necessary steps for removal of any such recreational vehicle.

Adopted by the Common Council of the City of Turner, Oregon, June 22nd, 2023.

Yeas:

Nays:

Approved:   
Steve Horning, Mayor Laura Doran, pres

Attested:   
Scott McClure, Administrator

First Reading: June 8, 2023  
Second Reading: June 22, 2023  
Adopted: June 22, 2023  
Signed: June 22, 2023  
Effective Date: June 22, 2023

**From:** [Steve](#)  
**To:** [Julia Hajduk](#); [David Giglio](#); [Ben McDonald](#); [Jordan Ohrt](#); [David Patty](#); [Stephen Sims](#); [Brian Quigley](#)  
**Subject:** Re: Jettters Way Homeless Camp?  
**Date:** Wednesday, September 20, 2023 1:21:40 PM

**CAUTION:** This email originated from **Outside Your Organization**. Exercise caution when opening attachments or on clicking links from unknown senders. Please contact Information Technology for assistance.

P.S. Some of us tend to sing a different tune when one of our own is victimized. I am reminded of a recent "defund the police" politician who was severely beaten and had her car stolen.

Thanks again for being there for us! I greatly appreciate your good work!

Steve

On Wed, Sep 20, 2023 at 1:01 PM Steve <[justiceandsafety@gmail.com](mailto:justiceandsafety@gmail.com)> wrote:

Greetings,

Sacramento (see video link) was once a relatively safe place to go. As I listened to the public testimonies at our recent Homeless Task Force, it became apparent that without significant tough love and criminal justice intervention from much-needed tougher laws, the Willamette Valley is heading in the same direction. I get tired of hearing, "They are not ALL that way." Though I agree that they all have their own story and some are diligently trying to get back on their feet, a large percentage of them either won't or can't take the necessary steps to get back on their feet. Just finding places for people to sleep off the street or camp undisturbed, is not going to appreciably change their antisocial, immoral, mentally ill, criminal, and entitled mindsets and behaviors. So some need to be evaluated, arrested and placed in jail, prison or mental hospitals, and let out only when they have demonstrated that they are capable and willing to take responsibility for themselves and live within the law.

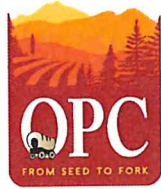
During those testimonies, we heard about....a naked guy walking past little girls dancing at the ballet school. Listening to their helpless parents yelling at the nudist to no avail, I wonder how many of those girls now feel unsafe and were traumatized for life? A woman following a mother and two children to the dog park and dropping her pants and peeing in front of them? I spoke with a merchant who went to the dog park only to view a woman drop her pants, do a number 2, pull up her pants and walk away without even cleaning up her mess. I spoke to a merchant last week who had a woman walk into the store, talking loudly to the air. Store personnel tried to engage her, but to no avail. And there have been thefts. The list goes on and on.

At this point some of you might be wondering what I expect you to do. Well first off all, let's get them as far away from law abiding taxpayers, women and children and stop spouting this nonsense about some of them not being bad....The bad ones are the problem and if you mix them all together in a campsite near homes and businesses,...you have the bad ones preying on us innocent taxpayers. And if the campsite is not that comfortable, maybe the better ones will have even more impetus to get their acts together. Because the help is out there....just not being accessed that much. In the meantime, we need to let our legislators know that these hands-off approaches merely encourage more of the same behavior. It is like pouring gas on a fire to put it out. As the homeless woman in Portland said, "They love us too much."

So....having said the above, the Jettters Way location seems to be the best alternative by far, whether or not you require permits, which I would highly recommend you do. And if there is a drug overdose, the fire station is relatively close at hand.

Please write back to let me know that you read this. I only had one response from the last letter I sent. Thanks a bunch. Also, Please take a look at this video, as I fear it is the "direction" the Willamette Valley is headed:

<https://www.foxnews.com/media/california-county-district-attorney-sues-democratic-led-sacramento-inaction-homeless-crisis>



Date: 09/22/2023

To: Stayton overnight camping task force team

From: Richard Boyer

Dear Task Force members,

I have oversight and responsibility for the Oregon Potato Company family of operations that are located in the Willamette Valley. One of these companies is Norpac Foods, Inc. which owns the property, (Marion Berry farm), located next to one of the proposed camp sites just south of the Stayton sewage treatment facility at the end of Jetters Way.

I have several concerns in using the proposed location just south of the Stayton sewage treatment plant listed below:

1. We store a lot of our farm tools and equipment near this area to support our farming operations. We have had multiple break-ins to our locked storage container during the past two years. The majority of the trespasses occur at night.
2. We have people working in the area nearly year around in very close proximity to where the proposed camp would be in the berry fields. We spray pesticides and herbicides throughout the year to care for the berry plants. The company performs many activities using people such as pruning, mowing, weeding etc.
3. This proposed camp site would be within very close proximity (<100') of our primary irrigation pump house which also has thousands of dollars of equipment inside.
4. We operate large automated berry harvesters through the night during harvest season and have a lot of people and traffic utilizing the road on Jetters Way.
5. The remote location will make it much more difficult for the police department to manage.
6. This area currently provides excellent wildlife habitat and that would be negatively impacted with the camp site.
7. If the current population of homeless in Stayton is 10, then I would suggest utilizing a smaller piece of property(s) to accommodate the requirements and avoid providing an incentive for more homeless to move to the area.

### Our Family of Companies



[oregonpotato.com](http://oregonpotato.com)

8. It would be a large financial burden for our company to attempt to either put berries up between the proposed camp site and our property or hire a year around overnight security company.

Please do not vote to have the camp site situated on the property south of the Stayton sewage treatment plant. I don't believe it is a safe environment for the campers due to the reasons listed above and think it would be much harder for law enforcement agencies to manage.

Please call my cell number below if you have any questions or would like further clarification.

Sincerely,

Richard Boyer



Sr Director of Operations (Willamette Valley)  
Phone: 208-380-3942

## **Draft Code Changes - Track Changes**

## CHAPTER 8.12

**USE OF PUBLIC PARKS, PUBLIC PROPERTY AND WATERWAYS**SECTIONS

8.12.010	Definitions
8.12.020	Camping Permit
8.12.030	Park Hours
8.12.040	Prohibited Behavior in Public Parks and Facilities
8.12.050	Prohibiting Consumption of Alcoholic Beverages on Public Property
8.12.060	Exclusion of Persons from Parks and Public Facilities
8.12.070	Emergency Closure of Parks and Public Facilities
8.12.080	Violation: Penalty

## 8.12.010 DEFINITIONS

As used in this Chapter, the following mean:

1. **CAMP:** To set up or to remain in or at a campsite.
2. **CAMPSITE:** Any place where any bedding, sleeping bag, or other material used for bedding purposes, or any stove or fire is placed, established, or maintained for the purpose of maintaining a temporary place to stay, whether or not such place incorporates the use of any tent, lean-to, shack, or any other structure, or any vehicle or part thereof.
3. **CITY:** City of Stayton, Oregon
4. **DEVELOPED PARK:** The following areas are considered developed parks for the purposes of this chapter: Pioneer Park; Santiam Park; North Slope Park; Quail Run Park; Henry A. Porter Dog Park; Westtown Park; Community Garden; Community Center Park; Riverfront Park, Neitling Park, Wildlife Meadows Park, and Mill Creek Park.
5. **PARK:** Real property owned, managed, or leased by the City of Stayton for recreational purposes, other than dedicated rights-of-way.
6. **PUBLIC FACILITY:** Any publicly owned structure or infrastructure used for the operation and maintenance of City functions. Facilities include, but are not limited to, Water and Wastewater treatment plants, City buildings, waterways, and public right of way.
7. **RECREATION VEHICLE:** A vacation trailer or other vehicular or portable unit which is either self-propelled, carried, or towed by a motor vehicle and which is intended for human occupancy and is designed for vacation or recreational purposes but not a permanent residence. Recreational vehicles also include travel trailers, motorhomes, campers, boats, boat trailers, snowmobiles, all-terrain vehicles (ATVs), and trailers designed primarily to carry ATVs or snowmobiles. Recreational vehicles do not include utility trailers or canopies.



8. **POWER CANAL a waterway (Reid Power Canal).** See Stayton Ditch.
9. **STAYTON DITCH a waterway, also known as POWER CANAL or REID POWER CANAL.** The Stayton Ditch is the waterway which flows west from the N. Santiam River dividing the Wilderness Area Park from the Riverfront Park in Stayton. The Stayton Ditch flows from the North Santiam River west to First Ave in Stayton, crossing First Ave flowing back into the N. Santiam River, as illustrated below in Exhibit A.
10. **SMOKING:** Any inhaling, exhaling, burning, or carrying any lighted cigar, cigarette, pipe, weed, plant or other tobacco or tobacco-like product or substance in any manner or any form.
11. **TOBACCO PRODUCT:** Any tobacco, cigarette, cigar, pipe tobacco, smokeless tobacco, chewing tobacco, or any other means of ingestion.
12. **TOBACCO USE:** Smoking, chewing or other ingestion of any tobacco product.

8.12.020 CAMPING ~~PERMIT~~

~~— No person may camp in or upon a public facility city owned lot or parcel property at any time except within t-with the following exceptions:~~

~~1. The following locations may be used for sleeping between the hours of X and Y:~~

- ~~1) \_\_\_\_\_; and~~
- ~~2) \_\_\_\_\_; and~~
- ~~3) \_\_\_\_\_.~~

~~1. A camping permit within a developed park may be~~

~~2. \_\_\_\_\_~~

~~3. No person shall camp in or upon any developed park or under any bridge unless a permit is obtained for a special event from the Chief of Police or designated representative or by declaration of the Mayor in emergency circumstances. An application shall be filed with the City for each RV, tent, or campsite. The Chief of Police or designated representative may issue a permit to any person to park a recreational vehicle (RV) or to camp upon any developed park property. A permit issued under this section shall be issued when the Chief of Police or designated representative finds that the following criteria will be met:~~

~~4. \_\_\_\_\_~~

~~2. The Chief of Police or designated representative may issue a permit to any person to park a recreational vehicle (RV) or to camp upon any developed park property. A permit issued under this section shall be issued when the Chief of Police or designated representative finds that the following criteria will be met~~

- 1) The applicant has made arrangements for appropriate sanitary facilities and drinking water;
- 2) The proposed activity for which the permit is issued is not likely to disturb the peace and quiet of any person;

- 3) The proposed activity is unlikely to result in litter, trash, garbage, sewage, or other unsanitary material being placed or left on public property; and,
- 4) A permit shall not be issued for camping in a developed park unless it is in conjunction with another City approved event, such as a festival in the park and does not interfere with the needs of the City such as normal city services.
- 5) The permit maybe granted for up to ten days. A permit shall not be issued to the same applicant more than once in any thirty-day period.

#### 8.12.030 PARK HOURS

Developed parks of the City shall be closed to access and use by the public between the hours of 10:00 p.m. and 6:00 a.m. unless a permit has been issued by the Chief of Police or designee [pursuant to 8.12.020.2](#) or a facility use permit has been issued by the City [pursuant to XXXXX](#).

#### 8.12.040 PROHIBITED BEHAVIOR IN PUBLIC PARKS, PUBLIC PROPERTY, AND FACILITIES

1. No person shall make, assist in making, continue, or cause to be made any boisterous, disturbing, threatening, abusive, indecent, or obscene language or gestures; or unnecessary noise; or by any other act to breach the public peace; or annoy, disturb, injure, or endanger the comfort, repose, health, safety, welfare, or peace of others while in any park or public facility in accordance with the State Disorderly Conduct laws.
2. No person shall blow, spread, or place any nasal or other bodily discharge, or spit, urinate, or defecate on the floors, walls, partitions, furniture, fittings, or any portion of a public restroom located in any park, or in any place in a public restroom or public facility, excepting directly into the particular fixture provided for that purpose.
3. No person shall damage or do anything that will or could cause damage to the public parks, public property, waterways, and facilities.
4. No person shall use the City's recreational equipment and facilities for activities other than their intended or approved purpose or in a way that could cause damage to them.
5. Smoking of tobacco, marijuana, or any other substances including E-Cigarettes and use of smokeless tobacco is prohibited at any City-owned property, park and facilities. Smoking or vaping is prohibited outside the front street façade of any building in the area designated as Downtown in the Comprehensive Plan Map and properties on both sides of N. First Avenue between Water Street and Washington Street. Smoking is defined as inhaling, exhaling, breathing, or carrying any lighted cigar, cigarette, E-cigarette, vape pen, or other tobacco product in any manner or in any form.
6. Fires are not permitted except in designated fire rings or barbeque stands.
7. No person shall enter into, put anything into, or cause anything to end up into the waterway known as the Stayton Ditch.

8. No person shall swim, float, kayak, raft, boat, fish, wade, play in or participate in any similar recreation activity in the Stayton Ditch.
9. The Stayton Ditch may be accessed for official use such as by the City of Stayton, Santiam Water Control District, Stayton Fire District, or other governmental or public safety organizations.
- ~~10. Except as authorized by 8.12.020, where camping is permitted no person shall camp between the hours of 8 AM to 8 PM~~

#### 8.12.050 PROHIBITING CONSUMPTION OF ALCOHOLIC BEVERAGES ON PUBLIC PROPERTY

No person shall drink or consume alcoholic beverages in or upon any public street or sidewalk, alley, public grounds, parks, City-owned facilities and properties, except when a permit for that purpose has been issued pursuant to this SMC or a business establishment has received OLCC approval for an outdoor eating area.

- a. Upon application to the City, the City Administrator, or designee may grant a revocable facility use permit to responsible persons or organizations for an event or activity at which alcoholic beverages may be served and consumed in City-owned facilities or on City property.
- b. The City Council shall adopt rules governing facility use permits by Resolution.
- c. The Stayton Police may issue an ordinance violation citation for violating the Facility Use Rules which also may include revoking the "Facility Use" permit.

#### 8.12.060 EXCLUSION OF PERSONS FROM PARKS AND PUBLIC FACILITIES

1. If there is probable cause to believe that a person has violated the Stayton Municipal Code, Titles 6 or 8, 9, or Chapters 10.04, or 10.12, or any related state law, while in a public park or public facility, that person may be excluded from the park or public facility where the incident occurred for a period of not more than thirty (30) days in accordance with the following procedure:
  - a. Written notice shall be given to the person to be excluded from a park or public facility. The exclusion period shall take immediate effect.
  - b. The notice shall prominently specify the beginning and ending dates of the exclusion period.
  - c. The notice shall specify the location(s) they are excluded from which is based on the original offense location. The exclusion location shall only reflect the location of the original offense. For example: If the person commits a crime in the park they should only be excluded from the park(s) and not the Stayton Pool or the Community Center.

- d. The notice shall prominently display a trespass warning describing the potential consequences of unlawful behavior after receipt of an exclusion notice and for entering a park, public property or facility during the exclusion period.
- e. At any time within the exclusion period, a person having received a notice may apply in writing to the Chief of Police or designee for a temporary waiver from the exclusion for good reason shown. Good reason may include but not limited to such things as employment purposes, first amendment activities, a funeral or wedding. The Chief of Police will have 48 hours to make a decision on the waiver.
- f. The excluded individual may appeal the exclusion to the Stayton Municipal Court which shall hear the appeal at the next available Municipal Court hearing date. The Municipal Court may overturn the exclusion, agree with the exclusion or extend the exclusion. The Municipal Court decision is final. An exclusion is stayed during the time of the appeal.
- g. This Section shall not apply to City-owned properties with long term lease by a business organization, such as the movie theater or the Moose Lodge. Those properties are considered to be privately controlled.
- h. If a person is excluded from City business offices, reasonable accommodations will be made for legitimate City business to be conducted.

#### 8.12.070 EMERGENCY CLOSURE OF PUBLIC PROPERTIES, PARKS, AND WATERWAYS

- 1. The Police Chief or designee may close a public property, park, waterway or part thereof, at any time by erecting barricades, signs, locking mechanisms or other appropriate measures prohibiting and barring access to any such public property, park, waterway or part thereof, at appropriate locations. Notice that any public property, park, waterway or part thereof, is closed shall be posted at appropriate locations during the period of such closure.
- 2. The Police Chief or designee may close any public property, park, waterway, or any part thereof, in accordance with this section, in the interest of public safety, health, and welfare in the event conditions exist in or near that premises which involve any of the following circumstances:
  - a. Life or properties appear to be endangered and other means cannot reasonably be utilized to eliminate the danger;
  - b. An overcrowding of persons or vehicles has occurred, impairing access of emergency assistance or emergency vehicles;
  - c. The subject premises or other property located near the premises reasonably appears to be endangered;
  - d. Persons making, assisting in making, continuing, or causing to be made any boisterous, disturbing, threatening, abusive, indecent, or obscene language or gestures, or unnecessary noise, or by any other act to breach the public peace; or

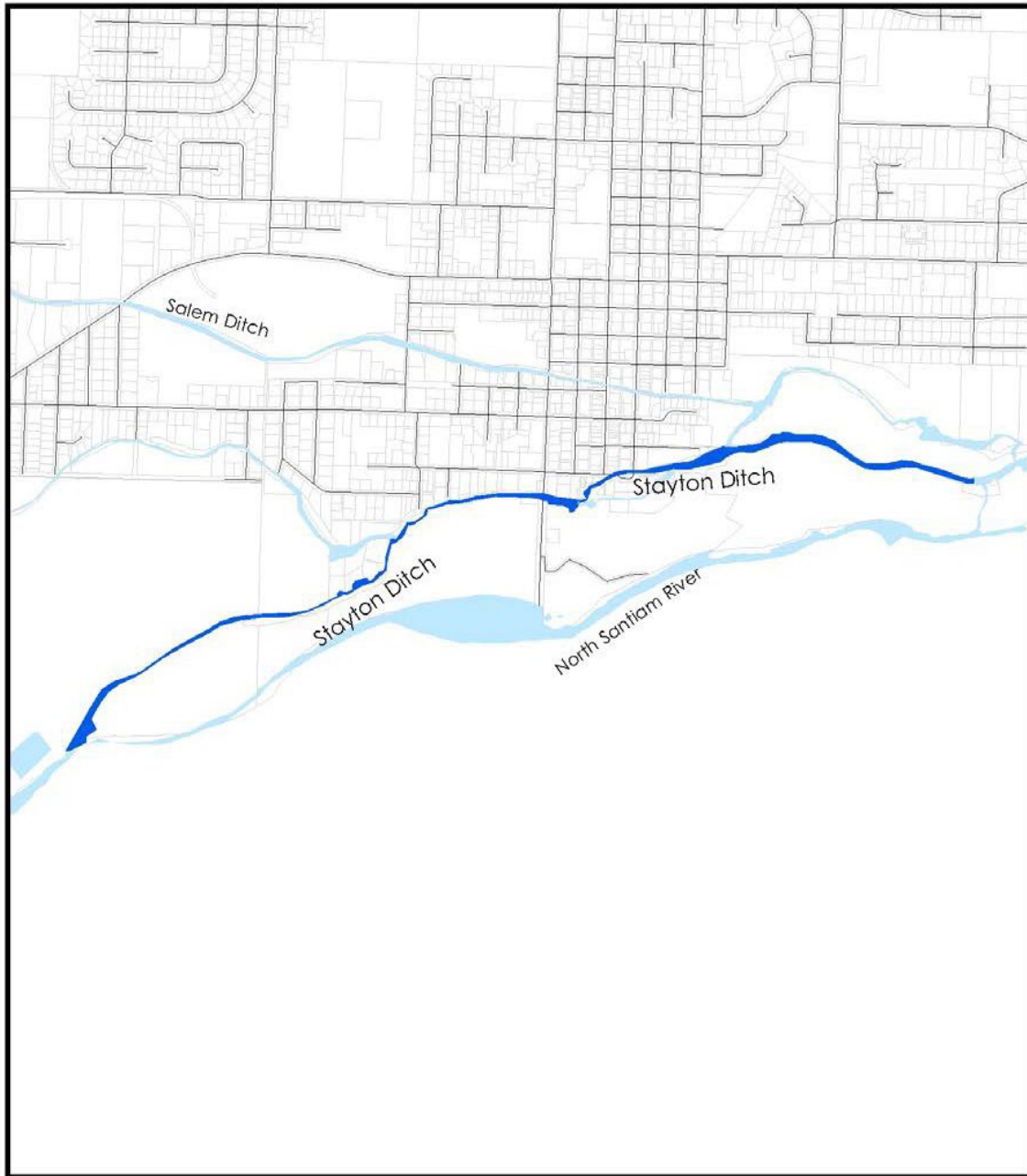
annoying, disturbing, injuring, or endangering the comfort, repose, health, safety, welfare, or peace of others in any park, public facility, or waterway and is of such consequence that cessation of the disturbance cannot otherwise be accomplished;

- e. A hazardous condition exists;
  - f. That violation(s) of criminal offenses or code is occurring and is caused by sufficient numbers of persons, or is of such consequence that cessation of the disturbance cannot otherwise be accomplished; or,
  - g. Other conditions exist such that the safety or protection of persons or property cannot reasonably be assured.
3. During the closure of a park, public premises or waterway, or portion thereof, in accordance with this chapter, it shall be unlawful for any person to enter upon the premises, or any part thereof, that has been closed, or to remain in the premises, or part thereof, after having been notified of the closure and having been requested to leave by an authorized authority.
  4. Such emergency closure shall not exceed 18 hours without the written approval of the City Administrator.

#### 8.12.080 VIOLATION: PENALTY

1. A violation of a provision of this chapter is punishable by a fine approved by Stayton City Council Resolution.
2. In addition to the remedies and fees provided for in this Chapter, any person authorized to enforce the provisions of this chapter may issue an enforcement complaint, as defined in section 6.04.020, to any person found in violation of the provisions of this chapter.
3. If there is probable cause to believe a person has violated provisions of this Chapter, constituting a crime under Oregon Revised Statutes that person may be prosecuted accordingly, and if convicted, fined accordingly.

Exhibit A



## **Draft code changes - Clean Version**

## CHAPTER 8.12

**USE OF PUBLIC PARKS, PUBLIC PROPERTY AND WATERWAYS**SECTIONS

8.12.010	Definitions
8.12.020	Camping Permit
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11. **TOBACCO PRODUCT:** Any tobacco, cigarette, cigar, pipe tobacco, smokeless tobacco, chewing tobacco, or any other means of ingestion.
12. **TOBACCO USE:** Smoking, chewing or other ingestion of any tobacco product.

#### 8.12.020 CAMPING

1. No person may camp in or upon city property at any time except within the following locations between the hours of X and Y:
  - 1) \_\_\_\_\_;
  - 2) \_\_\_\_\_; and
  - 3) \_\_\_\_\_.
2. A camping permit within a developed park may be obtained for a special event from the Chief of Police or designated representative or by declaration of the Mayor in emergency circumstances. An application shall be filed with the City for each RV, tent, or campsite. The Chief of Police or designated representative may issue a permit to any person to park a recreational vehicle (RV) or to camp upon any developed park property. A permit issued under this section shall be issued when the Chief of Police or designated representative finds that the following criteria will be met:
  - 1) The applicant has made arrangements for appropriate sanitary facilities and drinking water;
  - 2) The proposed activity for which the permit is issued is not likely to disturb the peace and quiet of any person;
  - 3) The proposed activity is unlikely to result in litter, trash, garbage, sewage, or other unsanitary material being placed or left on public property; and,
  - 4) A permit shall not be issued for camping in a developed park unless it is in conjunction with another City approved event, such as a festival in the park and does not interfere with the needs of the City such as normal city services.

- 5) The permit may be granted for up to ten days. A permit shall not be issued to the same applicant more than once in any thirty-day period.

8.12.030 PARK HOURS

Developed parks of the City shall be closed to access and use by the public between the hours of 10:00 p.m. and 6:00 a.m. unless a permit has been issued by the Chief of Police or designee pursuant to 8.12.020.2 or a facility use permit has been issued by the City pursuant to XXXXX.

8.12.040 PROHIBITED BEHAVIOR IN PUBLIC PARKS, PUBLIC PROPERTY, AND FACILITIES

1. No person shall make, assist in making, continue, or cause to be made any boisterous, disturbing, threatening, abusive, indecent, or obscene language or gestures; or unnecessary noise; or by any other act to breach the public peace; or annoy, disturb, injure, or endanger the comfort, repose, health, safety, welfare, or peace of others while in any park or public facility in accordance with the State Disorderly Conduct laws.
2. No person shall blow, spread, or place any nasal or other bodily discharge, or spit, urinate, or defecate on the floors, walls, partitions, furniture, fittings, or any portion of a public restroom located in any park, or in any place in a public restroom or public facility, excepting directly into the particular fixture provided for that purpose.
3. No person shall damage or do anything that will or could cause damage to the public parks, public property, waterways, and facilities.
4. No person shall use the City's recreational equipment and facilities for activities other than their intended or approved purpose or in a way that could cause damage to them.
5. Smoking of tobacco, marijuana, or any other substances including E-Cigarettes and use of smokeless tobacco is prohibited at any City-owned property, park and facilities. Smoking or vaping is prohibited outside the front street façade of any building in the area designated as Downtown in the Comprehensive Plan Map and properties on both sides of N. First Avenue between Water Street and Washington Street. Smoking is defined as inhaling, exhaling, breathing, or carrying any lighted cigar, cigarette, E-cigarette, vape pen, or other tobacco product in any manner or in any form.
6. Fires are not permitted except in designated fire rings or barbeque stands.
7. No person shall enter into, put anything into, or cause anything to end up into the waterway known as the Stayton Ditch.
8. No person shall swim, float, kayak, raft, boat, fish, wade, play in or participate in any similar recreation activity in the Stayton Ditch.
9. The Stayton Ditch may be accessed for official use such as by the City of Stayton, Santiam Water Control District, Stayton Fire District, or other governmental or public safety organizations.

8.12.050 PROHIBITING CONSUMPTION OF ALCOHOLIC BEVERAGES ON PUBLIC PROPERTY

No person shall drink or consume alcoholic beverages in or upon any public street or sidewalk, alley, public grounds, parks, City-owned facilities and properties, except when a permit for that purpose has been issued pursuant to this SMC or a business establishment has received OLCC approval for an outdoor eating area.

- a. Upon application to the City, the City Administrator, or designee may grant a revocable facility use permit to responsible persons or organizations for an event or activity at which alcoholic beverages may be served and consumed in City-owned facilities or on City property.
- b. The City Council shall adopt rules governing facility use permits by Resolution.
- c. The Stayton Police may issue an ordinance violation citation for violating the Facility Use Rules which also may include revoking the "Facility Use" permit.

8.12.060 EXCLUSION OF PERSONS FROM PARKS AND PUBLIC FACILITIES

1. If there is probable cause to believe that a person has violated the Stayton Municipal Code, Titles 6 or 8, 9, or Chapters 10.04, or 10.12, or any related state law, while in a public park or public facility, that person may be excluded from the park or public facility where the incident occurred for a period of not more than thirty (30) days in accordance with the following procedure:
  - a. Written notice shall be given to the person to be excluded from a park or public facility. The exclusion period shall take immediate effect.
  - b. The notice shall prominently specify the beginning and ending dates of the exclusion period.
  - c. The notice shall specify the location(s) they are excluded from which is based on the original offense location. The exclusion location shall only reflect the location of the original offense. For example: If the person commits a crime in the park they should only be excluded from the park(s) and not the Stayton Pool or the Community Center.
  - d. The notice shall prominently display a trespass warning describing the potential consequences of unlawful behavior after receipt of an exclusion notice and for entering a park, public property or facility during the exclusion period.
  - e. At any time within the exclusion period, a person having received a notice may apply in writing to the Chief of Police or designee for a temporary waiver from the exclusion for good reason shown. Good reason may include but not limited to such things as employment purposes, first amendment activities, a funeral or wedding. The Chief of Police will have 48 hours to make a decision on the waiver.

- f. The excluded individual may appeal the exclusion to the Stayton Municipal Court which shall hear the appeal at the next available Municipal Court hearing date. The Municipal Court may overturn the exclusion, agree with the exclusion or extend the exclusion. The Municipal Court decision is final. An exclusion is stayed during the time of the appeal.
- g. This Section shall not apply to City-owned properties with long term lease by a business organization, such as the movie theater or the Moose Lodge. Those properties are considered to be privately controlled.
- h. If a person is excluded from City business offices, reasonable accommodations will be made for legitimate City business to be conducted.

#### 8.12.070 EMERGENCY CLOSURE OF PUBLIC PROPERTIES, PARKS, AND WATERWAYS

- 1. The Police Chief or designee may close a public property, park, waterway or part thereof, at any time by erecting barricades, signs, locking mechanisms or other appropriate measures prohibiting and barring access to any such public property, park, waterway or part thereof, at appropriate locations. Notice that any public property, park, waterway or part thereof, is closed shall be posted at appropriate locations during the period of such closure.
- 2. The Police Chief or designee may close any public property, park, waterway, or any part thereof, in accordance with this section, in the interest of public safety, health, and welfare in the event conditions exist in or near that premises which involve any of the following circumstances:
  - a. Life or properties appear to be endangered and other means cannot reasonably be utilized to eliminate the danger;
  - b. An overcrowding of persons or vehicles has occurred, impairing access of emergency assistance or emergency vehicles;
  - c. The subject premises or other property located near the premises reasonably appears to be endangered;
  - d. Persons making, assisting in making, continuing, or causing to be made any boisterous, disturbing, threatening, abusive, indecent, or obscene language or gestures, or unnecessary noise, or by any other act to breach the public peace; or annoying, disturbing, injuring, or endangering the comfort, repose, health, safety, welfare, or peace of others in any park, public facility, or waterway and is of such consequence that cessation of the disturbance cannot otherwise be accomplished;
  - e. A hazardous condition exists;
  - f. That violation(s) of criminal offenses or code is occurring and is caused by sufficient numbers of persons, or is of such consequence that cessation of the disturbance cannot otherwise be accomplished; or,

- g. Other conditions exist such that the safety or protection of persons or property cannot reasonably be assured.
- 3. During the closure of a park, public premises or waterway, or portion thereof, in accordance with this chapter, it shall be unlawful for any person to enter upon the premises, or any part thereof, that has been closed, or to remain in the premises, or part thereof, after having been notified of the closure and having been requested to leave by an authorized authority.
- 4. Such emergency closure shall not exceed 18 hours without the written approval of the City Administrator.

8.12.080 VIOLATION: PENALTY

- 1. A violation of a provision of this chapter is punishable by a fine approved by Stayton City Council Resolution.
- 2. In addition to the remedies and fees provided for in this Chapter, any person authorized to enforce the provisions of this chapter may issue an enforcement complaint, as defined in section 6.04.020, to any person found in violation of the provisions of this chapter.
- 3. If there is probable cause to believe a person has violated provisions of this Chapter, constituting a crime under Oregon Revised Statutes that person may be prosecuted accordingly, and if convicted, fined accordingly.

Exhibit A

