

ORDINANCE NO. 651

AN ORDINANCE PROHIBITING CAMPING ON PUBLIC PROPERTY, ESTABLISHING HOURS PUBLIC PARKS ARE OPEN, AND DECLARING AN EMERGENCY

WHEREAS, the Council is concerned with the number of transients who are camping in public parks, under bridges, and on other publicly owned lands; and

WHEREAS, the Council wishes to preserve the use of parks and public properties for the enjoyment and use of the citizens of Stayton,

THE CITY OF STAYTON ORDAINS AS FOLLOWS:

SECTION 1: Prohibited Camping

1. Definitions, as used in this Section:
 - a. "To camp" means to set up or to remain in or at a campsite;
 - b. "Campsite" means 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 live, whether or not such place incorporates the use of any tent, lean-to, shack, or any other structure, or any vehicle or part thereof.
2. It is found and declared that:
 - a. From time to time persons establish campsites on sidewalks, public rights-of-way, under bridges, and so forth;
 - b. Such persons, by such actions, create unsafe and unsanitary living conditions and pose a threat to the peace, health, and safety of themselves and the community; and
 - c. The enactment of this provision is necessary to protect the peace, health, and safety of the City and its inhabitants.
3. No person shall camp in or upon any sidewalk, street, alley, lane, public right-of-way, park, or any other publicly-owned property or under any bridge or viaduct,

unless otherwise a permit is obtained from the Chief of Police or by declaration of the Mayor in emergency circumstances.

4. The Chief of Police, or his designated representative, may issue permits to any person to park a recreational vehicle (RV) or to camp upon any sidewalk, street, alley, lane, public right-of-way, park, or any other publicly-owned property. Permits issued under this Section may be issued subject to the following conditions:
 - a. The applicant has filed an application with the City for each RV, tent, or campsite;
 - b. The proposed activity for which the permit is issued is not likely to cause the peace and quiet of any person to be disturbed;
 - c. The proposed activity is unlikely to result in litter, trash, garbage, sewage, or other unsanitary material being placed or left on public property;
 - d. The permit may be granted for up to ten (10) days.

SECTION 2: City Park Hours

Public parks of the City of Stayton shall be closed to access and use by members of the public between the hours of 12:01 a.m. and 6:00 a.m. unless a permit has been issued by the Chief of Police.

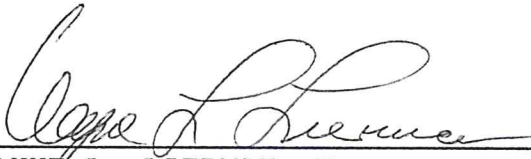
SECTION 3: Penalty

Violation of a provision of this Ordinance is punishable by a fine not to exceed \$500.00 per day.

SECTION 4: Declaration of Emergency

It is hereby adjudged and declared that the existing conditions are such that it is necessary for the immediate preservation of the public peace, health, and safety of the City of Stayton and an emergency is hereby declared to exist and this Ordinance shall take effect and be in full force when signed by the Mayor.

APPROVED BY THE COMMON COUNCIL THIS 18th DAY OF JULY,
1988.




WAYNE L. LIERMAN, Mayor

ATTEST:



DAVID W. KINNEY, City Administrator

APPROVED AS TO FORM:



JANET McCOY, City Attorney

dk:lb(7-20-88)