



HOMELESS TASK FORCE INFO SHEET

Why is the City of Stayton talking about homelessness?

House Bill (HB) 3115 was passed in 2021 and implemented via ORS 195.530, which set a deadline for cities to audit their codes and determine whether there were rules and regulations that would regulate the act of “sitting, lying, sleeping, or keeping warm and dry outdoors on public property that is open to the public” (for ease, we refer to this as camping).

If there were regulations, the City must ensure that they are “**objectively reasonable as to time, place and manner with regards to persons experiencing homelessness.**”

In other words, a City could regulate the act of sitting, lying, sleeping or keeping warm and dry outdoors on public property but it had to be reasonable. A City could not prohibit those acts on all public property; but could regulate it on some property as long as that regulation was reasonable from a time, place and manner standpoint.

The City had regulations that prohibited camping on all public property including parks and right of way. As a result, this was not “objectively reasonable” with regard to those persons experiencing homelessness.

Homeless Task Force Formed

The City Council formed a Task Force to explore:

- 1) If we wanted to regulate the act of sitting, lying, sleeping or keeping warm and dry outdoors (referred to as camping) on public property; and
- 2) If we did want to regulate it, where and how.

Phase 1 of Homeless Task Force

The Task Force considered all the public property including City Parks, right-of-way (streets, sidewalks, bike lanes), undeveloped right-of-way (areas that had been dedicated for street purposes but not developed as streets yet), City facilities (water quality facilities, library, water treatment plants, etc.) and City owned parcels that were not used for facility purposes.

The Task Force also sought input from residents through a public survey in April 2023. Based on the input received and discussion amongst themselves, the Task Force recommended changes that were ultimately modified and adopted by Council to comply with state laws.

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Current Regulations

It was determined to prohibit camping in all City parks, in and on all City Facilities, and in all City right of way (developed or not) and will remain unlawful to establish permanent or semi-permanent structures and people camping may only do so between the hours of 8:00 p.m. and 8:00 a.m.

Other City owned properties are not prohibited from camping. This does not mean that those sites are “designated” homeless camping sites, it just means that the police will not require someone to relocate if they are found to be sitting, lying, sleeping, or keeping warm and dry outdoors in these locations, provided they are complying with other applicable laws.

The City would still enforce regulations such as:

- 8.12.040 noise
- 8.12.040 (3) damage
- 8.12.040 (6) fires
- 8.12.050 alcohol (drinking in public)
- 8.04.050 scattering rubbish
- 9.20.010 public urination
- Other crimes listed under ORS like theft, criminal mischief, assaults, drugs

What is next?

While the code has been updated to comply with the State regulations, it is understood that modifications and additional conversation is needed. The Homeless Task Force is continuing to meet to discuss how best to regulate where people can sit, lay, sleep, and keep warm and dry outdoors through the end of the year. There will be additional input opportunities for residents to share their thoughts. You can also add your name to the interested parties list to get updates.

What is Homelessness?

There are many definitions of homelessness, from lack of stable and affordable housing to sleeping outdoors or in a vehicle. There are also many contributing factors to why someone may lack permanent and stable housing.

The City’s efforts are focused primarily on those sleeping outside or in vehicles, as that is what recent case law and state laws are related to. Below are resources that may be helpful for information and resources to those at risk or currently experiencing homelessness.

- Mid-Willamette Valley Community Action Agency (MWVCAA) — (503) 399-9080
- Recovery Outreach Community Center (ROCC) — (503) 393-4273
- Santiam Outreach Community Center (SOCC) — (971) 332-5676

(This is not an all-inclusive list)

