
AGENDA ITEM SUMMARY

Meeting Date: 2/6/2023
Meeting Type: Work Session
Staff Contact/Dept.: Mary Bridget Smith/CAO
Staff Phone No: 541-744-4061
Estimated Time: 25 Minutes
Council Goals: Mandate

**SPRINGFIELD
CITY COUNCIL**

ITEM TITLE: CAMPING ORDINANCE UPDATE

ACTION REQUESTED: Receive information about updating the City's camping ordinance including current efforts toward sheltering and approach taken by other jurisdictions.

ISSUE STATEMENT: The City's camping ordinance is out of compliance with HB3115 and must be repealed or revised to include reasonable time, place, and manner restrictions by July 1, 2023.

ATTACHMENTS: 1: Council Briefing Memorandum

**DISCUSSION/
FINANCIAL
IMPACT:** In November, the Council reviewed legal issues related to regulating camping on public land and HB3115 which requires cities to amend their illegal camping ordinances to include reasonable time, place, and manner restrictions. On January 23, 2023, the Council provided feedback on the communications strategy, and the public land and ROW map.

The purpose of this work session to provide the Council with information about sheltering options in Springfield, the City's efforts toward sheltering and how other jurisdictions are approaching their camping regulations.

Schedule: There are several upcoming opportunities for the Council to consider this issue:

March 6, Work Session - provide guidance for City of Springfield's proposed ordinance.

April 17, Regular Session - public hearing and first reading.

May 1, Regular Session - place holder for potential second public hearing and reading.

MEMORANDUM

City of Springfield

Date:	1/30/2023	
To:	Nancy Newton, City Manager	COUNCIL
From:	Mary Bridget Smith, City Attorney	BRIEFING
Subject:	Camping Ordinance - Other Jurisdictions and Sheltering Options	MEMORANDUM

ISSUE: The City’s camping ordinance is out of compliance with HB3115 and recent federal court rulings and must be repealed or revised to include reasonable time, place, and manner restrictions by July 1, 2023.

COUNCIL GOALS/

MANDATE:

Council Goals: Mandate

BACKGROUND:

This memo addresses two main topics: 1) sheltering options and efforts in Springfield, and 2) examples of time, place, and manner restrictions from other jurisdictions.

Sheltering:

Part of the analysis for amending the City’s camping ordinance includes information about current shelter options and the City’s efforts with regard to sheltering persons experiencing homelessness. Understanding the City’s efforts regarding this issue also requires an understanding of the different roles and responsibilities of other government partners like Lane County and state and federal government.

Lane County’s Human Services Division data on shelter/unhoused shows that in 2022 the total number of persons experiencing homelessness in Springfield that were served by an agency was 1,240 and of that number, 332 people were considered chronically homeless. (Lane County’s Homeless Management Information System, Homeless By-Name List)

Current Springfield Shelter Options

There are few temporary shelter options for people in Springfield and they most likely do not comply under the courts’ reasoning in *Boise* and *Grants Pass* as providing meaningful access to shelter because they have access limitations. For example, St. Vincent de Paul currently operates a temporary Egan Warming Center site at the Memorial Building in downtown Springfield, but Egan is only open when temperatures are forecasted to drop below 30 degrees Fahrenheit. Also, the Shankle Brooklyn Street Shelter operating in Glenwood is intended to provide bridge shelter for 12 individuals and is by referral only so individuals could not just show up there on a last-minute basis.

Finally, Lane County employs a coordinated entry process to assist community members experiencing homelessness by having them complete a Front Door assessment and then confirming that they have been added to the Central Waitlist which is prioritized by need. Persons in Springfield can access a Front Door assessment at Catholic Community Services on G Street. This process is meant to ensure fair and equal access to housing and assistance, but it also does not provide a solution for the immediate situation of a chronically homeless person

camping on public property. More information about homeless shelters in Lane County can be found [here](#):

City of Springfield Efforts Toward Sheltering

The updated Springfield Housing Strategy addresses sheltering as follows: *Allow for temporary sheltering options to help provide stability along the housing continuum.*

Some of the projects the City has worked on in support of this part of the strategy include the Overnight Parking and RV as Temporary Housing programs, assisting Mainstream Housing in the emergency pallet shelter site, designating one-time federal ARPA funds for the acquisition of a house for women experiencing homelessness and a long-term solution for a Springfield Egan Warming Center site.

City of Springfield's Role in Addressing Sheltering in our Community

One issue that often comes up when the City is working on sheltering and homelessness issues is how the community can provide more housing or address the root causes of homelessness. Further, the *Boise* and *Grants Pass* rulings require an assessment of community's sheltering options. In addition, complex challenges like homelessness take involvement from all levels of government.

For example, city governments typically provide such services as fire and police protection, streets and street maintenance, and land use and building permit activities. As it relates to homelessness, city public safety functions like police and fire are impacted by the types and number of calls to which they respond that involve people living out in the open instead of having the benefit of shelter. Also, Development and Public Works Department has conducted homeless camp clean ups and administers federal and state funds designated for homeless people. Finally, as the regulatory body for building and land use, the City evaluates where and how new housing and related structures like shelters can be built in Springfield.

Counties on the other hand provide services like public health, behavioral health, social services, and housing for those experiencing homelessness. In Lane County many of these types of services are managed by the Health and Human Services Department (HSD). They provide health, housing, and human services through partnerships with local governments and public, private non-profit, and private community-based organizations. The HSD coordinates an integrated community safety net delivery system of basic needs social services, anti-poverty programs, and supportive services for low-income and homeless community members. There are also two applicable policy bodies the Human Services Commission (HSC) and the Poverty and Homelessness Board (PHB). Springfield City Councilors sit on these boards and the City contributes some of its federal CDBG funding to assist with projects. Also, the HSC has been the lead agency for the Lane County Continuum of Care (HUD program - a regional or local planning body that coordinates housing and services funding for homeless families and individuals). [Lane County Human Services Commission](#).

Examples of Time, Place and Manner Restrictions in Other Jurisdictions:

Learning about similar regulations in other jurisdictions can be a helpful starting point for determining how to approach one's own City. Many communities are also working their way through this process and staff will provide additional examples throughout this process. The following summarizes examples of time (when), place (where) and manner (how) from other jurisdictions.

Time (When)

Bend - Where allowed, can camp for 24-hour period and after 24 hours must move one block from initial camping location. Enforcement may be suspended if person camping is engaged in case management, behavioral services, or when necessary and appropriate to respond to a person's disability.

Corvallis - Has a *Martin v. Boise Sleeping Area Guide* that identifies areas of City property where sleeping is allowed: City Hall front plaza between hours of 8:00 pm and 7:00 am. No sleeping or camping in parks between 10 pm and 6 am, except as allowed by City Manager.

Medford - No use of bedding materials upon any sidewalk, street, alley, ROW, park, greenway or other publicly owned property for more than 24 hours consecutively, unless specifically authorized by code, a City Manager emergency declaration, City Manager executive order, or City Manager Order in case of a severe event.

Sandy - Camping is prohibited from 6:30 am to 9:00 pm.

Place (Where)

Bend - Camping is prohibited in areas zoned residential or located in the waterway overlay zone. No camping in locations that would impede emergency and non-emergency access, within 1,000 feet of shelter or safe parking site or a location that the City closes to camping due to heavy traffic or construction.

Corvallis – Camping is allowed at the city hall front plaza (Madison Avenue side) between and the city parks system including overnight hours when the park is closed to other users except for locations within 50 feet of designated play areas, ballfields, trails, sidewalks, or other park features. The City Manager may, in City Manager's reasonable discretion, issue permits or designate areas of parks where use of tents, shelter-half, campers, vehicles, or trailers as shelters for housing and sleeping in parks.

Medford - No camping on any sidewalk, street, alley, ROW, park, greenway or any publicly owned property or under any bridge or viaduct, unless by Declaration of City Manager in emergency, by Executive Order, by Declaration in case of severe event, or if the city publishes on its website a written policy authorizing tent camping or vehicle camping on specific publicly owned properties.

No camping in specific places (Greenways or Prescott Park) during May 1-Sept 30 in any calendar year or at any time Fire Chief determines a fire hazard exists. It also appears that notwithstanding a general closure of parks, lying or sleeping in city-owned parks during hours of closure by persons experiencing homelessness is not prohibited so long as not a playground or sports field, school park, and other specified areas.

Sandy - Camping is prohibited in city parks, trails, and areas designated parks and open space under its development code. It is also prohibited in areas designated as flood, slope and hazard areas, sidewalks unless it is done in a manner that maintains a clear, continuous sidewalk width of at least five feet, city facilities and parking lots, public property in areas zoned residential. Finally, the code also lists specific streets where camping is prohibited.

Newport - Camping is prohibited in parks with active use of recreational facilities, parks that are designed as public gathering places and specific parks that are listed in the code. There is also no camping within visual line of sight from a recreational trail. Also, camping is prohibited at facilities and parking lots, within 200 feet of a school, daycare, or a facility providing services to

persons experiencing homelessness. There is also no camping on certain rights of way listed in the code and rights of way adjacent to a dwelling.

Manner (How)

Bend - No obstructing, space can only be 12x12 feet, no dumping garbage or gray water, no illegal taps into electrical systems, no burning, storing personal property or constructing structures and animals must be leashed or crated.

Corvallis - Persons must remove all belongings, be respectful to others, no fires, no alcohol or drugs, use provided trash receptacles and toilets, no dumping, camp 20 feet away from other sleeping areas and trees, no smoking or loud sounds after 10:00 pm or illegal activity.

Sandy - No storage of more than 5 cubic feet of personal property including camp facilities and camp paraphernalia on city property from 6:30 am to 9:00 pm.

Newport - No burning, storing personal property, those camping in an RV must adhere to parking regulations.

RECOMMENDED ACTION: Provide feedback about the kind of information that the Council would like for the upcoming March 6, 2023, work session.
