

ORDINANCE NO. 18-09

AN ORDINANCE REVISING ORDINANCE 5.900 RELATING TO CAMPING IN PUBLIC PLACES

THE CITY OF ASTORIA DOES ORDAIN AS FOLLOWS:

Section 1. Revision of Astoria City Code 5.900 Astoria City Code section 5.900 is revised to read as follows:

5.900 Camping.

5.900 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. This prohibition includes waterfront areas, public parks and public and private parking lots unless specifically permitted by the city of Astoria. This includes, but is not limited to, sleeping in recreational vehicles, automobiles or any forms of shelter.

5.905 Recreational vehicle parking areas which have been permitted by the city of Astoria Community Development Department shall be exempt from the requirements of this ordinance.

5.910 The city of Astoria Police Department may issue permits for camping where it deems that such activity will not be detrimental to the public health, safety and welfare or injurious to surrounding properties.

5.915 The city shall erect signs notifying the public of the prohibitions prescribed by this ordinance.

5.920 Camping equipment may be seized as evidence of the violation, and this property shall be held by the Astoria Police Department until further order of the Municipal Court.

5.925 The City of Astoria recognizes the social nature of the problem of homeless individuals camping on public property and has amended this code and policy to ensure the most humane treatment for removal of homeless individuals from camping sites on public property. The City of Astoria will follow the provisions of ORS § 203.077 & § 203.079 providing adequate notice and the involvement of social services agencies to facilitate a humane transition. As used in this ordinance, camping does not include sleeping outdoors by homeless individuals with no access to alternative shelter so long as any tent, shelter and all other personal items such as sleeping bags, tarps and mats are removed from the site within 24 hours of proper notice.

5.930 Violation of this ordinance is a Class B violation as defined by ORS 153.008 and 153.012. In addition to the penalties described in ORS 153.018, the judge of the Municipal Court, after a hearing, may order any camping gear seized, pursuant to Section 5.920 above, to be sold by city auction, and the proceeds of said sale to be placed in the city general fund.

Section 2. Effective Date. The City Council finds that unauthorized camping within the City present issues related to the health and safety of its citizens and therefore adopts this ordinance to meet an emergency pursuant to Section 8.3 of the Astoria City Charter. This ordinance shall become effective as soon as it is adopted.

ADOPTED BY THE CITY COUNCIL THIS 15th DAY OF OCTOBER 2018

APPROVED BY THE MAYOR THIS 15th DAY OF OCTOBER 2018

Arline LaMear

Mayor

ATTEST:



City Manager

ROLL CALL ON ADOPTION

Councilor Nemlowill

Brownson

Price

Jones

Mayor LaMear

YEA NAY ABSENT

X

X

X

X

X