

ORDINANCE NO. 900

AN ORDINANCE PROHIBITING CAMPING ON PUBLIC PROPERTY IN ACCORDANCE WITH STATE AND FEDERAL LAW

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. In *Martin v. City of Boise*, a 2018 decision by the U.S. Court of Appeals for the Ninth Circuit, the court held that the Eighth Amendment to the U.S. Constitution precludes a local government from enforcing anti-camping ordinances (those which criminalize the sitting, sleeping, or lying outside in public places) when there are no shelters available for the homeless individuals.
2. In its 2022 decision in *Johnson v. City of Grants Pass* (formerly *Blake v. City of Grants Pass*), the U.S. Court of Appeals for the Ninth Circuit affirmed and expanded its decision in *Martin v. Boise*, holding that the *Martin* decision also applied to civil citations where the civil and criminal punishments were closely intertwined. Subsequently the case was substantially modified by the Supreme Court of the United States on June 28th, 2024.
3. In response to the *Martin* and *Johnson Court of Appeals* decisions, the State of Oregon enacted House Bill 3115 (ORS 195.530), effective as of July 1, 2023, requiring any city or county laws regulating the acts of sitting, lying, sleeping, or keeping warm and dry outside on public property be objectively reasonable as to time, place and manner with regards to persons experiencing homelessness.
4. The State of Oregon also enacted House Bill 3124 which updates modified ORS 195.505 by requiring cities to revise any policies concerning the removal of homeless individuals from an established campsite to provide written notice at least 72 hours before such removal.
5. Troutdale's code currently prohibits camping on public and private property, per our TMC 08.29.050 (time, place and manner regulations), approved on September 12, 2023. However, it failed to protect all government building and facilities from people camping in ways that inhibit free and easy access to those buildings.
6. Troutdale's Council further desires to comply with HB 3124 and ORS 195.505 by adopting this revision to its municipal code to ensure the most humane treatment for removal of homeless individuals from camping sites on public property, and protects city staff and residents.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TROUTDALE

Section 1. Troutdale Municipal Code Chapter 8.29.050 (C)5 is amended to add at the end of the clause “, or any and all government offices or facilities not covered in section 6, below.”

Section 2. This ordinance shall take effect 30 days after passage.

YEAS: 7
NAYS: 0
ABSTAINED: 0



David Ripma, Mayor

Date: June 26, 2025



Sarah Skroch, City Recorder

Adopted: June 24, 2025