

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 08-168

Adopting a Policy for Removal of Individuals from Established Campsites on Public Property

The Multnomah County Board of Commissioners Finds:

- a. In recognition of the social nature of the problem of homeless individuals camping on public property, the County has developed procedures to ensure the most humane treatment for removal of individuals from established campsites on public property.
- b. These procedures were developed in accordance with Oregon Revised Statutes 203.077-203.079 to provide notice and outreach to individuals with respect to enforcement of this policy.
- c. By Resolution 94-25, the Board designated the Multnomah County Sheriff or designees, as the person in charge of County premises for purposes of excluding members of the public from, and enforcement of state criminal trespass laws in or upon County premises.

The Multnomah County Board of Commissioners Resolves:

1. The Board adopts the following procedures for removal of individuals from established campsites on county property.

A. 24-Hour Notice and Outreach

1. Deputies shall post a “notice of trespass” before removing persons from an established campsite on county property. The notice must state in English and Spanish:
 - a. Any person remaining at the campsite 24 hours after the notice is posted may be subject to removal, arrest or issuance of a citation for trespass.
 - b. The location where personal property can be retrieved if property was removed from the site for storage, and that it must be retrieved within 30 days.
 - c. The telephone number of JOIN, the local homeless social service agency.

2. The notice must be posted at the campsite in plain view or in a conspicuous location, allowing the persons a minimum of 24 hours to vacate the area.
3. Deputies posting and providing such notice shall inform JOIN at the time of posting that notice has been provided to the persons and/or has been posted on the public property, and the location of the posting.
4. The notice shall not apply
 - i. when there are grounds for deputies to believe that illegal activities other than unlawful camping are occurring;
 - ii. in the event of an emergency such as possible site contamination by hazardous materials, or when there is immediate danger to human life or safety; or
 - iii. in an area temporarily designated by the County Chair for camping during an emergency or special event.

B. Enforcement

1. After the 24-hour notice period has elapsed, the deputies may remove any person from the campsite and may remove personal property left at the campsite as provided in this policy. Any person remaining at the campsite 24 hours after the notice is posted may be subject to removal, arrest or issued a citation for trespass.
2. Deputies shall not issue a citation for trespass if the citation would be issued within 200 feet of the notice described in this section and within two hours before or after the notice was posted.

C. Personal Property

1. Unclaimed personal property may be removed by the County from an unauthorized established campsite on county property at any time, without notice posted. All unclaimed personal property removed from the campsite shall be given to law enforcement officials. Deputies shall arrange for the property to be stored for a minimum of 30 days during which it will be reasonably available to any individual claiming ownership. Deputies shall indicate the 30 day time requirement on their Incident Report. Any personal property that remains unclaimed for 30 days may be disposed of in accordance with the provisions of Multnomah County Code §§ 15.650-15.655, Disposition of Unclaimed Property.

2. Personal property that has no apparent utility or is in unsanitary condition may be immediately discarded. Deputies shall contact the MCSO Corrections Work Crew Sergeant and MCSO Logistics Manager to arrange for the items to be discarded. Weapons, drug paraphernalia and items that appear to be stolen or evidence of a crime shall be investigated and processed accordingly.

ADOPTED this 18th day of December 2008.



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 
Bernadette D. Nunley, Assistant County Attorney

SUBMITTED BY:
Robert Skipper, Sheriff