

WASCO COUNTY SHERIFF'S OFFICE

Policy Title: CAMPING ON COUNTY-OWNED OR OTHER PUBLIC PROPERTY	Effective Date: January 20, 2021	Policy Number:
	Review Date:	Pages:
Attachments: <ul style="list-style-type: none">• <u>Trespassing Notice</u>	Lane Magill, Sheriff	

I. PURPOSE

The purpose of this policy is to provide guidelines for deputies when dealing with the removal of homeless individuals camping on County-owned or other public property including roadways and rights of way.

II. POLICY

It is the policy of the Wasco County Sheriff's Office to ensure the most humane treatment for removal of homeless individuals camping on County-owned or other public property.

ORS 203.077 requires local governments to develop policy for the removal of camps on public property.

III. DEFINITIONS

Established Camping Site is a location where a camp structure exists on public property. Camp structures typically include tents, lean-tos, huts, recreational vehicles/campers/trailers, or similar structures used for shelter, and/or personal belongings in quantity or nature that aid in overnight camping. Bridges, overpasses, or highway embankments do not, by themselves, constitute camp structures. This term does not include public property that is a day-use recreational area or public property that is a designated campground and/or occupied by an individual under an agreement with Wasco County.

Personal Property means an item that is reasonably recognized as belonging to a person and that has apparent utility. Items that have no apparent utility or are in an unsanitary condition may be immediately discarded upon removal of the homeless person(s) from the campsite.

Unsanitary Condition is when a property is reasonably feared to harbor hazards or disease, has had its usefulness compromised by exposure to weather, and/or is so dirty that a reasonable person would consider it unusable as found.

IV. PROCEDURES

A. Posting of Notice

Sheriff's Office Deputies shall post a notice, written in English and Spanish, twenty-four (24) hours prior to removing homeless individuals from an established camping site (ORS 203.079(1)a) (Refer to Attachment.) In addition, two hours prior to removing homeless individuals from an established camping site, notice to vacate the premises shall be provided to persons on site who were not present at the time of the initial posting.

The 24-hour notice required shall not apply:

1. When there are grounds for a Deputy to believe that illegal activities other than camping are occurring.
2. In the event of an exceptional emergency, such as possible site contaminated by hazardous materials, obstructing any portion of a roadway or when there is immediate danger to human life or safety.
3. When camping occurs on private property. Camping on private property is subject to criminal trespass. Railroad property to which the general public has no access is considered private property.
4. When camping occurs on State-owned property. The information will be referred to the Oregon State Police. Applicable State of Oregon notice and retention procedures must be followed. Contact the Oregon Department of Transportation for assistance relating to the clean up and posting of State-owned property (local telephone 541-388-6180). Reference material can be found under OAR 734-035-0010, 734-035-0020, 734-035-0030, 734-035-0040.

B. Notification to Social Service Agencies

At the time of posting, Deputies shall inform local social service agencies of the location of the posting and any relative information regarding the occupants of the camp. ORS 203.079(1)b

To assess the need for social service assistance in arranging shelter and other assistance, local social service agencies may arrange for outreach workers to visit the camping site where a notice has been posted.

If possible, social service agency officials and outreach workers may be contacted to assist with the notice and removal event.

Weapons, drug paraphernalia and items that appear to be either stolen or evidence of a crime shall be given to Deputies regardless of their condition.

C. Unclaimed Property ORS 203.079(1)d

All unclaimed personal property shall be given to law enforcement officials whether 24-hour notice is required or not. The property shall be stored for a minimum of 30 days during which it will be reasonably available to any individual claiming ownership.

Any personal property that remains unclaimed for 30 days may be disposed of. For purposes of this paragraph, “personal property” means any item that is reasonably recognizable as belonging to a person and that has apparent utility.

Items that have no apparent utility or are in an insanitary condition may be immediately discarded upon removal of the homeless individuals from the camping site. Weapons, drug paraphernalia and items that appear to be either stolen or evidence of a crime shall be given to law enforcement officials

Any unclaimed personal property shall be given to Deputies. The property shall be stored for a minimum of thirty (30) days, during which it will be reasonably available to any individual claiming ownership.

Items that have no apparent utility or are in an unsanitary condition may be immediately discarded upon removal of the homeless person(s) from the camping site.

Any personal property that remains unclaimed for thirty (30) days may be discarded.

D. Citations for Unlawful Camping ORS 203.079(3)

A person authorized to issue a citation for unlawful camping under state law, administrative rule or city or county ordinance may not issue the citation if the citation would be issued:

1. within 200 feet of the notice described in this section and
2. within two hours before or after the notice was posted.

Wasco County Camping on County-Owned or Other Public Property

Approved this 20th Day of January, 2021

Wasco County Board of Commissioners

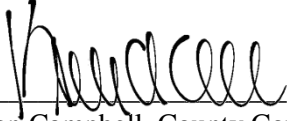


Scott C. Hege, Chair

Abstained

Kathleen B. Schwartz, Vice-Chair

APPROVED AS TO FORM:



Kristen Campbell, County Counsel



Steven D. Kramer, County Commissioner

WASCO COUNTY SHERIFF'S OFFICE

TRESPASSING NOTICE

Notificacion De Entrada Ilegal

This area is public property

Esta area es propiedad publica

Pursuant to ORS 164.245

De Acuerdo a ORS 164.245

**Trespassing in this area is prohibited; all persons must leave and remove
all personal property**

By: _____
(Date/Hour)

La entrada en esta area es prohibida; toda las personas se tienen que retirar y
lleuarse sus bienes o propiedades.

Fecha y Hora: _____

Failure to do so may result in ARREST.

Incumplimiento puede resultar en arresto.

Issuing Deputy: _____

Date/Time of Notice: _____

Wasco County Sheriff's Office

511 Washington Street #102

The Dalles, OR 97058

541-506-2580