

11.04.06X Camping on Publicly Owned Property

1. It is prohibited at all times for any person to use County property to camp or for camping or for the purpose of occupancy, habitation, or sheltering for survival in vehicles, automobiles, or recreational vehicles; provided, that the Board of County Commissioners (BOCC) may, in their discretion, designate certain County properties or portions of properties as areas where camping or using vehicles for sheltering and/or sleeping may be allowed on a limited basis, and may set the terms and conditions of any camping or vehicle use that may be allowed. Any use of County property will follow the applicable processes.

A. Definitions

1. The terms “camp”, “campsite or “encampment” shall mean a location on County or federally owned properties within Deschutes County, where one or more tents, awnings, lean-tos, sleeping or bedding materials, cooking implements or materials, or other items or structures have been erected, constructed, or placed including vehicles and recreational vehicles, and appear to be used for human habitation, including but not limited to sleeping, preparing cooking or warming fires, storing personal belongings, and urinating or defecating.
2. “Unsafe Campsite” means a segment or portion of a County or federally owned property within Deschutes County that the Property Manager, County Administrator or public safety officials determine is being used as an established campsite consisting of one (1) or more tents, structures, vehicles, or other items used for human habitation, that has been determined to pose a threat to public health and/or safety to the general public.

- B. Exception: Prohibitions against camping on County or publicly owned properties within Deschutes County will be suspended during periods of extreme weather or other emergency situations as directed by County Staff.

2. People who are camping or do not have any other permanent residence or domicile are prohibited from camping on County property and other public properties except as noted below, and are required to comply with these time, place and manner regulations (and as allowed by *Martin v. Boise*).

B. Time.

1. Unless otherwise specified, any camping or camp, may only occur for 24 hours at a time in any one location. After a camp has been in one place for 24 hours or more, the County may post notice at the location that the camp, and all associated camp materials, must be removed no more than 72 hours later and all personal property remaining may be removed. (Exception: Camping on Federal property as noted in paragraph D.1. specifies a different timeframe allowance).
2. After 24 hours in one location, the camp and all associated camp materials must be moved at least one block or 600 feet.

3. Enforcement of time restrictions may be suspended when an individual does not have access to shelter and when an individual is engaged in case management or behavioral health services, or when necessary or appropriate to respond to an individual's disability.

C. Place.

Camping is not allowed at any time in any of the following places:

1. In or **one mile from the boundary of property adjacent to any area** zoned Residential, Rural Residential, Urban Unincorporated Community, Rural Service Center, Resort Community, Rural Community, Rural Commercial on the Deschutes County **Combining Zones** Map in effect at the time.
2. Camping on Federal or other public properties open to the public within the county, within one mile of an **Urban Growth Boundary on the Deschutes County Zoning Map in effect at the time.** ~~wildland-urban interface area boundary~~, unless at a posted, designated and developed campground. ~~{“Wildland-Urban Interface” refers to an area where structures or development meet or intermingle with undeveloped Forest Service, Bureau of Land Management or other public wildland within Deschutes County.~~ 16 U.S.C. 551A provides that States or political subdivisions thereof, such as Deschutes County, shall retain their rights to exercise civil and criminal jurisdiction within or on lands which are a part of the national forest system. 43 CFR 8365.1-7 provides the same protections regarding Bureau of Land Management lands).
3. Any place where camping, a camp, or camp materials create a physical impediment to emergency or nonemergency ingress, egress or access to property, whether private or public, or on public sidewalks or other public rights-of-way, including but not limited to driveways providing access to vehicles, and entrances or exits from buildings and/or other real property.
4. Camping on county owned or other public property within 1000 feet of a school or park.
5. Vehicles used for camping purposes must be legally parked, and cannot be adjacent to residences or businesses.

D. Manner.

Camping, when and where allowed, is subject to all of the following:

1. Camping on Federal property outside of the one-mile **Urban Growth Boundary** ~~wildland-urban interface~~ no-camping buffer within the County is subject to a 14-day stay limitation. Campers must move no less than 2.5 miles from their original campsite at the conclusion of this 14-day limit.
2. Open Fires are prohibited on public properties within 1 mile of the **Urban Growth Boundary** ~~wildland-urban interface boundary~~, including campfires, charcoal fires, cooking fires and warming fires, except at campfire rings established by a government agency such as the Forest Service or the Bureau of Land Management at posted, developed and designated campgrounds.
3. Local, State, and Federal fire **regulations** shall be followed.

4. Individuals may not accumulate, discard, or leave behind garbage, debris, unsanitary or hazardous materials, or other items of no apparent utility in public rights-of-way, on County property, or on any adjacent public or private property.
5. Dumping of gray water (i.e., wastewater from baths, sinks, and the like) or black water (i.e., sewage) into any facilities or places not intended for gray water or black water disposal is prohibited. This includes but is not limited to storm drains or onto open ground, which are not intended for disposal of gray water or black water.
6. Individuals may not build or erect structures, whether by using plywood, wood materials, pallets, or other materials. Items such as tents and similar items used for shelter that are readily portable are not structures for purposes of this section.
7. Storage of personal property such as vehicle tires, bicycles or associated components (except as needed for an individual's personal use), gasoline, generators, lumber, household furniture, extra propane tanks, combustible material, lumber, or other items or materials is prohibited, other than what is related to camping, sleeping or keeping warm and dry.
8. Vehicles used for camping purposes must be operational, i.e., capable of being started and driven under their own power, or ready to be towed if designed to be towed and may not be discarded or left inoperable in public rights-of-way or on county or other public property.
9. Digging, excavation, terracing of soil, alteration of ground or infrastructure, or damage to vegetation or trees is prohibited.
10. All domestic animals must be leashed or crated at all times.

3. A citation for a violation of this chapter will be a **TBD** civil infraction. Citations will be issued only when other means of achieving compliance have been unsuccessful or are not practicable for the particular situation.

4. Campsites in violation of this ordinance will be addresses in accordance with the Deschutes County Removal of Unsafe Encampments on County-Owned Property Policy No. GA-23.