

# TIGARD MUNICIPAL CODE

## **Chapter 7.80 CAMPING PROHIBITED IN CERTAIN PLACES**

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### **7.80.010 Definitions**

As used in this chapter:

A. "To camp" means to set up, or to remain in or at, a campsite.

B. "Campsite" means any place where any bedding, sleeping bag, or other sleeping matter, or any stove or fire, is placed, established, or maintained, whether or not such place incorporates the use of any tent, lean-to, shack, or any other structure, or any vehicle or part thereof.

C. "Personal property" means items which are reasonably recognizable as belonging to individual persons and which have apparent utility.

D. "Junk" means items which have no apparent utility or are in an unsanitary condition. (Ord. 94-20)

### **7.80.020 Camping Prohibited in Certain Places**

It is unlawful for any person to camp in or upon any sidewalk, street, alley, lane, public right-

of-way, transit facility or bus shelter, or any other place to which the general public has access, or under any bridgeway or viaduct, unless otherwise specifically authorized by this city or by declaration by the mayor in emergency circumstances. Nothing in this chapter shall prohibit the use of designated picnic areas of public property for cooking, or prohibit camping by permit authorized by the city manager or designee. (Ord. 03-08; Ord. 94-20)

### **7.80.030 Scheduling and Notice of Campsite Cleanup**

A. Cleanup of illegal campsites will be scheduled on an as-needed basis by the chief of police or a designee. Cleanups at sites where permanent signs are posted, as described in subsection B of this section, cannot occur any more frequently than once every 10 days except as provided otherwise herein.

B. In locations where campsites are regularly established, permanent signs may be posted announcing that personal property will be removed and stored. Once the permanent sign is erected, no further notice is required in order to clean up illegal campsites in the area. In areas where no permanent sign is posted, notice will be posted and distributed in the area of the scheduled cleanup at least 24 hours before the cleanup.

C. Notwithstanding subsections A and B of this section, cleanup of campsites on both public and private property and regardless of the existence of a permit, where the following conditions exist, as determined by the chief of police or his/her designee, may take place, as necessary, without notice:

1. Conditions which are unsanitary or cause offensive odors, such that an immediate threat to public health exists; and
2. Conditions of illegal activity.

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D. At the time of the cleanup, written notice will be posted and distributed announcing the telephone number where information on picking up the stored property can be obtained during normal business hours.

E. Written notices, including permanent signs, will be in both English and Spanish. (Ord. 94-20)

## **7.80.040 Removal, Storage and Retrieval of Personal Property**

A. Personal property as defined by this chapter, will be separated during cleanups from junk. Junk will be immediately discarded. Items of personal property will be turned over to the police department and stored. The personal property shall be stored for no less than 10 days, during which time it will be reasonably available to persons claiming ownership of the personal property.

B. The police department shall arrange in advance for a location to store personal property. The storage facility should be reasonably secure. The location should be reasonably accessible to the cleanup area and preferably served by public transportation.

C. Any personal property that remains unclaimed for 10 days after the cleanup shall be disposed of or sold. Such disposal or sale shall take place pursuant to Section 2.52.030 of this code, except that the items need not be held for the 90-day period described therein.

D. Weapons, drug paraphernalia, and items which reasonably appear to be either stolen or evidence of a crime may be retained by the police department. (Ord. 94-20)

## **7.80.050 Camping in Railroad Right-of-Way**

The city has the authority to abate illegal camping located in a railroad right-of-way provided that the city has been given such authority by the owner of the railroad property. (Ord. 94-20)

## **7.80.060 Violation**

Violation of this chapter is a nuisance affecting public health as described in Section 6.01.050.C of this code. Such violation is a Class 1 civil infraction and may be processed under Chapter 1.16, Civil Infractions. (Ord. 12-02 §3; Ord. 94-20)

## **7.80.070 Nonexclusive Remedy**

The remedy described in this chapter shall not be the exclusive remedy of the city for the acts described herein. (Ord. 94-20) ■