

RESOLUTION NO. 09-2024

A RESOLUTION APPROVING A CAMPSITE REMOVAL AND PROPERTY STORAGE POLICY

WHEREAS, the City Council now seeks to clarify how the city will remove campsites and storing of personal items from the campers; and

WHEREAS, the City Council adopted Ord. No. 976 on June 23, 2023, which became effective on July 23, 2023, establishing camping regulations and campsite removal policy; and

WHEREAS, to implement Ordinance 976, a policy is needed to clarify how the city removes campsites and the storing of personal items from the various campsites; and

WHEREAS, a policy is needed to assist with determining what personal belongings are to be stored and for how long; and

WHEREAS, within the policy the city has established a system and facilities to store personal belongings of the campers that their request or that are left behind; and

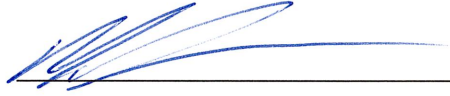
NOW, THEREFORE, BE IT HEREBY RESOLVED by the Common Council of the City of Madras as follows:

- SECTION 1:** Identifying campsites for removal.
- SECTION 2:** Defines the notice-except for situations subject to the exceptions set forth in ORS 195.505(9)
- SECTION 3:** Outlines the removal process.
- SECTION 4:** Defines personal property, trash, weapons and drugs.
- SECTION 5:** Defines the timeline for property storage.
- SECTION 6:** Defines the retrieval process of personal items from the storage container.
- SECTION 7:** Defines how the city will suspend removals for severe weather.
- SECTION 8:** Defines how the city will maintain a list of personal items stored.
- SECTION 9:** Defines what items are to be stored.
- SECTION 10:** Defines out what the non-storage items are.

APPROVED by the Common Council of the City of Madras and signed by the Mayor this 28th day of May 2024.

Ayes: 6

Nays: 0
Abstentions: 0
Absent: 0
Vacancies: 0



Mike Lepin, Mayor

ATTEST:



Keli Pollock, City Recorder

**City of Madras
Campsite Removal and Property Storage Policy**

Approved by the City Council on **DATE**, via Resolution No. **XXX**.

1. Identifying Campsites for Removal

- a. The City will remove campsites in accordance with the City's Camping Regulations and Campsite Removal regulations codified in MMC 9.30 (Ord. No. 976).

2. Notice – Except for situations subject to the exceptions set forth in ORS 195.505(9)

- a. The City will provide 72-hour notice prior to campsite removal.
- b. Notice location:
 - i. The City will post within 30 feet of the property that is subject to removal.
 - ii. The City will take steps to ensure that the posting is visible and not obscured from view.
 - iii. The City's posted notice will be placed in a protective cover or other steps will be taken to
 - iv. ensure that the notice is protected when rain is forecasted for any of the three-days following the posting.
- c. The City will offer trash bags and sharps receptacles to residents present and outside at the campsite at the time the City posts notice.
- d. The City's posting notice will:
 - State the hours of operation and phone number for City storage.
 - Describe the process for claiming or retrieving property that is removed.
 - State that all personal property will be stored for 30 days from the date it is removed.
 - The City's posting notices will refer people to social services that may be available to them.
- e. The City will send an employee or agent to a campsite scheduled for removal no less than 12-hours prior to the removal, to notify residents in the area of the exact date of the removal.
- f. The City will post the following information on a public-facing website:
 - i. Information on retrieving personal property, including:
 1. The hours of operations of the City storage
 2. The phone number for the City storage
 3. The process for retrieving or claiming property
 4. A statement that no identification or name is required for obtaining removed property unless obtaining prescription medications, personal identification or credit cards (in which case

- name is required)
 - 5. A statement that there is no fee, fine, ticket or citation for retrieving personal property.
 - 6. The parameters and process for requesting extension of time.
 - 7. Procedures for obtaining weapons or evidence held by law enforcement.
- ii. That residents at a campsite will be given at least one hour after City agents arrive before City agents will remove personal property.
- g. City agents posting notice will offer campsite residents present and outside at the time of posting, a document with the information identified in Section 2-Notice of this document.
 - h. Upon posting notice at a location, the City will inform all homeless outreach social service organizations, including but not limited to, Jefferson County Faith Based Network, Jefferson County Public Health, J Bar J, Confederated Tribes of Warm Springs Behavioral Health.

3. Removal process

- a. Upon arriving at a campsite location for removal, City agents will take reasonable steps to make all persons present aware that there will be a removal and cleanup. At the time, City agents will notify residents that personal property will not be removed for at least one hour. However, trash pickup will begin immediately, and City agents will reasonably coordinate with residents to identify trash.
- b. People may observe City employees or agents performing removal and may assist residents removing their property, provided that they do not interfere with the work of City employees or agents, and they comply with reasonable requests of City employees or agents related to actions that interfere with the work of City employees or agents.
- c. The City or its agent will maintain a database of personal property removed from campsite removals and stored at a City storage. This database will include:
 - i. The date of the removal
 - ii. Location of the removal
 - iii. Date when personal property can be destroyed, donated, or disposed of.
 - iv. Date and status of disposition of personal property (e.g., picked up on 5/24; disposed of on 5/24; donated on 5/24).
 - v. A photograph evidencing each bag of personal property stored. The items in each bag will be reasonably separated so that separate articles

- of personal property are identifiable in the photograph.
 - vi. A description of personal property by type and color
 - vii. Any identifying code provided for the property.
 - viii. If no identifying code is provided, identification of the property to a particular tent or structure.
 - ix. Indication if specially stored.
- d. Residents present and outside at the time of a removal will be offered a business card with the phone number of the City storage where their property can be retrieved.
 - e. If a resident is present at the time their personal property is being removed, they may provide an identifying code (i.e., name, number, etc.). City agents will place the identifying code on each bag of personal property belonging to that person. The identifying codes will be included in the database.
 - f. Nobody will be required to associate an identifying code with their property. City agents will take reasonable steps to return personal property to residents while the personal property remains at the campsite location, even after property has been bagged or placed on the truck for removal.
 - g. The City will photograph the campsite location, including property and garbage, prior to bagging items.

4. Personal property, trash, weapons, drugs

- a. The City will store all personal property, meaning any item that can be reasonably identified as belonging to an individual and has apparent value or utility.
 - i. Property kept greater than 15 feet away from a campsite will generally not be considered to belong to an individual unless specific circumstances during the removal or cleanup suggest otherwise.
 - ii. Property kept within a pile of insanitary or non-utile property will generally not be considered to belong to an individual unless specific circumstances during the removal or cleanup indicate otherwise.
- b. The City will discard upon removal items that have no apparent value or utility or are in an insanitary condition.
 - i. An insanitary condition is a condition or circumstance that will likely

lead to injury or health problems for individuals in the vicinity, including but not limited to areas where hazardous or contaminated materials are stored in a manner that is not likely to protect those in the vicinity. Personal property is not deemed to be in an unsanitary condition solely due to wetness from outdoor weather conditions.

- ii. A substance or material is hazardous or contaminated if it is capable of posing an unreasonable risk to health, safety, and property, when contacted or transported.
- c. The mandatory storage and non-storage policy, as stated herein, provides additional guidance on how items are evaluated for storage.
- d. The City will provide all deadly weapons—instruments, articles, or substances specifically designed for and presently capable of causing death or serious physical injury—to law enforcement for storage.
- e. The City will store unexpired prescription medication. However, expired prescription medication, illegal drugs, or a mixture of pills contained in a prescription medication container will be disposed of as medical waste unless it is provided to law enforcement as evidence of a crime.
- f. The City will not limit the number of articles of personal property stored for any individual person.
- g. Redeemable bottles and cans collected together in a bag will be stored as personal property.
- h. The City will store all identification, money, credit/debit cards, and prescription medication, in a bag separate from other personal property.

5. Timeline for property storage.

- a. The City will store all personal property for no less than 30 days. Certain personal property will be stored longer, as indicated below.
- b. The City will store prescription drugs contained in their prescription bottles until expiration of the prescription.
- c. The City will store identification, credit cards, debit cards, and money for no less than one year from the date of removal, unless evidence of a crime.

- d. The City will extend the period of time for which personal property is stored in up to 90- day increments for individuals experiencing extenuating circumstances that impede their ability to retrieve their personal property, such as a hospital stay, incarceration, or pending housing or shelter. A request for extended storage can be made by calling the number for the storage warehouse. The City may request reasonable documentation of the extenuating circumstances.

6. Retrieval processes

- a. Persons requesting to retrieve personal property shall make a request to the City at least 24 hours in advance of when they would like to obtain the items by calling 541-475-2344 Ext. 3.
- b. The City will not require persons to provide identification to recover personal property stored following a removal.
- c. The City will generally not require a person to give their name to recover personal property; however, the correct name will be required for recovery of identification, credit cards, debit cards, and prescription medication.
- d. To recover personal property, a person must provide the approximate date and place of the removal as well as a description, by color and type of certain articles of property. Upon accurately describing certain property, the person will be allowed to retrieve all property reasonably associated with that property either by identifying code or identified tent. The City will not take further steps to verify whether the person is the owner of the property.
- e. If a person provided an identifying code at the time of removal, they may collect their personal property by providing that identifying code without describing any personal property.
- f. The City storage for personal property will remain open and staffed 8:00 AM to 5:00 PM Monday through Friday.
- g. The phone number (541-475-2344 Ext. 3) listed on the posting notices will generally be answered from 8:00 AM to 5:00 PM Monday through Friday. This phone number will direct to a voice message system that informs the caller of the operating hours of the warehouse, and the requirements for retrieving personal property.
- h. City storage where the City stores personal property will clearly state the operating hours on the outside of the structure.

7. Weather

- a. The City will suspend removals during severe winter weather or when the National Weather Service issues an excessive heat warning for Portland.

8. Improvement

- a. The City will maintain the database identifying personal property that is removed and stored for not less than 2 years.
- b. The City will maintain a system by which individuals can complete a complaint/feedback form either online or by requesting a form from a City employee or agent either at a removal or at storage when retrieving personal property. These complaint and feedback forms can be used to submit general feedback or to submit a request for reimbursement for lost or damaged property.
- c. The City will maintain a system for tracking complaints by type in order to identify areas for improvement. The City will also track information on property retrieval versus disposition.

9. Mandatory Storage Policy

- a. All City contracted campsite cleanup crews are instructed to store the items identified below, regardless of condition:
 - Tents regardless of condition (soiled, ripped, wet, etc.)
 - Tarps unless damaged beyond useful purpose
 - Sleeping Bags/Blankets
 - Boots/Shoes
 - Backpacks/Purses
 - Cash/debit cards/Oregon Trail Card (cash must be counted and photographed in the field)
 - Prescribed medication
 - Any form of personal identification i.e.: Driver's License, Social Security Card, Birth Certificate, Passport, TPI Card, etc.
 - Bikes/Bike Trailers (If operable and in working order)
 - Tools (not fasteners i.e., screws, bolts, nails)
 - Cell Phones/Computers/Electronic Devices

10. Non-Storage Policy

- a. City contracted campsite cleanup crews cannot store any of the following, except as specified:
- Pets
 - Food/Beverages – Except food and beverages that are in an unopened container and are non-perishable for the next 30-days.
 - Water-logged items – Except items on the mandatory store list unless (except as otherwise excluded below), which will be stored in a separate bag from other, dry items.
 - Items so contaminated with human or animal bodily fluid or waste; vermin, bugs, insects, or other materials that are known to be harmful, that the item is either unusable or exposure to the item during transportation and storage will likely lead to injury or health problems for people who are exposed to the item.
 - Gasoline, kerosene, lighter fluid—Except kerosene or lighter fluid will be stored if they are in their original, capped, undamaged container.
 - Empty gasoline cans containers— Except such empty containers or cans will be stored if they no longer have gasoline residue or fumes emanating.
 - Propane tanks – Except propane tanks of 16 oz. or less that are not damaged will be stored.
 - Charcoal, cooking/heating briquettes/wood chips and wood pellets – Except such materials will be stored if they are contained within a bag or container of 25lbs or less.
 - Portable or makeshift toilets
 - Explosives of any type
 - Shopping carts
 - Liquor, beer, or wine
 - Illegal substances, controlled substances, or drug paraphernalia under state or federal law
 - Bleach, ammonia, other hazardous chemicals – Except in original, capped, undamaged container of less than 1 gallon will be stored.
 - Hazardous materials and environmental pollutants (e.g., degreasers, fertilizers, drain cleaners, paint thinner, pesticides).
 - Electrical storage system (i.e., batteries) with corrosion or damage.
 - Miscellaneous bicycle parts – Except miscellaneous bicycle parts will be stored if there are indicia that the parts belong to an individual and there are two or fewer of each, working, bicycle part.
 - Building materials that appear to be found or repurposed materials, not originally designed to be used as building materials, such as cardboard and pallets.