



# CITY OF West Linn

## CAMPING CODE CHANGES FAQ

Q: What are camping ordinances?

A: Camping ordinances are local rules about camping. They are part of municipal code in many cities, including West Linn. “Camping” can refer to persons experiencing homelessness who may sleep outside on public property. West Linn’s City code currently prohibits camping on public property without a permit in **Chapter 5.565**, and must be modified in accordance with new state law.

Q: How many people camp in West Linn?

A: Not many. **Clackamas County’s 2019 count** estimates five individuals, but City staff report their experiences in recent years suggest even fewer.

Q: How has the City handled camping in the past?

A: The West Linn Police Department has partnered with local faith-based volunteers, our Community Services director, and our community behavioral health specialist to offer voluntary relocation services and accommodation of resources whenever possible. There are no shelters available within City limits (the nearest being in Oregon City).

Q: Why do we need to change City code regarding camping?

A: In 2021, to comply with federal rulings (*Martin v. Boise* and *Blake v. Grants Pass*), the State of Oregon enacted House Bills **3115** and **3124**, which change how cities may regulate camping and homelessness. Aimed at providing compassionate protections for those experiencing homelessness, these new laws require any camping ordinances in City code to be modified to comply with new standards. West Linn’s code currently prohibits camping on public property, so it must be brought into legal compliance with the new standards before July 1, 2023.

Q: What changes must be made exactly?

A: Some language needs to be removed. No cities in Oregon can prohibit camping on public property *unless there is somewhere else within city limits for houseless individuals to go that is a reasonable option for them to obtain shelter*. The courts have ruled it unconstitutional to punish people experiencing homelessness for basic human needs—such as sleeping, sitting, or trying to keep warm and dry in public—if they have no reasonable alternatives within City limits.

For example, some shelters do not allow pets; such shelters may not be considered reasonable options for homeless persons with pets. Some may require sobriety, or have restrictions related to religion or gender



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that may make houseless individuals ineligible for services. West Linn does not have any shelters within City limits, so camping cannot be prohibited outright. Our code must change to reflect that.

Q: Is there any way to regulate camping other than prohibiting it?

A: Potentially. Cities can place “reasonable time, place, and manner” restrictions on camping. Some possible examples might be restricting camping at a specific location to a certain time of day, or to designated “safe sleep/camp zones.” What restrictions may be considered “reasonable” have not yet been tested in court, so many questions remain.

Q: What if there are unforeseen problems? Can the code be changed later?

A: City Council can always opt to make code changes in response to public input or new issues. For example, if the need arises, City code can be modified at any time to impose reasonable restrictions (described above) on camping.

Q: What about private property? Can anyone come camp in my yard?

A: Only public property owned by the City, such as parks or right-of-way spaces, will be affected by the new laws. Private property will not be affected. Owners of private property will have control over the use of their own property.

Q: What about houseless individuals who are breaking the law in other ways, like using illegal drugs?

A: The new law only indicates that people cannot be punished for sleeping, sitting, laying, or protecting themselves from weather in public spaces. Illegal behaviors remain punishable by law, as they are for anyone who commits a crime.

Q: How can I get involved in shaping new City code?

A: Council will hold a directed work session on May 8, 2023, with attorney Bill Monahan at 6:00 PM. Public opinion will be solicited and legal options discussed. The City will invite the public, civic, school, faith, and community leaders to attend, as well as area social service providers. Following public input, City Council is expected to consider and adopt new language at their May 15 meeting.

Q: How is the City notifying the public of the upcoming changes?

A: The City has launched a comprehensive hub page on our website that includes case law history, information on both bills, code change needs, detailed FAQ, Council meeting dates, next steps, and additional resources. This information will be publicized in our weekly newsletter, social media platforms, and local



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newspaper through coordinated campaigns, as well as shared with civic, school, faith, and community leaders for wider distribution.

Q: How can I support agencies working to address homelessness?

A: The **West Linn Food Pantry** and **Clackamas County Coordinated Housing Access** serve West Linn and its unincorporated land. They can also connect interested volunteers and donors to partner organizations throughout Clackamas and neighboring counties. You can **sign up for news** from Supportive Housing Services and the county's other housing and homelessness work as well.

Q: Where can I find more information about case law and the House bills?

A: Read about Ninth Circuit Court decisions ***Martin v. Boise*** and ***Blake v. Grants Pass***.

**House Bill 3115** establishes that by July 1, 2023, local laws regulating the acts of sitting, lying, sleeping, or keeping warm and dry in outdoor public spaces must be reasonable with respect to persons experiencing homelessness.

**House Bill 3124** lengthens the amount of time that notice must be posted prior to removing houseless individuals from established camping sites from 24 to 72 hours. Unclaimed personal property must be given to a law enforcement official, a local social services agency, an outreach worker, or a person authorized to issue a citation. For all communities outside Multnomah County, unclaimed property must be stored within the community from which it was removed.

Q: I have more questions or want to provide feedback. Who can I contact?

A: City Manager John Williams and staff welcome public queries at [webmaster@westlinnoregon.gov](mailto:webmaster@westlinnoregon.gov). Community Relations Coordinator Danielle Choi can be reached at [dchoi@westlinnoregon.gov](mailto:dchoi@westlinnoregon.gov) or 503-742-8609, and City Council at [citycouncil@westlinnoregon.gov](mailto:citycouncil@westlinnoregon.gov). We encourage community members to join the May 8 Council Work Session **online** or in person to learn more.