



CITY OF PORTLAND

**AMEND CITY ORDINANCE TO
COMPLY WITH HB
3115**

BACKGROUND

HB 3115

- Passed in the 2021 state legislative session.
- Requires all cities and counties to ensure their public camping ordinances are “objectively reasonable as to time, place, and manner with regards to persons experiencing homelessness.”
- Operative July 1, 2023.

9th Circuit Martin vs. Boise

TIME

- Camping permitted only between 8 p.m. and 8 a.m.
- After 8 a.m., all items must be packed away and the campsite removed.
- Similar to the City of Beaverton's proposal.

PLACE

An involuntarily homeless person may not camp in the following places at any time:

- On a Pedestrian Plaza
- On City docks
- In the pedestrian use zone (sidewalk)
- In a Park
- Within 250 feet from a preschool, kindergarten, elementary, secondary, or a childcare center
- Within 250 feet from a safe parking site, safe rest village, or sanctioned camping location
- Within 250 feet of lot or parcel containing a construction site governed by a building permit
- In the public right-of-way along “High Crash Network Streets and Intersections”
- Within 250 feet of an Environmental overlay zone or River Natural overlay zone
- Areas posted no-trespassing by City bureaus.

MANNER

An involuntarily homeless person may not camp in the following places at any time:

- Obstruct access to private property or businesses adjacent to the public right-of-way.
- Start or maintain any fire for the purposes of burning any combustible material in or around the campsite. Use a gas heater in or around a campsite.
- Set up any type of permanent or temporary fixture or structure of any material(s) in or upon public property or public right-of-way.
- Store personal belongings, or other objects, in a total area encompassing more than ten square feet outside the tent or readily portable shelter.
- Assemble, disassemble, sell, offer to sell, distribute, offer to distribute, or store three or more bicycles or two or more automobiles, a bicycle frame with the gear cables or brake cables cut or an automobile with the battery or one or more tires removed, two or more bicycles or automobiles with missing parts, or five or more bicycle or automobile parts.

ENFORCEMENT

- For a first or second violation, a violator will be given a written warning identifying the provisions that were violated.
- A third or subsequent violation, after either two prior written warnings, or a prior conviction under this Subsection, within the previous year, is punishable by a fine of not more than \$100 or by imprisonment for a period not to exceed 30 days, or both.
- The two written warnings and associated violation under this Section must each occur no less than 24 hours apart.
- Post-citation diversion may include: treatment, shelter and services is preferred and the city will continue working with our partners at the District Attorney and Multnomah County Court offices on various alternatives.

NEXT STEPS
EDUCATION &
AWARENESS

Communication Items

- Website
- Printed hand-outs
- Virtual office hours

Outreach

- Street Services Coordination Center
- Impact Reduction Program
- Portland Street Response
- Joint Office of Homeless Services
- Coordination with Community-Based Organizations