

**ORDINANCE NO. 900**

**AN ORDINANCE OF TOWN OF LAKEVIEW ESTABLISHING CAMPING REGULATIONS.**

WHEREAS, the Town of Lakeview Town Council (“Council”) recognizes the competing concerns surrounding homeless individuals camping on public property within the Town of Lakeview (“City”) and desires to implement regulations to address these concerns;

WHEREAS, ORS 195.530 requires that any city law that regulates the acts of sitting, lying, sleeping or keeping warm and dry outdoors on public property that is open to the public must be objectively reasonable as to time, place and manner with regards to persons experiencing homelessness;

WHEREAS, the Council and Town staff solicited input concerning Town camping regulations from members of the community including interested stakeholders and organizations that assist low-income and/or homeless members of the community;

WHEREAS, the Council has received important and useful information and input from the community concerning Town camping regulations;

WHEREAS, the Council held a Regular session concerning proposed camping regulations on July 11, 2023. A public hearing was held during the Council meeting on February 16, at the Town Hall at 525 North 1<sup>st</sup> Street at 5:00 P.M. at which time and place all persons had an opportunity to appear and object to the camping regulations; and

WHEREAS, the Council finds that the camping regulations as stated in Exhibit A and the amendment to ORS 195.530 Municipal Code (“OMC”) Section 2.2 are in the public interest.

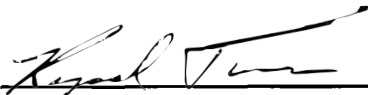
NOW, THEREFORE, THE TOWN OF LAKEVIEW ORDAINS AS FOLLOWS:

1. Findings; Definitions. The above-stated findings are hereby adopted.
2. Purpose. The purpose of this Ordinance No. 900 (this “Ordinance”) is to minimize any adverse public safety and health impacts of camping on City property while providing some areas of City property, in the absence of alternative forms of shelter, where homeless persons may keep warm and dry while resting and/or sleeping.
3. Adoption of Camping Regulations. The Council hereby adopts the camping regulations as stated in Exhibit A
4. Interpretation; Severability; Errors. All pronouns contained in this Ordinance and any variations thereof will be deemed to refer to the masculine, feminine, or neutral, singular, or plural, as the identity of the parties may require. The singular includes the plural, and the plural includes the singular. The word “or” is not exclusive. The words “include,” “includes,” and “including” are not limiting. All prior and contemporaneous agreements, discussions, understandings, and negotiations, whether written or oral, express or implied, are merged herein, and to the extent inconsistent herewith, are of no further force and effect. The provisions of this Ordinance are hereby declared severable. If any section,

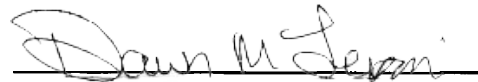
subsection, sentence, clause, and/or portion of this Ordinance is for any reason held invalid, unenforceable, and/or unconstitutional, such invalid, unenforceable, and/or unconstitutional section, subsection, sentence, clause, and/or portion will (a) yield to a construction permitting enforcement to the maximum extent permitted by applicable law, and (b) not affect the validity, enforceability, and/or constitutionality of the remaining portion of this Ordinance. This Ordinance may be corrected by order of the Council to cure editorial and/or clerical errors.

APPROVED AND ADOPTED by the Town Council of the Town of Lakeview and signed by the Mayor this 22 day of August, 2023.

Ayes: 5  
Nays: 0  
Abstentions: 0  
Absent: 0  
Vacancies: 0

  
By: Mayor Ray Turner

ATTEST:

  
Dawn Lepori, City Recorder