



## CITY PARKS ADVISORY BOARD *Agenda*

520 E. Cascade Avenue - PO Box 39 - Sisters, Or 97759 | ph.: (541) 549-6022 | [www.ci.sisters.or.us](http://www.ci.sisters.or.us)

**Wednesday, April 5, 2023 – 4–5 P.M.**

520 E. Cascade Avenue, Sisters, OR 97759

Meeting is in person at Sisters City Hall, but also available on this [Zoom link](#):

Zoom Password: 665270

- I. **CALL TO ORDER / DETERMINATION OF QUORUM / ADOPTION OF AGENDA**
- II. **VISITOR COMMUNICATION:** This is the time provided for individuals wishing to address the Board regarding issues that are not on the agenda. Please state your name and address at the time the Chair calls on you to speak.
- III. **APPROVAL OF MINUTES:**
  - A. November 2, 2022 (Exhibit A)
  - B. December 7, 2022 (Exhibit B)
- IV. **STAFF**
  - A. Review a Draft Ordinance to Establish Camping Regulations (Exhibit C)
  - B. Creekside Park Memorial
  - C. Arbor Day Tree Planting (Exhibit D)
- V. **UPDATE FROM SISTERS PARKS AND RECREATION DISTRICT**
- VI. **OTHER BUSINESS/OPEN DISCUSSION**
- VII. **ADJOURN**

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City Parks Advisory Board – Meeting Minutes  
Wednesday, November 2, 2022 – 4:00 P.M.  
520 E. Cascade Avenue, P.O. Box 39, Sisters, OR 97759

City Parks Advisory Board Attendees:

Board Members: Dana Bratton, Molly Baumann, Eli Madrone, Asa Sarver  
Absent: Emily Curtis, Jeff Tryens  
Council Representatives: Gary Ross  
Staff: Scott Woodford, CDD Director, Paul Bertagna, Public Works Director  
Visitor: Colin McArthur, Zach Rix, Alli Langley, Sue Stafford, Nugget Newspaper,  
Jennifer Holland, SPRD  
Recording Secretary: Kerry Prosser

I. CALL TO ORDER

*Board Chair Bratton* called the meeting to order at 4:00 pm.

A quorum for this meeting has been established.

A motion was made to approve the agenda for Wednesday, November 2, 2022. The agenda was approved and seconded. Motion passes.

II. VISITOR COMMUNICATION – None

III. APPROVAL OF MINUTES – July 6, 2022

*Board Member Madrone* made a motion to approve the July 6, 2022, minutes as presented.

*Board Member Sarver* seconded. Motion passes.

IV. STAFF

- A. Update on Whychus Creek Improvements in Creekside Park.
- B. Adopt a Dog Park Statement – Each Board Member to provide an update to the group on their observations/experience with their “adopted park”.
- C. “Scavenger Hunt Game” – Identify the image of the park.
- D. Parks Master Plan – update to be provided at the 12/7/22 CPAB meeting.

Update on the Whychus Creek Improvements in Creekside Park.

*Director Woodford* stated that he did not know that Director Bertagna has going to be out of town when putting this agenda together and does not have an update for this. He does have an email to Mathias Perle with Upper Deschutes Watershed Council to give us an update. When the email comes through, he will send it out to the group.

*Board Chair Bratton* asked if the group has had an opportunity to see the improvements. The Elementary School planted a bunch of trees there, the rails are up, the steps are in, the fish ramp is in and most of all the things.

*Councilor Ross* stated that there was a small amount of railing to be completed in the Campground side between the restroom and Locust St. It may be about 20 more feet and the materials are there, so he expects it to be done soon. A decision has been made to let the rails age naturally so they will gray up rather than stain them. It will look more rustic and that is what we want.

*Board Chair Bratton* asked if the City Council's consensus has been positive.

*Councilor Ross* stated that the City Council has been very happy. There are three (3) Councilors that live in that neighborhood, so we see it on a regular basis. He stated that he is very pleased with the work, and it looks like it has been there for centuries rather than just weeks.

*Board Chair Bratton* stated that he has enjoyed watching it happen when they moved the equipment on which was very noticeable, and he was able to share that with a lot of the people asking about it. The fence is great and before it was installed, and when speaking about the fence, it just feels like it is right and certainly keeping people off those riverbanks by pointing them in the right direction and proper river access.

Adopt a Dog Park Statement – Each Board Member to provide an update to the group on their observations/experience with their “adopted park”.

*Board Chair Bratton* stated that he has two things that are on the lighter side – earlier in the year, Board Member Tryens encouraged us to all adopt a park, we talked about doing that and we did it. He stated that he had coffee with each of the Board Members, asked them if they had a preference, and it became clear who wanted to observe what park, and now hoping for some ownership of one of parks in town. He asked each of the Board Members how they felt about their park and did you learn something new.

*Board Member Baumann* stated that she has Clemens Park and chose that one because for three (3) years in a row, my oldest son had birthday parties there, and like the park because it is nice and open. It is one of those parks when we first moved here, we could go to and use because it was nice and sunny. Since the meeting, she has not been there as often, however, she was there for the Hoodoo Alpine Race Team Dryland Training about two months ago which was the perfect spot for it. It is a park with nice open space, sunny, and the kids could run around and play soccer, etc. and not too many tourists.

*Board Member Madrone* stated that he has the parklets and there are a lot of things going on in them. He has been to Saddlestone for a birthday party several times, and that is being well used by the neighborhood as a destination and for events because it has a covered parkway as well as my neighborhood in Clear Pine having the same thing. The community uses it for their functions such as potlucks, etc. The one that is being used a lot is the new one in McKenzie Meadows because it is so dense over there. People are using these little parks more than he thought. The one over by Pine Meadow with the great views has constant traffic and people are kind of afraid to use other than having a picnic, etc.

*Board Chair Bratton* stated that he visited all the parks this past Saturday and there was a football game on, but they were all very quiet. We thought about seasonally of the parks, busy in the summer and quiet in the winter and clearly shoulder season with painting, etc.

*Board Member Sarver* stated that he has Fir St. Park where there is always a lot of action and seems like the sign-up spot for many events including Halloween, or the Harvest Festival, etc. The only negatives he has seen there are some serious skateboarding action happenings. There is also a huge tree where he has seen kids at the top.

*Board Member Baumann* stated that this is something she wanted to bring up at the meeting. There are a lot of kids climbing that tree and she has gone up to them and asked them to stop climbing the tree because it looks as though their legs are getting caught in the lights in the tree. She stated that her concern is that when we go to do the tree lighting, we are not going to have lights that work, etc. She stated that she wanted to ask the City what is the policy, and would it be necessary to label every single tree in the park saying, "please do not climb this" because then it becomes a liability. In this specific example, what can the City do in the future to ensure that we do not have kids climbing that tree and ruining the lights.

*Councilor Ross* stated that this is his first-time hearing this and his perspective in sharing this with Director Bertagna in Public Works, it is not so much with them damaging the lights, but getting entangled in the lights which could cause a fall, injury, and even worse, the possibility of a shock. He stated that he did want to talk about the exercise equipment and it has been his experience that they do not get used a lot. It is a feel good structure, people feel good about it, and some people that use it, but they seem to be the least used structures that were there. Some of the runners use them to stretch, but that is about it.

*Board Chair Bratton* stated that Board Member Curtis had Village Green Park but is not here for a report.

*Board Chair Bratton* stated that Board Member Tryens had Creekside Park but is not here for a report.

*Board Chair Bratton* stated that he has the Urban Trails, and the Whychus Creek Greenway is what he calls it. It is east of town and when we first talked about it, he said it would be a great place to go and read a book, etc. He stated that he has been down there a couple of times, it is always quiet, there is a little access trail off Timber Creek Dr. and a very nice little spot to feel like you are so close to an urban town and yet so far into an area of quiet and being in a private spot. He stated that with the Urban Trails, he spent a lot of time trying to figure out where they were and how they worked. He has learned a lot from the south end of Pine going north on Pine St. and

likes the trail from the High School to Tollgate with nice benches, etc. One of his favorites is the Smith Ditch water course trail which is an old ditch that goes through Sisters, it has been abandoned, but there are still remnants of that trail. There is the Peterson Ridge complex of all kinds of trails which is outside of town. It has been a goal of his since he joined the Parks Board to understand more about the open space, common areas, and how the parks work.

“Scavenger Hunt Game” – Identify the image of the park.

*Board Chair Bratton* gave a handout to the group wanting to test them on their knowledge of the parks in town. There are 20 images shown where he took them over the weekend, and they are some of the favorite parks. He stated that we have some beautiful park spaces and very diverse. Another thing that came to mind is that the creek is a very big thing in this town, but not spoken about it much, it is beautiful, approachable, and becoming more and more beautiful with what the city is doing on it.

*Board Chair Bratton* discussed the results on his handout that identifies the image in the parks – Village Green Park – (G), Creekside Park – (D), Fir St. (A), McKenzie Meadow (J), Creekside Rail Fence (D), Buck Run Parklet, Whychus Creek Greenway (I), Barclay Park (K), Whychus Creek (I), Fir St. Park (A). The Owl (K), Sign in the Peterson Ridge Trail Complex (M), Pine Meadow Park (L), Veterans Memorial, Wild Stallion Park, Cliff Clemens, McKenzie Meadow (J), Bicycle Repair and Pump Station (G), Creekside Park with the fence.

Parks Master Plan – Update to be provided at the 12/7/22 CPAB meeting.

*Councilor Ross* stated that they did not meet this week because they are in production and there was not much to talk about. We will see the Master Plan on November 16, 2022 – the Planning team will come to the Park Board on December 7, 2022. It will then go to the Planning Commission on 12/15/22. Final plan production will be January 22, 2023, adoption by the City Council. The Planning Commission had some questions that we all talked about with land outside of the UGB, but one of them is that they think Hwy 20 is a barrier, and that when you start drawing service areas around parks, the parks that are within a quarter or half mile from Hwy 20 should not be seen as servicing the other side of Hwy 20. That is one that he will raise as a concern when the time comes because he does not see that it is valid. They wanted to know how much space would be in the East Portal after the multi-modal hub is designed – we will not have that answer until spring. The last one is land supply and what the issues were with future progress on new parks and available land, etc. The decision to be annexed, or to expand the UGB is a discussion that will be long, hard, difficult, and will take at least a year. They are comfortable and felt like they have dealt with all the groups, they have done all of their outreach and documented it, they will have specific recommendations that will appear in the draft on November 16, 2022.

A question was raised about the Transportation Center and what is at that center.

*Commissioner Ross* stated that it is a corporative project between ODOT, CET, the City, etc. The idea is to create a place at the edge of town where you can grab an inter-city bus, grab a local bus, park a car, get on your bike and ride around town, etc. There has been a lot of discussion where we will have electric car charging stations, a 24/7 year-round dump station, etc.

*Board Member Madrone* stated that the Woodlands came to the Board with the sketch of the pavilion and ice rink, etc., and he would push to have that in that area, but it is not zoned properly.

*Councilor Ross* stated that rezoning is more complex and that we need to see what the Master Plan looks like and how much available land there is, what the best use of that land may be, and that kind of a concept of a facility might not fit in there. It might be some other kind of recreational amenity.

*Board Chair Bratton* stated that a comment that Councilor Ross made about it is a great place to grab a bus to here and here, but it is a great place to grab a bus in Bend and come to Sisters and jump off and work in Sisters, or recreate, shop, or whatever. It goes two ways – that Transportation Hub and as we go to a society of public transportation more and more, the population ages, maybe people cannot drive or do not want to drive, now they have an option to come and visit Sisters that might not have been open to them before.

*Board Chair Bratton* stated that this is an advisory board, and in the December meeting, we will go through this again, and Councilor Ross will continue to update us and catch the temperature of our comments and then we can give our opinions. He stated that this year has been intriguing because of this whole Planning process that we are going through.

V. UPDATE FROM SISTERS PARK AND RECREATION DISTRICT

*SPRD Representative, Jennifer Holland* stated that things are hopping at the Parks and Recreation District. Many of you participated or saw the Halloween Parade take over the town on Monday, and getting a letter from the mayor saying how wonderful it was and that was very exciting. We are taking over the tree lighting and the Holiday Parade, so it is event central right now and we have been focused on the car show, Halloween, and now it is the Holiday Parade and tree lighting. We dropped the word Christmas, which was purposeful because we are a public entity, so it will still be the same, fun, and exciting events, but will look a bit different. The same dates, locations, and times as previous years. There will be the tree lighting at 5:30 pm at Fir St. Park. The next day from 2:00 pm – 3:00 pm on Hood Avenue is where the parade will be. We are in the middle of prepping for a public opinion survey as the Board determines how the local option levy renewal will look like, we have a five-year local option levy that gives the district 15 cents per assessed one thousand in addition to the 22 cents per assessed thousand and to put that into context – that 37 cents their permanent tax rate is \$1.50 – we are highly underfunded as a special district so that local option levy is important to operations as a Park and Recreation District.

*Councilor Ross* stated that they had their first meeting for the City Manager with the consultants to look at potential candidates and have identified a number of those candidates. As soon as I know more, I will let you know, but now, we have actually begun the formal process. We started this two months ago, but this is all the consultants working behind the scenes and now they have brought some names forward to us and we are moving forward with those names, etc. As soon as they say that yes, we are interested, and as soon as they say that we can go public, then they will appear in the Nugget. As part as our job as the City Council and hiring a new City Manager, to not break what is going on here, and it is very possible to do that if we are not careful.

VI. OTHER BUSINESS/OPEN DISCUSSION – None.

VII. ADJOURN

The meeting was adjourned at 5:00 pm.

Respectfully submitted,

Carol Jenkins, Recording Secretary



City Parks Advisory Board – Meeting Minutes  
Wednesday, December 7, 2022 – 4:00 P.M.  
520 E. Cascade Avenue, P.O. Box 39, Sisters, OR 97759

City Parks Advisory Board Attendees:

Board Members: Dana Bratton, Molly Baumann, Jeff Tryens, Emily Curtis, Eli Madrone, Asa Sarver  
Council Representatives: Gary Ross  
Staff: Scott Woodford, CDD Director, Paul Bertagna, Public Works Director,  
Visitor: Colin McArthur, Zach Rix, Alli Langley, Sue Stafford, Nugget Newspaper, Jennifer Holland, SPRD  
Recording Secretary: Carol Jenkins

I. CALL TO ORDER

*Board Chair Bratton* called the meeting to order at 4:00 pm.

A quorum for this meeting has been established.

A motion was made to approve the agenda for Wednesday, December 7, 2022. The agenda was approved and seconded.

II. VISITOR COMMUNICATION – None

III. APPROVAL OF MINUTES – September 7, 2022.

*Board Chair Bratton* made a motion to approve the September 7, 2022, minutes as presented.

*Board Member Madrone* seconded. Motion passes.

IV. STAFF

A. Draft Parks Master Plan Update – Presentation from the consultants, Cameron McCarthy, Colin McArthur, Zach Rix, Alli Langley.

*Director Woodford* stated that we are excited to have the draft available for the Board to look at and interested to hear what you have to say about it. As the Advisory Board, you do not have a formal roll in this process for approving the Parks Master Plan, but an advisory commission to the City Council. We want to get your thoughts and input and if you have any comments, you can



always pass them directly onto me, and will pass them on to the consultants. After we get done with the Parks Board tonight, we will be scheduling this to go to the Planning Commission for their review and approval, and then onto City Council. Once Council adopts it, it is good to go. You have not seen this since August, so a lot of work has been done since then. He will be discussing some of the bigger picture items that we want your feedback on.

*Consultant McArthur* discussed the Meeting Agenda for the Planning Process, Facility Inventory and Level of Service, Public Outreach, Needs Assessment, Vision and Goals, Recommendations and Projects, Next Steps following discussion.

*Consultant McArthur* wanted to acknowledge the work of our project management team for this Parks Master Plan Project which included Emily Curtis, Jennifer Holland, Gary Ross, Paul Bertagna, Scott Woodford, Cory Misley, Jackson Dumanch, and Project Manager Troy Rayburn. We greatly enjoyed working with Troy, he was an excellent Project Manager and deserves a lot of credit for helping shape the first two-thirds of this process. Overall, the PMT provided steady leadership, insightful advice all throughout the process and helped us ground the plan in the values of the Sisters Community. They put in a ton of hours, a lot of volunteer hours, reviewing plan content, and helping craft the vision and recommendation. We appreciate all of the efforts and working with such a great group of people.

*Consultant McArthur* stated that he wanted to reiterate some of Director Woodford's comments where the primary purpose of tonight is to present the plan in its entirety to the Parks Advisory Board to identify any substantial changes or refinements needed to advance the plan to the formal adoption process. The Planning Commission and City Council which will occur next year and at this point the plans have been reviewed by city staff, the PMT and refinements that we are doing and we feel very good about the product and are looking forward to hearing feedback from this Board.

Planning Process contains the Project Initiation, Inventory, Public Outreach, Needs Assessment, Goals and Recommendations, Draft Plan and Final Plan. Facility Inventory Table 2.1 City Facility Inventory with the Existing Parks, Total Developed Parkland, Undeveloped Parkland, and Total Undeveloped Parkland. Facility Inventory Table 2.2, Open Space Inventory for Open Space Acres, and Total Open Space. Facility Inventory Table 2.3, School District Facility Inventory, School District Facilities – Elementary School – 13.54 Acres, Middle School – 39.50 Acres, and High School – 150.37 Acres, and Total Acres – 203.41.

*Consultant McArthur* discussed Level of Service, Number of Additional Park Acres Needed to Maintain Current Ratio – Acres of Parkland/1,000 Residents, 2022. Table 3.2 Acres of Parkland with Population, Number of Residents, Ratio (acres of parkland/1,000 Residents and Comparison. Table 3.3 Acres of Parkland per 1,000 resident projections from 2022-2040. Population, ratio with no additional land acquisition (acres of parkland/1,000 residents, number of additional acreages needed to maintain current ratio, Median, Lower Quartile, and Upper Quartile.

#### Level of Service Analysis:

The City's population growth prompts the need to consider how existing park system levels of service can be at least maintained at their current level, if not increased. The National Recreation and Park Association (NPRA) benchmarks help assess Sisters need for park land acquisition and development. To maintain the existing ratio of residents per park, according to the level of service

analysis, Sisters needs to increase the number of City-owned parks over time, be developing roughly one new park every three years. More importantly, Sisters needs to increase the total park acreage by developing at least 6.34 acres of park land, or roughly one park every three years, to maintain its current level of service ratio of park acres per 1,000 residents to 2040.

The city owns 4.55 acres of undeveloped park land and available open space that could be developed to contribute to this level of service. Developing undeveloped park land is critical to maintaining the park system as Sisters currently provides an acreage level of service that is significantly lower than the NRPA median. It is important to note that the City is surrounded by abundant public land managed by the US Forest Service and other agencies, in addition to organizations such as SPRD, the Sisters School District, and Sisters Trail Alliance providing recreation services and amenities. These facilities are used frequently for outdoor recreation by City residents and visitors.

*Consultant Langley* discussed Public Outreach with Activities and Events where they held 10 stakeholder interviews, 4 focus groups – Outdoor Recreation, Arts & Culture, Senior, Youth (Elementary School and High School), 3 Public Events – Sisters Farmers Market, Sisters Concerts in the Park, and an Open House.

Consultant Langley discussed the Needs Assessment Key Findings.

Needs: Broad Park land acquisition/development, New Park facilities in areas experiencing growth, better system connectivity, ADA Accessibility improvements, More shade, More trails, paved and unpaved, Bike infrastructure, Need for more camping facilities for visitors, More visual art and performing art spaces, More kid friendly nature-based play areas, and More park system signage.

Desires: New facilities including – Dog park, Pickleball courts, Natural areas, Senior center, Youth center, Community pool, Performance venue, Ice skating rink. Stronger environmental conservation initiatives including – Water conservation, Tree preservation, Water bottle refill station, Pollinator-friendly landscaping, or gardens.

Vision Statement:

The City of Sisters provides a well-connected park system and diverse outdoor recreation amenities for residents and visitors of all ages and abilities. Our parks, trails, and open spaces conserve natural resources, promote the arts and healthy lifestyles, and support our wellbeing.

*Consultant Rix* discussed Goals:

Prosperous Sisters –

Goal 1. Identify opportunities to promote parks as a destination for community members and visitors.

Connected Sisters –

Goal 2. Create a citywide network of recreation opportunities connected and accessible through a variety of transportation and mobility options.

Resilient Sisters –

Goal 3. Ensure parks and open spaces meet the needs of community members and visitors of all ages, abilities, cultures, and incomes and enhance their physical and mental health regardless of their social identities (e.g., gender, age, race/ethnicity, ability).

Goal 4. Plan, develop, and enhance recreation opportunities and protect valuable scenic views and open spaces.

Goal 5. Identify and pursue funding mechanisms for acquisition, development, maintenance, and operations of facilities.

Livable Sisters –

Goal 6. Promote Sisters community identity in park spaces and use parks to tell untold stories to encourage multicultural and multigenerational gatherings.

Goal 7. Promote the development of park and recreation facilities that minimize impacts to natural areas and habitats, particularly those that are environmental sensitive.

Goal 8. Sustain and enhance partnerships with residents, community groups, and other agencies including Deschutes County, the Sisters School District, Oregon Parks and Recreation Department, and the U.S. Forest Service to integrate and manage recreational resources in a collaborative and cost-effective manner.

*Consultant Rix* discussed the Planned Projects and Prioritization with Project ID, Project Title, High for FY 2023-2027, Medium FY 2028-2032, and Low FY 2033-2043. He discussed Recommendations and Projects for the Proposed Park System / Mini Park Development Projects, Neighborhood & Community Park Development Projects, Special Use Park Development Projects, and Undeveloped Open Space Development Projects.

*Consultant McArthur* discussed Funding and Operations and Maintenance:

Funding Projects for General Fund Subsidy, Park User and Event Fees, Park System Development Charge (SDC), General Obligation Bonds, Alternative Funding – Grants, Donations, Partnerships, and other (incl. sale of surplus properties).

Operations and Maintenance – Local Option Levy, Grants and Donations, Operating Efficiency, Volunteers, and Park Service Revenue.

Next Steps:

Draft Plan Refinements: Park SDC analysis and CIP project eligibility, GO Bond Detail (future NW Park project), Project Prioritization Table breakout, Facility Inventory Summary table, Land Acquisition Areas.

Adoption:

Planning Commission (January 2023)

City Council (February 2023).

- V. UPDATE FROM SISTERS PARKS AND RECREATION DISTRICT
- VI. OTHER BUSINESS / OPEN DISCUSSION
- VII. ADJOURN

*Board Chair Bratton* adjourned the meeting at 5:30 pm.

Respectfully submitted,

Carol Jenkins, Recording Secretary





## City Parks Advisory Board Agenda Item Summary

**Meeting Date:** April 5, 2023

**Type:** Workshop

**Subject:** Draft Camping Ordinance and Campsite Removal Policy.

**Staff:** Green, Prosser

**Dept:** CMO

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**Action Requested:** Review and comment on the draft camping ordinance and campsite removal policy.

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### Summary Points:

The Sisters City Council is considering regulations concerning the time, place, and manner in which camping may occur on property owned or controlled by City, including public rights-of-way. As part of this effort, the City has circulated a draft camping ordinance and campsite removal policy amongst various stakeholders for review and comment.

The intent of the camping ordinance is not to solve houselessness but rather comply with certain legal requirements imposed on local governments when regulating their public space. Pursuant to federal court rulings and recent Oregon legislation, a municipality cannot penalize a houseless person for resting or sleeping on public property unless adequate shelter space or available public property exists to satisfy those needs. State law requires that regulations concerning houseless camping on public property be “objectively reasonable” as to time, place, and manner.

Reasonableness is based on the totality of the circumstances. As a result, “reasonableness” will vary among Oregon’s various cities depending on their particular circumstances. Therefore, the City’s unique characteristics and the opinions of its residents help to inform what is “reasonable.”

The camping ordinance is intended to regulate the time, place, and manner in which persons may occupy public property to help make public rights-of-way accessible and safe to unhoused and housed individuals. For example:

- Time regulations concern the times of day when a person may camp on public property.
- Place regulations identify the public property where camping is not allowed such as on restricted utility facilities or parking lots.
- Manner regulations establish how an individual may camp on City property, such as the size of a camp, items in and around a camp, and prohibitions on open fires, unauthorized electrical hookups and sewage discharge onto streets.

The campsite removal policy concerns the removal and cleaning of campsites, as well as storage and disposition of personal property. The policy largely mirrors ORS 195.505 and should not be revised to provide less protections for the houseless. However, greater protections to the benefit of the houseless may be considered and implemented.



## City Parks Advisory Board Agenda Item Summary

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City staff would like you to review the draft camping ordinance and campsite removal policy and provide feedback to staff. This ordinance has been reviewed by houseless advocates and stakeholders and will also be reviewed by the Public Works Advisory Board before it goes to the council at the April 12<sup>th</sup> workshop.

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### Attachments:

- Draft Camping Ordinance
- Draft Campsite Removal Policy

## ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF CITY OF SISTERS ESTABLISHING CAMPING REGULATIONS.**

WHEREAS, the City Council (the "Council") of City of Sisters ("City") recognizes the competing concerns surrounding homeless individuals camping on public property within City's incorporated limits and desires to implement regulations to address these concerns; and

WHEREAS, ORS 195.530 requires that any city law that regulates the acts of sitting, lying, sleeping, and/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; and

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

WHEREAS, the Council has received valuable input from the community concerning the proposed camping regulations, including input from City's Public Works Advisory Board and Parks Advisory Board; and

WHEREAS, the Council held a work session concerning the proposed camping regulations on \_\_\_\_\_ . A public hearing was held during the Council meeting on \_\_\_\_\_, at the City Hall at \_\_\_\_\_ at \_\_\_\_\_ p.m. at which time and place all persons had an opportunity to appear and comment on the camping regulations; and

WHEREAS, the Council finds that the camping regulations contained in the attached Exhibit A are in the public interest.

NOW, THEREFORE, THE CITY OF SISTERS ORDAINS AS FOLLOWS:

1. Findings. The above-stated findings are hereby adopted.
2. Purpose. The purpose of this Ordinance No. \_\_\_\_ (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 rest and/or sleep.
3. Adoption of Camping Regulations. The Council hereby adopts the camping regulations contained in the attached 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 City Council of the City of Sisters and signed by the mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
By: Michael Preedin, Mayor

ATTEST:

\_\_\_\_\_  
By: Kerry Prosser, City Recorder

DRAFT



Exhibit A  
Camping Regulations

1. Purpose. The purpose of this Ordinance is to (a) maintain streets, parks, and other public areas within City in a clean, sanitary, and accessible condition, and (b) adequately protect the health, safety, and public welfare of the community by addressing time, place, and manner regulations that identify when, where, and how camping on public property is allowed.

2. Definitions. For purposes of this Ordinance, the following terms and phrases have the meanings assigned to them below:

“Alley” means a narrow way providing a means of public or private access to the back or side of a property which is not intended for general traffic circulation.

“Camp” or “camping” means to pitch, erect, create, use, and/or occupy camp facilities for the purpose of habitation, as evidenced by use of camp paraphernalia.

“Camp facilities” include, without limitation, tents, huts, temporary shelters, lean-tos, shacks, and/or any other structures (or parts thereof).

“Camp paraphernalia” includes, without limitation, tarpaulins, cots, beds, sleeping bags, blankets, mattresses, hammocks, outdoor cooking devices, and/or similar equipment.

“Campsite” means any place where one or more persons have established living accommodations by use of camp facilities and/or camp paraphernalia.

“Campsite Removal Policy” means City’s policy concerning the removal of established campsites.

“Established campsite” means a campsite in place for more than 24 hours.

“City manager” means City’s then-appointed city manager and his or her designee.

“City property” means all real property, land, and public facilities owned, leased (either to City or by City), controlled, and managed by City.

“Fire District” means the Sisters-Camp Sherman Rural Fire Protection District.

“Public park” means all property owned or controlled by City and operated for public use for recreational and/or open space purposes.

“Recreational fire” means a fire for the cooking of food, warmth, fellowship, and/or ceremonial purposes.

“Right-of-way” means streets, public utility easements, and other public rights-of-way.

“School” means public or private elementary, middle, and/or high school or other school attended primarily by children under 18 years of age.

“Street” means any highway, lane, road, street, right-of-way, alley, and every way or place in City that is publicly owned or maintained for vehicular travel (whether improved or unimproved).

“Sidewalk” means the portion of the street between the curblin and adjacent property line intended for use of pedestrians and includes multi-use pathways (i.e., pathways for bicycles and pedestrians).

3. Time, Place and Manner Regulations. Camping is permitted on City property subject to the time, place, and manner regulations contained in this Ordinance.

3.1 Time Regulations. Except as expressly authorized by City’s municipal code, camping is prohibited on any public property between the hours of 7:00 am to 8:30 pm.

3.2 Place Regulations. Unless otherwise specifically authorized by City’s municipal code or by declaration of the mayor and/or city manager in emergency circumstances, camping is prohibited on City property (a) not open to the public, (b) within or upon any alley, right-of-way, parking lot/space, public park, and/or school property, (c) within one hundred (100) feet of any street in which it is lawful for vehicular travel to exceed twenty-five (25) miles per hour, (d) within twenty-five (25) feet of the public entrance to a business, (e) within ten (10) feet of a public or private driveway, (f) within one hundred (100) feet of City property located within the following zones: (i) R Residential District; (ii) MFR Multi-Family Residential; (iii) SRR Sun Ranch Residential District; and (iv) DC Downtown Commercial, (g) all City property located at the following addresses: (i) 308 East Sun Ranch Drive, Sisters, Oregon 97759; (ii) 460 West Highway 20, Sisters, Oregon 97701; and/or (iii) Tax Lot 151005DA02100, and/or (h) any other City property designated by the city manager from time to time.

3.3 Manner Regulations. At times and locations where camping is permitted under this Ordinance, the following regulations apply: (a) camping in a manner that reduces the clear, continuous sidewalk width to less than three feet is prohibited; (b) at no time may camp facilities, whether constructed with plywood, wood materials, pallets, and/or other materials, be built or placed on City property by anyone other than, or as authorized by, the public entity that owns or controls the City property in question (tents and similar items used for shelter that are readily portable are not prohibited by this section); (c) individuals engaged in camping are allowed to use a sleeping bag, bedroll, and/or other material used for bedding purposes (e.g., materials used to keep warm and dry while sleeping are permitted provided any tent or tarpaulin used to keep warm and dry may not exceed fifty (50) square feet in surface area); (d) a camp or camping must be limited within a spatial footprint of one hundred fifty (150) square feet in surface area (the intent of this subsection is to permit a person to sleep and maintain the essentials for living, while still maintaining the ability of everyone to use public spaces as designed and intended); (e) individuals may not accumulate, discard, and/or leave behind garbage, debris, unsanitary or hazardous materials, and/or other items of no apparent utility in a right-of-way, on City property, and/or on any adjacent public or private property; (f) open flames, recreational fires, burning of garbage, bonfires, and/or other fires, flames, and/or heating deemed unsafe by Fire District are prohibited (some cooking stoves and other means of keeping warm may be allowed if permitted by Fire District); (g) dumping of gray water (i.e., wastewater from baths, sinks, and the like) or black water (i.e., sewage) into any facilities or places not intended for gray water or black water disposal is prohibited (this includes, without limitation, storm drains which are not intended for disposal of gray water or black water); (h) unauthorized connections or taps to electrical or other utilities, or violations of building, fire, and/or other relevant codes or standards, are prohibited; (i) obstruction or attachment of camp materials or personal property to fire hydrants, utility poses, and/or other utility or public infrastructure, fences, trees, vegetation, vehicles, and/or buildings is prohibited; (j) storage of personal property, including, without limitation, vehicle tires, bicycles, and/or associated components (except as needed for an

individual's personal use), gasoline, generators, lumber, household furniture, extra propane tanks, combustible material, lumber, or other items or materials, is prohibited (other than what is related to camping, sleeping, or keeping warm and dry); (k) digging, excavation, terracing of soil, alteration of property or infrastructure, and/or damage to vegetation or trees is prohibited; and (l) except as expressly authorized by City's municipal code, all persons are prohibited from leaving personal property, including, without limitation, camp facilities and camp paraphernalia, unattended on any City property for more than twenty-four (24) hours. Notwithstanding anything contained in this Ordinance providing otherwise, the city manager may temporarily authorize camping or storage of personal property on City property by written order that specifies the period of time and location for the camping or storage under the following circumstances: (x) emergency circumstances; (y) in conjunction with a special event permit; and/or (z) upon finding it to be in the public interest and consistent with the Council's goals and policies.

4. Health and Safety Fee; Fines, Enforcement.

4.1 Health and Safety Fee. Any person who violates any provision of this Ordinance will be subject to a health and safety fee in an amount not to exceed \$35. Each day a violation is committed or permitted to continue shall be subject to a separate health and safety fee. The purpose of this subsection is to reimburse City for the expense of maintaining a healthy, safe and organized community for the public. *[awaiting further client comment/direction concerning the health and safety fee]*

4.2 Fines. A violation of this Ordinance (and/or continued violation) is a Class B violation under City's municipal code. A Class B violation carries a penalty of no more than \$250.00; the actual fine imposed will be determined at the discretion of the hearings officer or municipal court judge. A violation is "continued" if the prohibited camping occurs after issuance of the first health and safety fee *[awaiting further client comment/direction]*. A violation is "willful" if the person committing the violation is not currently experiencing homelessness or camps on the same City property after receiving notice that camping is not permitted on that property. For purposes of this subsection, a person is "not currently experiencing homelessness" if the person has the means to pay for and/or free access to an indoor shelter.

4.3 Campsite Removal. Upon a determination by enforcement personnel that a camp or camping in violation of this Ordinance has become an established campsite, or enforcement personnel determine a campsite otherwise in compliance with this Ordinance endangers the public health and safety, the campsite may be removed consistent with this Section 4.3. Upon a determination by enforcement personnel that a camp or camping in violation of this Ordinance is not an established campsite, the campsite may be removed without complying with Sections \_\_\_\_\_, but otherwise the removal must comply with Sections \_\_\_\_\_.

4.3.1 Prior to removing personal property from an established campsite or removing personal property unlawfully stored on public rights-of-way or City property, at least 72-hours in advance, City must post notice at the location that all individuals must leave and all personal property remaining will be removed, and must inform local agencies that deliver services to homeless individuals that such notice has been posted and the location of the notice.

4.3.2 The notice required under Section 4.3.1 must state the location where the removed personal property will be stored and how individuals can contact City to retrieve their personal property;

4.3.3 An established campsite may be removed without posting a 72-hour notice (a) when there are grounds for law enforcement officials to believe that illegal activity, other than camping, is occurring on the campsite or in the immediate vicinity of the campsite, or the property that comprises the campsite is being used or is intended to be used to commit or facilitate the commission of otherwise illegal activity; or (b) occurrence of an exceptional emergency (e.g., site contamination by hazardous materials or when there is immediate danger to human life or safety). After the 72-hour notice has been posted, or there are grounds to remove the established campsite without advance notice, City may act on the notice and remove the campsite beginning seventy-two (72) hours after posting and for up to ten (10) days following the posting;

4.3.4 When removing individuals and property from a campsite, enforcement personnel will make reasonable efforts to remove individuals without the use of force, arrest, or citation. No person may be arrested or cited for failing to move under this Section 4.3 prior to being asked by enforcement personnel or other City personnel to move.

4.3.5 When removing personal property, City will make reasonable efforts to determine if the property belongs to an individual and has any apparent utility. Items that are perishable, or that have no apparent use, or that are in an unsanitary condition due to saturation or contamination from bodily fluids, whether human or animal, or other contamination, will be considered garbage, discarded, and need not be stored. Weapons, drug paraphernalia, or other contraband, and items that appear to be either stolen or evidence of a crime shall be given to law enforcement officials.

4.3.6 Personal property removed from an established campsite and unclaimed at the time of removal will be stored by City for a minimum of thirty (30) days, or the duration required by law at the time of the removal. Stored personal property will be reasonably available for any individual claiming ownership. City will make reasonable efforts to provide a range of times the storage location will be available for people to collect their property. City may dispose of any personal property that remains unclaimed after thirty (30) days, or such duration as required or allowed by law.

5. City Manager Authority. The city manager may adopt administrative rules to implement any of the provisions of this Ordinance.

**Campsite Removal Policy under ORS 195.500-195.505**

1. **Intent.** City recognizes the social nature of the problem of homeless individuals camping on public property and developed the following policy to ensure the most humane treatment for removal of homeless individuals from campsites on public property.

2. **Definitions.** Unless otherwise defined in this policy, the following terms have the following meanings.

“Campsite” means any place where one or more persons have established camp facilities and/or camp paraphernalia on public property.

“Camp facilities” include, but are not limited to, tents, huts, temporary shelters, lean-tos, shacks, or any other structures or parts thereof.

“Camp paraphernalia” includes, but is not limited to, tarpaulins, cots, beds, sleeping bags, blankets, mattresses, hammocks, or non-city designated cooking facilities and similar equipment.

“Established campsite” means a campsite in place for over 24 hours.

“Personal property” means any item that can reasonably be identified as belonging to an individual and that has apparent value or utility.

“City property” means all real property, land and public facilities owned, leased (either to City or by City), controlled, or managed by City.

3. **Removal/Clearing of Campsites.** Any campsite on public property may be cleared and removed, including removal of individuals, camp facilities, camp paraphernalia, and personal property in accordance with the requirements of this policy.

4. **Notice Requirements.** The following notice requirements and exceptions apply to the removal and clearing of campsites.

4.1 **Unestablished Campsites.** Notice is not required prior to removal and clearance of a campsite that is not an established campsite.

4.2 **Established campsites.** At least 72 hours before removing individuals and personal property from an established campsite, law enforcement officials must post a written notice, in English and Spanish, at all entrances to the campsite to the extent that the entrances can reasonably be identified.

4.3 **Written Notice Required Contents.** The written notice required by this policy must state, at a minimum:

- a. Where unclaimed personal property will be stored;
- b. A phone number that individuals may call to find out where personal property will be stored; or
- c. If a permanent storage location has not yet been determined, the address and phone number of an agency that will have the information when available.

4.4 Exceptions. The following exceptions apply to the 72-hour notice requirement.

- a. The 72-hour notice requirement does not apply:
  - i. When there are grounds for law enforcement officials to believe that illegal activities other than camping are occurring at an established campsite.
  - ii. In the event of an exceptional emergency at an established campsite, including, but not limited to, possible site contamination by hazardous materials, a public health emergency or other immediate danger to human life or safety.
- b. If a funeral service is scheduled with less than 72-hours' notice at a cemetery at which there is a campsite, or a campsite is established at a cemetery less than 72 hours before the scheduled service, the written notice required under this policy may be posted at least 24 hours before removing homeless individuals from the campsite.

4.5 Communication with Local Agencies. When a 72-hour notice is posted, law enforcement officials must inform the local agency that delivers social services to homeless individuals as to where the notice has been posted. The local agency may arrange for outreach workers to visit the campsite that is subject to the notice to assess the need for social service assistance in arranging shelter and other assistance.

5. Personal Property. The following requirements apply to personal property located at a campsite upon removal or clearance of a campsite.

5.1 Custodian of Unclaimed Personal Property. All personal property at a campsite that remains unclaimed after removal/clearing, whether notice is required under this policy or not, must be given to:

- a. a law enforcement official;
- b. a local agency that delivers social services to homeless individuals;
- c. an outreach worker;
- d. a local agency official; or
- e. a person authorized to issue a citation for unlawful camping under state law, administrative rule or city or county ordinance.

5.2 Storage Location. Unclaimed personal property must be stored in a facility located in the same community as the campsite from which it was removed.

5.3 Trash/Rubbish. Items that have no apparent value or utility or are in an unsanitary condition may be immediately discarded upon removal of the homeless individuals from the campsite.

5.4 Other Items. Weapons, controlled substances other than prescription medication, and items that appear to be either stolen or evidence of a crime must be given to or retained by law enforcement officials.

6. Storage of Unclaimed Personal Property. Unclaimed personal property removed from campsites must be stored in the following manner.

6.1 Organization. Unclaimed personal property must be stored in an orderly fashion, keeping items that belong to an individual together to the extent that ownership can reasonably be determined. Unclaimed personal property must be stored in a manner in which it is possible to identify the date the property was removed and location where the property was removed.

6.2 Duration. Unclaimed personal property must be stored for a minimum of 30 days during which it must be reasonably available to any individual claiming ownership. Any personal property that remains unclaimed after 30 days may be disposed of or donated to a corporation described in section 501(c)(3) of the Internal Revenue Code as amended and in effect on December 31, 2020.

7. Evaluation of Removal of Individuals. Following the removal of homeless individuals from a campsite on public property, law enforcement officials, local agency officials and outreach workers may meet to assess the notice and removal policy, to discuss whether the removals are occurring in a humane and just manner and to determine if any changes to this policy are needed.

8. Prohibition on Citations in Limited Circumstances. A person authorized to issue a citation for unlawful camping under state law, administrative rule or city or county ordinance may not issue the citation if the citation would be issued within 200 feet of a notice required by this policy and within two hours before or after the notice was posted.

9. Preemption. Any city law or policy that offers greater protections to homeless individuals subject to removal from an established campsite preempts contrary provisions of this policy.

# Please join us for the City of Sisters' 16th Annual Arbor Day Celebration!

Friday, April 28th, 2023 at TBD  
Cliff Clemens Park

East Black Butte Ave  
Sisters, OR 97759

Trees are an essential part of the unique character and identity of Sisters. As our community continues to grow, we strive to be stewards of our abundant natural beauty through preserving and maintaining our urban forest for future generations to come.

This year we will be showing our appreciation of trees by celebrating Arbor Day with a proclamation reading by Mayor Preedin, followed by a ceremonial tree planting at Cliff Clemens Park with the help of local Sisters students.

For questions, please contact:

Emme Shoup, Associate Planner

[eshoup@ci.sisters.or.us](mailto:eshoup@ci.sisters.or.us); 541-323-5216

