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Manager's Administrative Rules

These administrative rules are adopted pursuant to the authority and requirements of Charter Section 33(d), HMC 9.44.030 and HMC 9.44.040. They implement and further clarify Subchapter 9.44 of the Hillsboro Municipal Code.

Hillsboro Administrative Rule 009.44.030

A. Place:

- 1) Pursuant to HMC 9.44.030, persons who do not have available shelter are prohibited from camping in the following locations within the city:
 - a) At, on or within city buildings or any city parking lots or parking structures.
 - b) On any riparian corridor, flood plain or drainage area, water quality sensitive area, vegetated corridor, sensitive habitat, or significant natural resource area.
 - c) Within 500 ft. of any location that has a legally established use providing shelter, safe sleeping, safe parking or other services primarily intended for people experiencing homelessness.
 - d) Within 500 ft. of any public or private elementary, middle, or high school or other school attended primarily by children under 18 years of age, provided that for the purposes of this provision, the term school does not include day-cares or pre-schools.
 - e) Within 500 ft. of entrance/exit to a freeway.
 - f) Within any city parks
 - g) Within residential zones;
 - h) On or within any public rights-of-way where vehicular traffic is permitted to travel at speeds of 45 miles per hour or greater.
 - i) On or within any area of a public right-of-way that is under repair or construction.
 - j) Any city properties, outside of the right-of-way, where camping is not prohibited overnight will be closed for use during the hours of 7:00 am to 7:00 pm.
- 2) The manager may temporarily permit camping in an area prohibited by subsection (A)(1) without amending these administrative rules upon a finding that granting such permission is necessary to protect the public interest. Such authorization shall not exceed 120 days. At least five business days prior to issuing such authorization, the manager shall provide notice to the owners of all properties located within 200 feet of the property subject to the proposed authorization.

B. Manner

- 1) Persons who do not have available shelter who engage in camping on city property are subject to the following regulations:
 - a) Direct damage to the environment through activities such as excavating or terracing soil, harming trees, cutting vegetation, or disturbing wildlife is prohibited.
 - b) Dumping of gray water (i.e. wastewater from bathwater, sinks and cooking) or black water (sewage) on city property is prohibited.

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- c) Open flames, recreational fires, burning of garbage, and bonfires are prohibited. Camp stoves and small cooking devices, as long as they are used in a safe manner and in conditions that do not place any person, property or structures in danger.
- d) Trash, bodily fluids or waste, and any hazardous materials must be discarded in accordance with applicable laws and regulations.
- e) Erecting, installing, placing, leaving or setting up any type of permanent or temporary fixture or structure of any materials or materials in or around a campsite is prohibited, provided that for the purposes of this provision, tents, tarpaulins or other similar item used for shelter that is readily portable is not be considered “permanent or temporary fixture or structure.”
- f) Unauthorized connections or taps to electrical or other utilities, violations of building, fire, or other relevant codes or standards are prohibited.
- g) Camping within 10 feet of doorways to business entrances is prohibited.
- h) Camping within 10 feet of driveways is prohibited.

2) Camping when allowed in the public right-of- way shall be subject to the additional following regulations:

- a) Camping in the public right-of-way outside of a vehicle, such as in a tent, must adhere to the following:
 - i. A camp, camping or camp materials may not obstruct any portion of any street, bike lane, or bike path intended for travel for vehicle, bicycle, pedestrian or other legal mode of travel or impair unobstructed use thereof.
 - ii. A camp, camping or camp materials may not be located in the right-of-way in any location that does not have a curb or other physical barrier separating the camp or camp materials from the area intended for vehicular use.
 - iii. A camp, camping or camp materials may not obstruct that portion of the sidewalk, multi-use path or pedestrian path in a manner that results in less than 36 inches of unobstructed area for passage (exclusive of the width of any curb) or in any other way that impairs access as required by the Americans with Disabilities Act.
 - iv. Camp materials may not obstruct or be attached to public infrastructure or private property structures, including bridges or bridge infrastructure, fire hydrants, utility poles, streetlights, traffic signals, signs, fences, trees, vegetation, vehicles or buildings.
 - v. A camp, camping or camp materials may not occupy any portion of the public right away under or within a bridge, culvert or viaduct or within 10 feet of a bridge, culvert or viaduct.
- b) Camping in the public-right-of-way within a vehicle must adhere to the following:
 - i. Unless otherwise expressly permitted by the City code or these regulations, vehicles used for camping must be parked in areas of the right-of-way where vehicles are permitted to be parked. No vehicles used for camping may be parked on or within a planter strip or other areas of the right-of-way, which is not intended to be used for parking.
 - ii. No camping materials may be stored outside of the vehicle in an area of the right-of-way that is intended for travel of vehicles, bicycles or other legal modes of travel. If camping materials are stored outside of the vehicle on or within other areas of the right-of-way, they must not obstruct that portion of the sidewalk, multi-use path or pedestrian path in a manner that

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results in less than 36 inches of unobstructed area for passage or in any other way that impairs access as required by the Americans with Disabilities Act.

- iii. Camp materials may not obstruct or be attached to public infrastructure or private property structures, including bridges or bridge infrastructure, fire hydrants, utility poles, streetlights, traffic signals, signs, fences, trees, vegetation, vehicles or buildings.
- iv. Vehicle camping, including camping occurring in recreational vehicles, must comply with all other applicable laws and regulations, including any parking or storage restrictions found in the HMC or these administrative rules.

C. Definitions

As used in HMC Subchapter 9.44 and HAR 009.44.030, the following terms and phrases shall mean:

- 1) "City buildings" means all facilities and their surrounding grounds, owned, leased, rented, contracted, used, managed and controlled by the city.
- 2) "City parks" means all parks, as that term is defined in HMC 1.01.020, provided that it does not include vacant and undeveloped lots within the jurisdiction of the Parks and Recreation Department that are not being used for recreational or other park related purposes.
- 3) "City parking lots or parking structures" means all developed or undeveloped areas or facilities owned, maintained, and/or leased by the city and are designated by the city and actively being used for the parking of vehicles.
- 4) "Open to the public" shall mean city properties where members of the public are not prohibited from being by law, rule, regulation or custom including, but not limited to the properties being closed due to hour restrictions, physical barriers, or because they are temporarily being used for another purpose. Examples of properties that are not open to the public include properties being used for city water facilities such as reservoirs, parks that are closed overnight, properties that are under repair or properties for which a permit has been issued for an event (such as the Tuesday Market).
- 5) "Public rights-of-way" include any rights-of-way, as that term is defined in HMC 1.01.020, which is subject to the jurisdiction and control of any public agency including the city, Washington County or the State of Oregon.

D. Effective Date:

These rules take effect at 12:00 a.m. on July 1, 2023.