

CHAPTER 1078
County Property and Government Offices

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CROSS REFERENCES

Joint use of real property with other local governments - see ORS 190.007 et seq.
 County courthouses; civil service offices - see ORS 241.090
 Grazing lands - see ORS 271.375
 Management and disposition of county lands and resources - see ORS 275.020 et seq.
 County forests and parks - see ORS 275.320 et seq. S.U. & P.S. 1064, Ch. 1066

1078.01 SOLICITATION PROHIBITED.

No person shall solicit, except for the purpose of official County business, in any County government office.

(Order 166-80. Passed 4-16-80.)

1078.02 SMOKING PROHIBITED.

(a) Prohibition:

- (1) No person shall smoke in any building or facility owned by the County, other than in residential real property, unless the area where such person is smoking is designated as a smoking area.
- (2) Smoking areas in County-owned buildings, other than residential real property, shall be designated by the Board of County Commissioners by Board Order.
- (3) Designated smoking areas shall be marked with signs, labels or posters.

(b) Enforcement:

- (1) Any person who continues to smoke in violation of this section and fails to leave the premises after being warned shall be charged with the offense of trespass, in addition to being charged with a violation of this section. It shall be a separate violation each time a person lights any cigarette, cigar or pipe in an area not designated as a smoking area.
- (2) All persons smoking in violation of this section shall be given a written warning of violation prior to any citation for trespass. No such warning shall be necessary where the violation of this section will result only a fine and where trespass is not charged.
- (3) A warning of intent to enforce this section should be posted in all County buildings and facilities. The telephone numbers and office locations to be used for contacting appropriate enforcement officers should also be posted in all County buildings and facilities.
- (4) It shall be no defense to a violation of this section that a warning of intent to enforce, or telephone numbers and office locations to be used for contacting relevant enforcement officers, were not displayed for the particular County building or facility.

(Ord. 85-23. Passed 10-2-85.)

1078.03 PURPOSE.

The purpose of Sections 1078.03 to 1078.09 is to implement a policy that both recognizes the social nature of homelessness and ensures the humane treatment of homeless persons who are removed from camping sites on County property, all pursuant to ORS 203.077 to 203.081.

(Ord. 2002-12. Passed 5-8-02.)

1078.04 INVESTIGATION OF CAMPING ON COUNTY PROPERTY.

The Jackson County Sheriff is authorized to investigate reports of persons camping on real property owned by Jackson County. When the Sheriff receives notice of persons camping on County property, the Sheriff shall first confirm that the property is owned by Jackson County. The Sheriff shall then determine whether the Acamping site@ is excluded from the requirements of this policy under Section 1078.08 below.

(Ord. 2002-12. Passed 5-8-02.)

1078.05 REMOVAL OF PERSONS CAMPING ON COUNTY PROPERTY.

If property on which persons are camping is not excluded from the requirements of this policy, the Sheriff is authorized to direct persons who are camping to leave the camping site, and, if they do not leave voluntarily, to remove them from the camping site subject to the following conditions:

(a) Except as provided in subparagraph (c) below, prior to removing homeless persons from an established camping site, the Sheriff shall post a notice, written in English and Spanish, which states that unless persons camping on the County property leave and remove their personal property within 24 hours after the notice is posted, the Sheriff will take action to remove them and their personal property.

(b) At or before the time notice is posted under subparagraph (a) above, the Sheriff shall inform local agencies that provide social services to homeless persons of the location of the camping site. Local agencies may have outreach workers visit the camping site where a notice has been posted to assess the need for assistance in arranging shelter and other social services.

(c) The Sheriff is not required to post 24-hour notice under subparagraph (a) of this order when:

- (1) The Sheriff reasonably believes that illegal activities other than camping are occurring at the camping site; or
- (2) There is an exceptional emergency such as potential contamination by hazardous materials; or
- (3) Conditions or activities at the camping site constitute an immediate danger to human life or safety.

(d) The Sheriff may not issue a citation within 200 feet of posted notice and within two hours before or after the notice was posted.

(Ord. 2002-12. Passed 5-8-02.)

1078.06 DISPOSITION OF PERSONAL PROPERTY.

(a) All personal property at a camping site that is not removed by persons with the right to possession shall be secured by the Sheriff. Such personal property shall be stored for at least 30 days and shall be reasonably available to any person claiming ownership. Any personal property that remains unclaimed after 30 days may be disposed of.

(b) A Personal property means any item that is reasonably recognizable as belonging to a person and that has apparent utility. Items that have no apparent utility or are in an unsanitary condition may be immediately discarded upon removal from the camping site. Weapons, drug paraphernalia and items that appear to be either stolen or evidence of a crime shall be retained by the Sheriff.

(Ord. 2002-12. Passed 5-8-02.)

1078.07 DELEGATION OF AUTHORITY BY SHERIFF.

The Sheriff may delegate authority granted by this chapter to appropriate persons as enforcement officers in order to enforce the provisions of this chapter.

(Ord. 2002-12. Passed 5-8-02.)

1078.08 EXCLUSIONS.

Pursuant to ORS 203.081, this policy does not apply to persons who are lawfully using a day use park or recreational area or persons who are occupying a camping site at a designated campground in a County park or recreational area in accordance with Chapter 1064 of the Codified Ordinances of Jackson County.

(Ord. 2002-12. Passed 5-8-02.)

1078.09 FOLLOWUP TO REMOVAL OF PERSONS CAMPING ON COUNTY PROPERTY.

Following the removal of homeless persons from a camping site on County property, agencies that deliver social services to homeless persons may request a meeting with the Sheriff and other representatives of Jackson County to assess this policy, to discuss whether persons are being removed from County property in a just and humane manner and to determine if any changes in this policy are needed.

(Ord. 2002-12. Passed 5-8-02.)

1078.99 PENALTY.

(EDITOR'S NOTE: See Section 202.99 for general Code penalty if no specific penalty is provided.)