

## **EXHIBIT A**

### **14A.50.140 Camping Definitions.**

As used in Sections 14A.50.150-14A.50.160:

**A. To camp or camping** means to set up, pitch, use, or occupy camp materials with intent to facilitate sleeping, storage of personal belongings, or carrying on cooking activities. **To camp or camping** does not include merely sitting with, lying by, or possessing camp materials that are stowed, disassembled, or packed in a manner that would permit them to be immediately carried or moved.

**B. Camp materials** means any tent, lean-to, shack, tarp, tarpaulin, hammock, vehicle or part thereof, bed, cot, sleeping bag, blanket, mattress, stove, burn barrel, or other structure or device intentionally used for or in furtherance of sleeping, storing personal belongings, or carrying on cooking activities.

### **14A.50.150 Camping in Violation of Administrative Rules Prohibited.**

It is unlawful for any person to camp in or upon any public property or public right-of-way in violation of any administrative rule adopted by the Mayor or the Mayor's designee pursuant to 14A.50.160.

### **14A.50.160 Authority to Adopt Rules Restricting Camping on Public Property and Public Rights-of-Way.**

**A.** The Mayor or the Mayor's designee shall adopt administrative rules specifying the times, places, and manners in which camping will be prohibited on public property or public rights-of-way, provided that any such administrative rules will:

1. Protect access of vulnerable residents, including children, seniors and the disabled to public property and public rights-of-way, free of interference and intimidation from unsanctioned campsites;
2. Comply with any state or federal laws then in effect;
3. Minimize obstructions to public rights-of-way and access to private property;
4. Minimize unsanitary and hazardous materials;
5. Minimize fire hazards from gas heaters or fires;
6. Minimize damage to infrastructure, the environment, trees, and vegetation;
7. Minimize the accumulation of garbage, debris, drug paraphernalia, and bicycle parts; and
8. Prohibit camping in areas posted as "no trespassing" by the City.

**B.** The Mayor or the Mayor's designee shall regularly update any administrative rules adopted under this section to ensure that camping in or upon any public property or public right-of-way is

restricted to the fullest extent allowed by federal and state law at the time the rules or any updates are adopted.

C. Administrative rules adopted under this section shall be compiled, indexed, and published for the public as provided by Chapter 1.07.

**14A.50.170 Enforcement.**

A violation of 14A.50.150, or a violation of any administrative rule adopted pursuant to the authority in 14A.50.160, is punishable by a fine of not more than \$100 or by imprisonment for a period not to exceed seven days, or both.

**14A.50.180 Camping Prohibited When Allowed by Law**

Notwithstanding Sections 14A.50.140 to 14A.50.170, in the event the United States Supreme Court overturns *Martin v. Boise*, 920 F.3d 584 (9th Cir. 2019) and *Johnson v. Grants Pass*, 72 F.4th 686 (9th Cir. 2023), and the Oregon Legislative Assembly repeals ORS 195.530, then the following provisions shall govern camping on public property and public rights-of-way in the City of Portland:

A. It is unlawful for any person to camp in or upon any public property or public right-of-way.

B. A violation of 14A.50.150 is punishable by a fine of not more than \$100 or by imprisonment for a period not to exceed seven days, or both.