

PASSED

IN THE BOARD OF COUNTY COMMISSIONERS, LANE COUNTY, OREGON

ORDINANCE NO. 9-99) IN THE MATTER OF AMENDING CHAPTER 11 OF LANE CODE
) TO ADD PROVISIONS AUTHORIZING TEMPORARY
) OVERNIGHT CAMPING AT RELIGIOUS INSTITUTIONS
) (LC 11.100-20) AND DECLARING AN EMERGENCY

The Board of County Commissioners of Lane County ordains as follows:
Chapter 11 of Lane Code is hereby amended by adding the following pages:

REMOVE THESE PAGES

11.100-20(2) - 11.100-30(1) to
11.100-30(1) - 11.100-30(2)
i.e. 11-13 to 11-14
(a total of two pages)

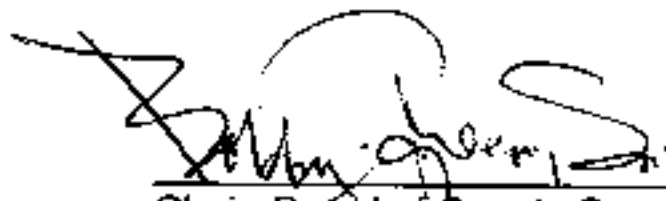
INSERT THESE PAGES

11.100-20(2) - 11.100-20(4) to
11.100-30(1) - 11.100-30(2)
i.e. 11-13 to 11-14
(a total of two pages)

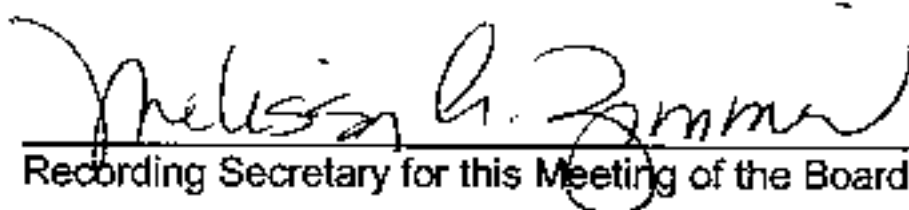
Said pages are attached hereto and incorporated herein by reference. The purpose of these additions is to amend Lane Code Chapter 11 to add provisions authorizing temporary overnight camping at religious institutions (LC 11.100-20).

An emergency is hereby declared to exist and this Ordinance, being enacted by the Board in the exercise of its police power for the purpose of meeting such emergency and for the immediate preservation of the public peace, health and safety, shall take effect immediately.

ENACTED this 14th day of DECEMBER 1999.



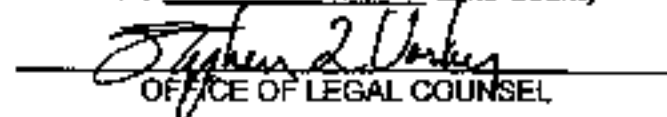
Chair, Board of County Commissioners



Recording Secretary for this Meeting of the Board

APPROVED AS TO FORM

Date 11-12-99 Lane County



OFFICE OF LEGAL COUNSEL

(e) Temporary mobile home hardship permits shall, in addition to the requirements of this subsection, be subject to all regulations set forth in LC 11.100-20(1)(c), (d) and (e) above.

(f) For the purpose of this subsection, the temporary mobile home may be used by the family member providing care and the person receiving care may reside in the principal dwelling.

(3) Recreational Vehicles. A six-month permit may be issued for recreational vehicles to be connected to an existing sewage disposal system for temporary emergency use. The nature of the emergency shall be submitted in writing and must accompany the application. Acceptance of the request shall be at the discretion of the delegee of the Director of Environmental Management. Requests for additional six-month periods must be resubmitted as new applications. A self-contained unit used periodically for recreational purposes does not require a building permit unless the unit is in continuous use on private property for more than two weeks.

(a) The recreational vehicle must observe setback requirements of Lane Code Chapter 15 and applicable DEQ regulations.

(b) No notification of neighboring property owners is required.

(c) Only one recreational vehicle shall be connected to a system serving an existing dwelling, unless the property receives approval as a recreational vehicle park.

(d) Recreational vehicles connected to a system in an approved recreational vehicle park are exempt from permit requirements of this subsection.

(4) Permitted temporary overnight camping at religious institutions. Notwithstanding any other provision of Lane Code, persons may sleep overnight in vehicles located on a parking lot of a church, synagogue, or other religious institution that owns or leases property on which a parking lot and structure containing a place of worship are located, with the permission of the religious institution. The religious institution may not grant permission for overnight sleeping to occupants of more than three vehicles for any one night.

(a) Any church, synagogue or other religious institution that allows a person or persons to sleep overnight in vehicles in its parking lot pursuant to LC 11.100-20(4):

(i) Shall provide or make available sanitary facilities, including toilet, handwashing and trash disposal facilities, for the use of persons sleeping in the parking lot.

(ii) Shall not require payment of any fee, rent or other monetary charge for the privilege of using the parking lot as authorized by LC 11.100-20(4); and

(iii) May revoke permission to sleep in the parking lot at any time and for any reason.

(b) Any person who receives permission to sleep in a vehicle in a parking lot of a church, synagogue or other religious institution as provided for in LC 11.100-20(4) shall leave the property immediately after permission has been revoked.

-30.

Appeal Procedures.(1) Administrative Review.

(a) Before permit denial because of a staff decision involving LC 11.100-20(2)(c) or LC 11.100-20(3) above, the application shall be reviewed by the Director of Environmental Management. If, after review, the application is found to be acceptable, permit issuance shall proceed as prescribed by the relevant subsection.

(b) If the application is deemed by the Director to be unacceptable, the applicant may appeal in writing to the Department of Environmental Management within 10 days of the date of denial. The appeal shall then proceed as set forth in Lane Code, Chapter 14, "Appeals".

(2) Temporary Mobile Homes.

(a) Any objection by a neighboring resident to permit issuance must be in writing and must be received by the Administrative Division of the Department of Environmental Management before 5:00 p.m. of the 10th day following the date of mailing the notification of intent to issue. If the 10th day is a Saturday, Sunday or holiday, the first following working day shall be considered as the 10th day. Bases for appeal of permit issuance shall be:

(i) That the family hardship does not exist,

or

(ii) In the case of an existing mobile home, that sanitation or other physical requirements do not meet regulations. The burden of proof shall be upon the appellant. Surrounding property owners, as per LC 11.100-20(2)(a) above, shall be notified of the date and place of the hearing at least 10 days in advance. If the application is approved, the permit shall be issued by the Department of Environmental Management with no further delay.

(b) In the event of permit denial because of noncompliance with any physical requirement, the applicant may seek relief through variance procedures established to review sewage disposal systems, elevations or pertinent regulations of Lane Code Chapters 10, 13 or 15. If the variance is approved, notification of pending permit issuance shall be given as per LC 11.100-20(2)(a) above.

(c) Applications that have been denied after review by the Hearings Official or the Board of County Commissioners shall not be resubmitted for at least one year.

3-76; 4.7.76

11-14

WP 1/co/00023/T

9-76; 8.27.76

WP 1/cr/99035/T

7-77; 8.12.77

16-79; 1.18.80

5-81; 4.8.81