

Text to be added in **bold**  
Text to be deleted in *[italics]*

Procedures for Removing Personal Property From Illegal  
Campsites on States Rights-of-Way

734-035-0010

Purpose

The purpose of **OAR 734-035-0010 through 734-035-0040** *[this rule]* is to **outline a process for removing personal property from state highway rights of way under** *[implement the procedures of]* ORS 377.650 *[in the case of illegal campsites on state rights-of-way]* **and Chapter 84, 2011 Oregon Laws where the property is reasonably believed to be the result of illegal camping.** *[Personal property, as defined in this rule, which is found at the illegal campsite at the time of a cleanup will be stored for 30 days.]*

Stat. Auth.: 184.616, 184.619, 377.650; Chapter 84, OL 2011  
Stats. Implemented: ORS 377.650 and Chapter 84, OL 2011

734-035-0040

Scheduling and Notice; Costs

**(1) In locations where camping or staying overnight regularly occurs, signs may be posted by the Department announcing that camping is not allowed according to OAR 734-020-0095. Personal property left on state highway right of way and reasonably believed to be the result of illegal camping may be removed from the right of way after the Department posts proper notice in accordance with this rule.**

*[Cleanups will be scheduled on an as-needed basis. In locations where campsites are regularly established, permanent signs can be posted announcing that personal property will be removed and stored. Once the permanent sign is erected, no further notice is required. In areas where no permanent sign is posted, notice will be posted and distributed in the area of the cleanup at least ten days before the cleanup, notifying all persons of the date of the cleanup. At the time of the cleanup, written notice will be posted and distributed announcing the telephone number where information on picking up the stored property can be obtained. Cleanups at sites where permanent signs are posted cannot occur any more frequently than once every ten days.]*

**(2) Written notice will be posted in a conspicuous location in the general vicinity of the personal property to be removed. The notice is to be posted at least ten days but not more than 19 days prior to removal of the personal property by the Department. When the personal property is under a bridge, along a river, and within the urban growth boundary, notice will be posted in a conspicuous location within 30 feet of the personal property.**

**(3) The written notice must include:**

**(a) the date the notice was posted,**

**(b) the date personal property must be removed by the property owner,**

**(c) the time frame in which the Department may remove the personal property,**

**(d) the telephone number where information on recovering the property may be obtained, and**

**(e) the length of time the property will be stored by the Department.**

**(4)**[(2)] Written notices[, *including permanent signs,*] will be in both English and Spanish.

**(5)**[(3)] A \$2 charge **per item may** [*shall*] be made for the cost of removal and storage of the personal property. **When several items are contained in a bag, box, or other container, the bag, box, or other container will be considered one item for the purposes of assessing the recovery charge.** No charge **will** [*shall*] be made for the cost of the cleanup generally.

Stat. Auth.: 184.616, 184.619, 377.650; Chapter 84, OL 2011

Stats. Implemented: ORS 377.650 and Chapter 84, OL 2011