

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF FRESNO, CALIFORNIA,
ADDING CHAPTER 10 OF ARTICLE 27 OF THE FRESNO
MUNICIPAL CODE, RELATING TO THE ANTI HUMAN
TRANSPORTATION AND ABANDONMENT ORDINANCE

THE COUNCIL OF THE CITY OF FRESNO DOES ORDAIN AS FOLLOWS:

SECTION 1. Article 27 is hereby added to Chapter 10 of the Fresno Municipal Code to read:

ARTICLE 27

PROHIBITION OF GOVERNMENT-SPONSORED
TRANSPORT OF HOMELESS PERSONS

SECTION 10-2701. – PURPOSE AND INTENT. The purpose of this Article is to help preserve the City’s limited-homelessness-related resources for the benefit of individuals, residing in the City of Fresno; and to encourage the appropriate government agencies to provide shelter, care and outreach and other homelessness-related resources to the person experiencing homelessness within their jurisdictions, rather than transporting individuals to the City of Fresno.

SECTION 10-2702. – PROHIBITION OF GOVERNMENT-SPONSORED
UNSANCTIONED TRANSPORT OF HOMELESS PERSONS

(a) No law enforcement officer, agent or employee of a county, city, or any other governmental entity, when acting in their official capacity or using government property, shall transport and drop-off an individual on public property, or private property that is accessible to the public, within the

Date Adopted:

Date Approved

Effective Date:

City Attorney Approval: AMK

Ordinance No.

City of Fresno, when the person being transported and dropped-off lacks a fixed, regular or adequate residence.

(b) A person “lacks a fixed, regular or adequate residence” when the meaning of subdivision (a) above when that person:

(1) Has a primary residence that is a public or private place not meant for habitation; or

(2) Lives in a publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional housing, hotels, and motels paid for by charitable organizations or by federal, state or local government programs); or

(3) Is exiting an institution where they have resided for 90 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution.

(c) The prohibition contained in subdivision (a) above shall not be interpreted to prohibit the following authorized activities:

(1) Transporting a person to be booked into a County Jail or admitted to a County-designated custody alternative facility; or

(2) Transporting a person to be treated at a hospital or other medical facility; or

(3) Transporting a person to reside at a shelter, temporary housing, or permanent housing, when the officer, agent or employee has independently verified that the individual being transported has already been accepted to reside at the facility; or

(4) Transporting a person to attend a verified appointment with a governmental or non-profit social service provider; or

(5) Transporting a person to attend a verified hearing at a federal or state court; or

(6) Any transportation or drop-off activities undertaken by the City of Fresno within the City of Fresno; or

(7) The operations of a governmental provider of public transportation, such as the Fresno Transit System.

SECTION 10-2703 – PENALTY. A violation of Section 10-2702 (a) is a misdemeanor and upon conviction punishable by a fine of not exceeding one thousand dollars (\$1,000) or by imprisonment for a term not exceeding six months or by both fine and imprisonment.

SECTION 2. This ordinance shall become effective and in full force and effect at 12:01 a.m. on the thirty-first day after its final passage.

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STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, TODD STERMER, City Clerk of the City of Fresno, certify that the foregoing ordinance was adopted by the Council of the City of Fresno, at a regular meeting held on the _____ day of _____ 2025.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2025
Mayor Approval/No Return: _____, 2025
Mayor Veto: _____, 2025
Council Override Vote: _____, 2025

TODD STERMER, CMC
City Clerk

By: _____
Deputy Date

APPROVED AS TO FORM:
ANDREW JANZ
City Attorney

By: _____
Angela M. Karst Date
Senior Deputy City Attorney