



Legislation Details (With Text)

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Type: Ordinance **Status:** Mayor's Office
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On agenda: 8/17/2017 **Final action:** 8/17/2017
Title: BILL - (For introduction) Adding Article 17 to Chapter 10 of the Fresno Municipal Code relating to Unlawful Camping. (Citywide)
Sponsors: Steve Brandau
Indexes:
Code sections:
Attachments: 1. Ord- Unhealthy and Hazardous Camping Act 2017.pdf, 2. Supplement - Letter re Unlawful Camping_Redacted.pdf, 3. Supplement - 2 Letters of Support.pdf, 4. Supplement 5 Docs rec'd during meeting pdf

| Date | Ver. | Action By | Action | Result |
|-----------|------|--------------|---------------------|--------|
| 8/17/2017 | 1 | City Council | approved as amended | Pass |

REPORT TO THE CITY COUNCIL

August 17, 2017

FROM: STEVE BRANDAU , Councilmember for District 2
City Council Offices

SUBJECT

BILL - (For introduction) Adding Article 17 to Chapter 10 of the Fresno Municipal Code relating to Unlawful Camping. (Citywide)

RECOMMENDATION

It is recommended that Council approve the introduction of the ordinance adding Article 17 to Chapter 10 to the Fresno Municipal Code relating to unlawful camping.

BACKGROUND

The attached ordinance will make it unlawful and a public nuisance to camp, occupy camp facilities, or use camp paraphernalia on any public or private property in the City. It is also unlawful to store personal property, including camp paraphernalia, on public or private property. Overnight camping on private residential property by friends or family of the property owner is still allowed, so long as the owner consents and the camping is limited to not more than one consecutive night. Also, the City Manager may issue temporary permits to allow camping on public or private property in connection with a special event.

The streets and public areas within the City should be readily accessible and available to residents and the public at large. The use of these areas for camping purposes or storage of personal property interferes with the rights of others to use the areas for which they were intended. Such activity can constitute a public health and safety hazard which adversely impacts neighborhoods and commercial areas. Camping on private property without the consent of the owner, proper sanitary measures and for other than a minimal duration adversely affects private property rights as well as public health, safety, and welfare of the City. The purpose of this article is to maintain streets, parks and other public and private areas within the city in a clean, sanitary and accessible condition and to adequately protect the health, safety and public welfare of the community, while recognizing that, subject to reasonable conditions, camping and camp facilities associated with special events can be beneficial to the cultural and educational climate in the City. Nothing in this article is intended to interfere with otherwise lawful and ordinary uses of public or private property.

Violation of the ordinance is a misdemeanor. In addition, the City Attorney make institute civil actions to abate the public nuisance.

Attachment: Ordinance