

**CITY OF PLACERVILLE  
ORDINANCE NO. 1659**

**AN ORDINANCE ADDING CHAPTER 19 OF TITLE VI OF THE  
PLACERVILLE CITY CODE RELATING TO CAMPING ON PUBLIC  
OR PRIVATE PROPERTY**

The City Council of the City of Placerville does ordain as follows:

Section 1: AMENDMENT OF CODE. Chapter 19 of Title VI is hereby added to the City Code to read as follows:

**CHAPTER 19**

**CAMPING ON PUBLIC OR PRIVATE PROPERTY**

**SECTION:**

- 6-19-1: Purpose
- 6-19-2: Definitions
- 6-19-3: Unlawful Camping
- 6-19-4: Storage of Personal Property on Public and Private Property
- 6-19-5: Permit for Special Events Required
- 6-19-6: Posting Copy of Permit
- 6-19-7: Power of the City Manager to Make Rules and Regulations
- 6-19-8: Current Ordinance Provisions

**6-19-1: PURPOSE.**

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 Chapter 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 Chapter is intended to interfere with otherwise lawful and ordinary uses of public or private property.

**6-19-2: DEFINITIONS.**

Unless the particular provisions or the context otherwise requires, the definitions contained in this section shall govern the construction, meaning, and application of words and phrases used in this Article.

- (a) **“Camp”** means to place, pitch or occupy camp facilities; to live temporarily in a camp facility or outdoors; to use camp paraphernalia.
- (b) **“Camp facilities”** include, but are not limited to, tents, huts, vehicles, vehicle camping outfits or temporary shelter.
- (c) **“Camp paraphernalia”** includes, but is not limited to, bedrolls, tarpaulins, cots, beds, sleeping bags, hammocks or cooking facilities and similar equipment.
- (d) **“City Manager”** means the City Manager or designee.
- (e) **“Establish”** means setting up or moving equipment, supplies or materials on to public or private property to “camp” or operate camp facilities.
- (f) **“Maintain”** means keeping or permitting equipment, supplies or materials to remain on public or private property in order to camp or operate camp facilities.
- (g) **“Operate”** means participating or assisting in establishing or maintaining a camp or camp facility.
- (h) **“Park”** means any areas set aside for recreational uses, areas conserved for their scenic interest, playgrounds, beaches, recreation centers, golf courses, model plane fields, and any other areas owned or operated by the City of Placerville and which are intended for active or passive recreational purposes. The word "park" shall also include any parking lot adjacent to any park, any buildings, equipment, plants or other facilities located in any park and any landscaped public area and/or right-of-way.
- (i) **“Private property”** means all private property including, but not limited to, streets, sidewalk, alleys, and improved or unimproved land.
- (j) **“Public property”** means all public property including, but not limited to, streets, sidewalks, alleys, improved or unimproved land and parks.
- (k) **“Store”** means to put aside or accumulate for use when needed, to put for safekeeping, to place or leave in a location.

### **6-19-3: UNLAWFUL CAMPING.**

It is unlawful and a public nuisance for any person to camp, occupy camp facilities, or use camp paraphernalia in the following areas:

- (a) Any public property; or
- (b) Any private property.
  - (1) It is not intended by this section to prohibit overnight camping on private residential property by friends or family of the property owner, so long as the owner consents and the overnight camping is limited to not more than five consecutive nights.
  - (2) Nothing in this Article is intended to prohibit or make unlawful, activities of an owner of private property or other lawful user of private property that are normally associated with and incidental to the lawful and authorized use of private property for residential or other purposes; and provided further, nothing is intended to prohibit or make unlawful, activities of a property owner or other lawful user if such activities are expressly authorized by the City's comprehensive zoning ordinance or other laws, ordinances and regulations.
  - (3) The City Manager may, as provided in Section 6-19-5 of this Article, issue a temporary permit to allow camping on public or private property in connection with a special event.

A violation of this section is a misdemeanor. In addition to the remedies set forth in Penal Code Section 370, the City Attorney may institute civil or administrative actions to abate a public nuisance under this Article.

#### **6-19-4: STORAGE OF PERSONAL PROPERTY ON PUBLIC AND PRIVATE PROPERTY.**

It is unlawful and a public nuisance for any person to store personal property, including camp paraphernalia, in the following areas, except as otherwise provided by resolution of the City Council:

- (a) Any public property; or
- (b) Any private property without the written consent of the owner.

A violation of this section is a misdemeanor. In addition to the remedies set forth in Penal Code Section 370 the City Attorney may institute civil or administrative actions to abate a public nuisance under this Article.

#### **6-19-5: PERMIT FOR SPECIAL EVENTS REQUIRED.**

The City Manager may, in his or her discretion, issue a permit to establish, maintain and operate a camp or a camp facility in connection with a special event. A special event is intended to include, but not be limited to, programs operated by the City departments, youth or school events, marathons or other sporting events and scouting activities. The City Manager may consult with various City departments, the health officer and the public prior to issuing any temporary permit. Each department or person consulted may provide comments regarding any health, safety or public welfare concerns and provide recommendations pertaining to the issuance, denial or conditioning of the permit. A reasonable fee, to be set by the City Council shall be paid, in advance, by the applicant. The fee shall be returned if the application is denied. In exercising his or her discretion to issue a temporary permit, the City Manager may consider any facts or evidence bearing on the sanitary, health, safety and welfare conditions on or surrounding the area or tract of land upon which the proposed temporary camp or camp facility is to be located.

Any person who establishes, maintains or operates a camp or camp facility without a permit is guilty of a misdemeanor and constitutes a public nuisance. In addition to remedies provided in Penal Code Section 370 the City Attorney may institute civil or administrative actions to abate a public nuisance under this Article.

#### **6-19-6: POSTING COPY OF PERMIT.**

It is unlawful for any person to establish, maintain, conduct or carry on any camp or camp facility unless there shall be at all times posted in a conspicuous place upon the area or tract of land upon which the camp or camp facility is located a permit obtained from the City Manager in accordance with the provisions of Section 6-19-5 of this Article.

#### **6-19-7: POWER OF THE CITY MANAGER TO MAKE RULES AND REGULATIONS.**

The City Manager is further empowered to ascertain that the operation or maintenance of any camp or camp facilities to which a temporary permit shall apply will in no way jeopardize the public health, safety or welfare and for this purpose may make additional rules and regulations pertaining to their establishment, operation or conduct. The City Manager may also impose conditions on the establishment, maintenance and operation of the camp or camp facility, including, but not limited to security, sanitation facilities, the number of occupants, posting of bonds or deposits, insurance, quiet hours, duration of the permit, and permitted activities on the premises. When the City Manager shall issue any permit under the terms of Section 6-19-5 of this Article, the same may be revoked at any time thereafter by the City Manager if the City Manager becomes satisfied that the maintenance or continuing operation of the camp or camp facilities is adverse to the public health, safety and welfare.

#### **6-19-8: CURRENT ORDINANCE PROVISIONS.**

Neither the adoption of the ordinance codified in this Article nor the repeal hereby of any ordinance shall in any manner affect the prosecution for violation of ordinances, which violations were committed prior to the effective date hereof, nor be construed as affecting any of the provisions of such ordinance relating to the collection of any such license or penalty or the penal

provision applicable to any violation thereof, nor to affect the validity of any bond or cash deposit in lieu thereof, required to be posted, filed or deposited pursuant to any ordinance, and all rights and obligations thereunder appertaining shall continue in full force and effect.

SECTION 2. EFFECTIVE DATE. This ordinance shall become effective thirty (30) days after its final passage and adoption.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Placerville held on December 10, 2013, by Councilmember Borelli, and the reading of said Ordinance was waived. The Ordinance was read for the second time on January 14, 2014 and Vice-Mayor Borelli moved its adoption. The motion was seconded by Councilmember Patton. A poll was taken, which stood as follows:

AYES:           Borelli, Hagen, Patton, Wilkins  
NOES:           None  
ABSENT:        Thomas  
ABSTAIN:       None

*Mayor Carl Hagen*

---

Mayor Carl Hagen

ATTEST:

*Susan Zito, MMC, City Clerk*

---

Susan Zito, MMC, City Clerk