



Legislation Details (With Text)

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Type: Agenda Item **Status:** Approved

File created: 12/30/2024 **In control:** Board of Supervisors

On agenda: 1/28/2025 **Final action:** 1/28/2025

Title: Chief Administrative Office recommending the Board:
 1) Approve the Final Passage (Second Reading) of Ordinance 5221 to amend Title 9, Chapter 9.55, Camping and Storage of Personal Property on Private and Public Property, to regulate camping, sleeping, sitting, lying, and storage of personal property on private and public property; and
 2) Approve the Final Passage (Second Reading) of Ordinance 5222 to amend Title 10, County Parking Lots, to add section 10.12.145, to regulate parking of vehicles in County- owned or operated lots as designated by Board of Supervisors Resolution;

FUNDING: N/A

Sponsors:

Indexes:

Code sections:

Attachments: 1. 2A - Camping Summary Ordinance 9.55_NCW, 2. 2B - County Counsel approval Summary Ordinance, 3. A - Redline Ordinance 9.55 Camping, 4. B - Clean Ordinance 9.55 Camping, 5. C - Vehicle Parking Ordinance Section 10.12.145, 6. D - County Counsel approval, 7. Executed Ordinance 5221, 8. Executed Ordinance 5222

Date	Ver.	Action By	Action	Result
1/28/2025	2	Board of Supervisors	Approved	Pass
1/14/2025	1	Board of Supervisors	Approved	Pass

Chief Administrative Office recommending the Board:
 1) Approve the **Final Passage** (Second Reading) of Ordinance **5221** to amend Title 9, Chapter 9.55, Camping and Storage of Personal Property on Private and Public Property, to regulate camping, sleeping, sitting, lying, and storage of personal property on private and public property; and
 2) Approve the **Final Passage** (Second Reading) of Ordinance **5222** to amend Title 10, County Parking Lots, to add section 10.12.145, to regulate parking of vehicles in County- owned or operated lots as designated by Board of Supervisors Resolution;

FUNDING: N/A

DISCUSSION / BACKGROUND

On January 14, 2025 the Board:

- 1) Approved the Introduction (First Reading) of Ordinance **5221** to amend Title 9, Chapter 9.55, Camping and Storage of Personal Property on Private and Public Property, to regulate camping, sleeping, sitting, lying, and storage of personal property on private and public property;
- 2) Waived full reading of the Ordinance, read by title only, and continue this matter to January 28, 2025 for Final Passage (Second Reading);
- 3) Approved the Introduction (First Reading) of Ordinance **5222** to amend Title 10, County Parking Lots, to add section 10.12.145, to regulate parking of vehicles in County- owned or operated lots as designated by Board of Supervisors Resolution;
- 4) Waived full reading of the Ordinance, read by title only, and continue this matter to January 28,

2025 for Final Passage (Second Reading); and

5) Found that the proposed ordinance changes are not “projects” within the meaning of Public Resources Code Section 21065 and California Environmental Quality Act (CEQA) Guidelines Sections 15060(c)(2) and 15378 because the regulations of camping, sleeping, sitting or lying, or public storage of personal property, on public and private property do not have the potential of resulting in a direct or reasonably foreseeable indirect physical change in the environment; and, even if the adoption of the ordinance was a project, find that the ordinance is categorically exempt from CEQA under CEQA Guidelines Section 15308 because the ordinance adopts a regulatory process for the protection of the environment and there are no unusual circumstances under CEQA Guidelines Section 15300.2, and under the “common sense” exemption in CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that there is no possibility that adoption of the ordinance would have a significant effect on the environment.

On January 7, 2025 the Board provided conceptual approval to amend Title 9, Public Peace, Morals and Welfare, Chapter 9.55, Camping and Storage of Personal Property on Private and Public Property. The amendment will change the title to Camping, Sleeping, Sitting, Lying, and Storage of Personal Property on Private and Public Property. The proposed changes to the ordinance will expand the chapter to cover unauthorized sitting, sleeping, and lying across the County and amend and expand the camping regulations. These changes are required to establish county-wide regulations that better safeguard public health, safety, and the environment. The changes are intended to strike a balance by addressing both public safety and environmental concerns while considering the needs of unhoused individuals.

A team made up of staff from the Sheriff's Office, District Attorney's Office, Chief Administrative Office, County Counsel, and the Health and Human Services Agency, worked together to draft the proposed changes to the Ordinance.

Specific changes to the chapter include adding language around sleeping, sitting, and lying on public property that interferes with the rights of others to use the areas for their intended purposes. Changes also expand the application of the ordinance to include property that is County-owned, leased, operated, managed, or maintained. A new Section 9.55.050 - Sitting, Lying or Sleeping on Public and Private Property has been added. Section 9.55.070 (formerly 9.55.060) - Storage of personal property has been further defined to delineate public and private property. Section 9.55.080 - Notice has been updated to remove the warrant requirement and update the pre-removal notice requirements. Section 9.55.090 - Storage and disposal has language added regarding what type of property is considered an immediate threat and will be disposed of immediately.

In addition to changes to Chapter 9, a new section to Chapter 10.12 is being proposed to regulate parking of vehicles in County-owned or operated lots as designated by a Board of Supervisors Resolution. This Resolution will be brought to the Board in February. The new section of Chapter 10.12 restricts parking pursuant to the Resolution with exceptions for County personnel or during occasions or events as declared by the Chief Administrative Officer. The intention of the Resolution will be to restrict overnight parking and parking on weekends when County offices are closed to the public. This change is required to establish county-wide regulations that better safeguard public health, safety and the environment.

The Summary Ordinance 5221 was published in the Wednesday, January 22, 2025, edition of the Mountain Democrat.

ALTERNATIVES

The Board could choose not to adopt these changes and better safeguards would not be put into place to protect public health, safety, and the environment.

PRIOR BOARD ACTION

Legistar file 25-0042 - January 7, 2025 - Conceptual approval to amend Title 9, Chapter 9.55 and amend Title 10, Chapter 10.12.

OTHER DEPARTMENT / AGENCY INVOLVEMENT

Sheriff's Office
District Attorney
County Counsel
Health and Human Services Agency

FINANCIAL IMPACT

There is no direct financial impact from these changes.

CLERK OF THE BOARD FOLLOW UP ACTIONS

- 1) Obtain the Chair's signature on the original Ordinance XXXX and Ordinance XXXX.
- 2) Publish a summary of Ordinance XXXX pursuant to Government Code Section 25124(b)(1).
- 3) Publish the full Ordinance XXXX pursuant to Government Code Section 25124(a).

STRATEGIC PLAN COMPONENT

N/A

CONTACT

Laura Schwartz, Assistant Chief Administrative Officer