

Before the Board of Supervisors County of Placer, State of California

In the matter of:

Ordinance No.: 5809-B

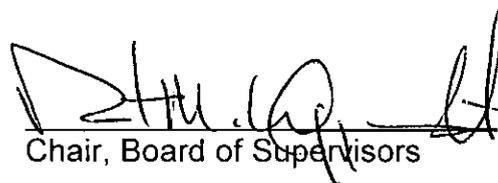
AN ORDINANCE AMENDING PLACER COUNTY CODE CHAPTER 9, PUBLIC PEACE, SAFETY AND WELFARE, BY ADDING ARTICLE 9.40 URINATING OR DEFECATING IN PUBLIC PLACES.

First Reading: January 5, 2016

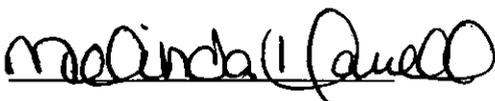
The following **ORDINANCE** was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held January 26, 2016, by the following vote on roll call:

Ayes:	DURAN, HOLMES, UHLER, MONTGOMERY, WEYGANDT
Noes:	NONE
Absent:	NONE

Signed and approved by me after its passage.


Chair, Board of Supervisors

Attest:
Clerk of said Board



THE BOARD OF SUPERVISORS OF THE COUNTY OF PLACER, STATE OF CALIFORNIA
HEREBY FINDS AND DECLARES THE FOLLOWING:

WHEREAS public urination or defecation is injurious to public health safety and welfare;
and

WHEREAS, while state law prohibits indecent exposure, such exposure must be done in a lewd manner and the act of public urination or defecation does not uniformly constitute indecent exposure; and

WHEREAS, while state law prohibits the dumping of hazardous waste as well as disorderly conduct, neither public urination nor public defecation constitutes a punishable offense under those state laws,

NOW THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF PLACER ORDAINS AS FOLLOWS:

Section 1: Chapter 9 Public Peace, Safety and Welfare is hereby amended to add Article 9.40, which shall read as follows:

Article 9.40
URINATING OR DEFECATING IN PUBLIC PLACES

SEC. 9.40.010 Acts Prohibited.

No person shall deposit, by means of urination or defecation, any human waste material in any public place (other than in a public toilet or restroom designed to receive waste material), in any place exposed to public view, or upon the surface of the ground or upon any premises, lot, or public street.

SEC. 9.40.020 Human waste material defined.

For the purposes of this chapter, "human waste material" shall be defined as human urine or fecal matter discharged from the body.

SEC. 9.40.030 Penalties.

Violation of this article may be charged as either an infraction or a misdemeanor in the discretion of the District Attorney.

SEC. 9.40.040 Severability

The provisions of this article are hereby declared to be severable. If any provision, clause, word, sentence, or paragraph of this chapter or the application thereof to any person, establishment, or circumstance shall be held invalid, such invalidity shall not affect the other provisions or application of this chapter.

Section 2. This ordinance shall take effect and be in full force thirty (30) days after the date of its passage. The Clerk is directed to publish this ordinance, or a summary thereof, within fifteen (15) days in accordance with government code section 25124.