

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

In the matter of: **AN ORDINANCE  
ESTABLISHING ARTICLE 12.26 PERTAINING  
TO PROHIBITION OF CAMPING AND  
PERSONAL PROPERTY STORAGE ON  
COUNTY PROPERTY AND PUBLIC PLACES**

Ord. No: \_\_\_\_\_  
First Reading: June 16, 2015

The following **ORDINANCE** was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held \_\_\_\_\_, 2015 by the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

\_\_\_\_\_  
Chair, Board of Supervisors

Attest:

\_\_\_\_\_  
Clerk of Said Board

**WHEREAS**, the County of Placer has the authority, under its police power, to enact regulations for the public peace, morals, and welfare of the County, and;

**WHEREAS**, the County of Placer has the authority to regulate activities on County Property and Public Areas that unreasonably interfere with the County's and public's use of those areas, and;

**WHEREAS**, the County of Placer finds camping and the storage of personal property on County Property and in Public Areas interferes with the general public's access to such areas and interferes with the County's and the public's ability to use those areas, and;

**WHEREAS**, the County of Placer finds storage of personal property on County Property and Public Areas causes blight and constitutes a threat to the health and safety of the people, as such personal property may attract vermin, and;

**WHEREAS**, the County of Placer finds individuals have a protectable possessory interest in personal property they leave unattended on County Property and Public Areas, and such personal property may include important items such as identification papers, heirlooms, medications, toiletries and clothing, and;

**WHEREAS**, the County of Placer finds the public's interest in having blight-free County property and Public Areas is outweighed by the more immediate interests of individuals in not having their personal belongings summarily destroyed, and;

**WHEREAS**, Article 2.108 of the Placer County Code provides for a process by which personal property may be returned to its owner, and that process strikes the appropriate balance between the County's interest in keeping County property safe, clean and blight-free, and the rights of individuals to their personal property.

**NOW THEREFORE**, The Board of Supervisors of the County of Placer, State of California, does hereby ordain as follows:

**Section 1:** Article 12.26 of Chapter 12 of the Placer County Code, entitled "Camping and Personal Property Storage" is hereby established, and which shall read as follows:

**Article 12.26**  
**CAMPING AND PERSONAL PROPERTY STORAGE ON COUNTY**  
**PROPERTY AND PUBLIC AREAS**

**SEC. 12.26.010**      General Provisions

- A.    The Director of Facility Services, or designee, is authorized to adopt and enforce rules and regulations consistent with this Article. Activities in conflict with the regulations specified herein are unlawful.
- B.    The Enforcement Official shall be the Director of Facility Services, or designee, through designated County Code Enforcement Officers for County Property. The Placer County Sheriff is also authorized to enforce the provisions of this Article.
- C.    The provisions of this Article shall apply to all County property areas (whether County-owned or County-managed), including, but not limited to, any building, ground, open space, street, alley, public parking area, playground, school ground, or other place to which the public has access.

**SEC. 12.26.020**      Definitions.

- A.    "Alley" shall have the same meaning as Section 110 of the California Vehicle Code.
- B.    "Camp facilities" include, but are not limited to, tents, huts, or temporary shelters.
- C.    "Camping" means to pitch or occupy camp facilities; to use camp paraphernalia.
- D.    "Camp paraphernalia" includes, but is not limited to, tarpaulins, cots, beds, sleeping bags, hammocks or cooking facilities and similar equipment.
- E.    "County Property" means any improved or unimproved property owned or controlled by the County of Placer, including, but not limited to all County-owned or County-leased buildings and grounds in use for providing public services, parks, libraries, museums, and Veterans Halls. Such County Property specifically includes, but is not limited to the Placer County Government Center in Auburn, Placer County Administrative Center in Auburn, Bill Santucci Justice Center in Roseville, and Placer County Administrative Center – Tahoe City in Tahoe City.
- F.    "Enforcement Official" shall have the definition as set forth in Subsection B of Section 12.26.010 of the Placer County Code.
- G.    "Personal Property" means tangible personal belongings. Tangible personal belongings include any movable or tangible thing that is subject to ownership;

property or chattels that can be seen, weighed, measured, felt, or touched, such as furniture, cooking utensils, money and books. For the purposes of this Article, personal property shall not include real property, vehicles, or animals.

- H. "Public Area" means and includes, but is not limited to, any County-owned or County-maintained street, alley, park, right-of-way, public parking area, vacant parcels, or other County-owned or County-maintained place to which the public has access.
- I. "Storage of Personal Property" means accumulating or putting aside personal property, placing it for safekeeping, or leaving it in any County Property or Public Area; or personal property that is left unattended in any County Property or Public Area lacking a guard, escort, caretaker, or other watcher.
- J. "Street" shall have the same meaning as Section 591 of the California Vehicle Code.
- K. "Unclaimed personal property" means personal property that has been turned in to the Placer County Sheriff pursuant to Article 2.108 of Chapter 2 of the Placer County Code.

SEC. 12.26.030 Prohibitions.

**A. Camping in Public Areas Prohibited – Penalties.**

- 1. It shall be unlawful for any person to camp, occupy camp facilities or use camp paraphernalia in any County Property or Public Area, except as otherwise designated by the Enforcement Official.
- 2. Violations of this section shall be punishable pursuant to Section 1.24.010 of the Placer County Code.

**B. Fires in Public Areas Prohibited – Penalties.**

- 1. It shall be unlawful for any person to start, maintain, or use a campfire, warming fire, or other similar open flame within the boundary of any County Property or Public Area unless prior written permission is granted by the Enforcement Official.
- 2. Violations of this section shall be punishable pursuant to Section 1.24.010 of the Placer County Code.

**C. Storage of Personal Property Prohibited.**

- 1. Storage of personal property within the boundary of any County Property or Public Area is prohibited, unless approved in writing by the Enforcement Official.
- 2. Personal property stored in County Property or Public Area in violation of this section shall be impounded.
- 3. The Enforcement Official shall establish rules and regulations for the collection and safekeeping of personal belongings found unattended and coming into his or her possession. Such rules and regulations shall include reasonable provisions for making efforts to identify the owner; providing an owner with notice of the locations where the personal belongings may be retrieved; a minimum length of time such belongings shall be kept, and; provisions for the disposal of such property in the event it remains unclaimed for longer than the established storage period. Such rules and regulations shall be developed in accordance with the provisions of Article 2.108 of the Placer County Code.

4. Violations of this section shall be punishable pursuant to Section 1.24.010 of the Placer County Code.

SEC.12.26.040 Severability.

- A. If any portion of this article is for any reason held unconstitutional, invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Article. The Board of Supervisors of the County of Placer hereby declares that it would have adopted this Ordinance and each Section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions be declared invalid or unconstitutional.

**Section 2:** This ordinance shall become effective thirty (30) days after the date of final passage of this ordinance in accordance with Cal. Government Code Section 25123.



**MEMORANDUM  
DEPARTMENT OF FACILITY SERVICES  
COUNTY OF PLACER**

To: Honorable Board of Supervisors

Date: June 16, 2015

From: Ken Grehm, Facility Services Interim Director  
By: Mark Rideout, Deputy Director

Subject: Camping and Personal Property Ordinance – County Code, Chapter 12, Article 26

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**ACTION REQUESTED:**

Introduce an Ordinance, first reading waived, to adopt a Camping and Personal Property Ordinance establishing Article 12.26 of the Placer County Code to regulate camping and storage of personal property on County property and public areas, as defined.

**BACKGROUND:** Camping that occurs outside of improved campgrounds, with restrooms and fire-rings, creates a public health and safety risk on County property and in other public places. In the current example at the Placer County Government Center (PCGC) in Auburn, campers create public health issues by building fires, and defecating and urinating in the grounds adjacent to County office buildings. Through adoption of this Ordinance and with the recent opening of the temporary emergency shelter at the PCGC, campers will be encouraged to engage in services with the ultimate goal of self-sufficiency.

Large amounts of personal property are being stored on County property and in other public places. This storage interferes with the County's and public's ability to access, use, and enjoy these areas. It causes blight and constitutes a threat to the health and safety of our citizens as such personal property may attract vermin. In the current example at PCGC, both neighboring residents and County employees have expressed concerns with the accumulation of personal property.

Individuals have a protectable possessory interest in personal property they leave unattended on County property and in public places. This personal property may include important items such as identification papers, heirlooms, medications, toiletries and clothing. The public's interest in having blight-free County property and public places is outweighed by the more immediate interests of individuals in not having their personal belongings summarily destroyed. Article 2.108 of the Placer County Code provides for a process by which personal property may be returned to its owner. Staff will establish procedures for safekeeping and retrieval of unattended personal belongings collected under the proposed Ordinance.

**ENVIRONMENTAL CLEARANCE:** Adoption of this proposed addition to the Placer County Code does not constitute a project pursuant to California Environmental Quality Act, Section 15378(b)(2) and (5).

**FISCAL IMPACT:** It is anticipated there will be nominal fiscal impact resulting from adoption of this Ordinance. The current labor and disposal costs to clean up the PCGC grounds are expected to reduce, and any possible enforcement actions would be absorbed by the appropriate Department in its normal day-to-day activities.

ATTACHMENT: CAMPING AND PERSONAL PROPERTY ORDINANCE

KG/MR/KT

CC: COUNTY EXECUTIVE OFFICE  
COUNTY COUNSEL

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