

Chapter 132 - Camping

132.01 - Definitions. Subdivision 1. For the purposes of this section, the following words, terms and abbreviations shall have the definitions given to them.

Subd. 2 City refers to the City of Breezy Point, Minnesota

Subd. 3 Camp means to set up, or to remain in or at a campsite.

Subd. 4 Campsite means any place where any tent, lean-to, shack, or other structure, any vehicle or part thereof, or any bedding, sleeping bag, or other sleeping matter, or any stove or fire is placed, established, or maintained for the purpose of establishing or maintaining a temporary place to live.

132.02 - Prohibition. Subdivision 1. No person shall camp in or upon any public property in the City except in any location where camping has been expressly allowed by the officer or agency having the control, management and supervision of the public property in question.

Subd. 2. No person shall camp upon any private property in the City without the express written consent of the property owner or the owner's agent, and only in such locations where camping may be conducted in accordance with any other applicable city law.

Subd. 3. Any camping or campsite materials or personal property associated with a camping area that is in violation of this ordinance may be removed or cleaned up by the City or its designated contractors. The City will continue to utilize encampment protocols that will provide notice (verbal or in writing), and a reasonable period of time (generally a maximum of 48 hours) for persons to access available services and seek shelter options.

132.03 - Criminal Penalty. Subdivision 1. Any violation of this section is deemed a misdemeanor, as defined in Minnesota Statute §609.02, subd. 3, currently a crime for which a sentence of not more than 90 days or a fine of not more than \$1,000, or both, may be imposed.

Subd. 2. No person may be prosecuted under this chapter unless:

1. The person has been informed of the various charitable and social services available to the person, including shelter options as well as daytime services; and
2. The person has been warned that their conduct is a violation of this

section, subject to criminal prosecution. An individual who has been warned and then relocates to another space that a reasonable person would understand is also covered by this section is not entitled to a new warning.

132.04 - Prioritization of Enforcement. Subdivision 1. Recognizing that enforcement resources may be insufficient to cover all included spaces at all times, prioritization will be given to the following spaces:

1. In, or within 100 feet of, a City Park.
2. Within 250 feet of a preschool, kindergarten, elementary or secondary school, or a licensed childcare center.
3. Public road rights-of-way.
4. The area of the sidewalk corridor on City sidewalks, or public trails, intended for pedestrian travel.
5. Upon or within 250 feet of a lot or parcel containing an electric utility substation or electric power generation facility.
6. Upon or within 250 feet of a lot or parcel containing a water/sewer utility pumping facility or storage facility.
7. Areas posted as no-trespassing by authorized City personnel.

(Added October 2024)