

**CITY OF MAUSTON
ORDINANCE 2024-2072**

Adding Ordinance Regarding Offenses Involving Public Peace and Order - Camping

The Common Council of the City of Mauston, Juneau County, Wisconsin, does hereby add and ordain Chapter 26, Article II, Section 26-38, 39, and 40 of the City of Mauston Code of Ordinances as follows:

Sec. 26-38. – Camping on Public Property

- (a) *Purpose.* Camping without adequate sanitation services, such as access to water, sewer, and regular garbage collection, presents a public health and safety concern. Additionally, unauthorized camping on public property often interferes with the intended use of the public space. As a result, this camping ordinance is necessary to preserve the health, safety, and welfare of the public and to prevent the unnecessary interference with the rights of others to use public spaces for the purposes for which they were intended.
- (b) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meaning ascribed to them in this subsection, except where the context clearly indicates a different meaning:
 - 1. *Camp or To Camp* - To set up or to remain in or at a campsite, including the storage of personal belongings or camping materials, including sleeping in a tent, under a tarp or canopy, in a motor vehicle, trailer, or in any other outdoor shelter, or privately-owned business parking lot, except as zoned to allow such use.
 - 2. *Camping Material* – Includes but is not limited to tents, tarps, umbrellas, canopies, metal sheeting, pallets, hammocks, hunting blinds, boxes, huts, temporary shelters, vehicles, or trailers.
 - 3. *Campsite* - Any place where Bedding, sleeping bag, or other sleeping matter, or any stove or fire is placed, established, maintained, whether or not such place incorporates the use of any tent, lean-to, shack, or any other structure, or any vehicle or part thereof.
 - 4. *Public Property* - Any city, state, or federally owned property, including, but not limited to, a park, bench, street, sidewalk, parking lot, alley, school property, right-of-way, or under a bridge or other public structure.
 - 5. *Store or Storage* – to put aside or accumulate for use when needed, or put for safekeeping, to place or leave in a location
- (c) *Unauthorized Camping on Public Property.* It is unlawful for any person to camp on city park property, public parking property, private business parking lots, unless zone for such use, or in areas of City-owned property prohibited by the Common Council, except as expressly authorized by declaration of the Mayor or Common Council in emergency or other special circumstances.
- (d) *Sleeping on Sidewalks, Streets, or Public Ways.* It is unlawful for any person, with or without camping materials to lie down or sleep on a public street, sidewalk, bike path, or public way.
- (e) *Warning.* No person shall be cited for violating this section unless such person shall continue to camp after receiving a warning to leave. Such warning shall be given by a police officer or other authorized City officer or employee.
- (f) *Party to an offense.* It shall be unlawful to be a party of an offense under this chapter. Whoever is a party in the commission of the offense may be charged with and convicted of the commission of

the offense, although the person did not directly commit it, and although the person who directly committed it has not been convicted, or has been convicted of some other degree of the violation or of some other offense based on the same act. A person is deemed to be a party in the commission of the offense if they directly commit the violation, intentionally aid and/or abet the commission of the violation or advises, hires, counsels or otherwise procure another to commit the offense.

Sec. 26-39. – Camping on Private Property

- (a) It shall be unlawful for any person to camp, as defined in sec. 26-38(b)1., on private residential property in the City of Mauston for more than 7 days, within a 90-day period.

Sec. 26-40. - Violations

Any person violating any section of this chapter shall be subject to the penalties set forth in chapter 1, article II.

APPROVED:

ATTEST:

Darryl D. D. Teske, Mayor

Daron Haugh, City Administrator

- Date of Readings: _____
- Date of Adoption: _____
- Votes: Ayes _____ Nays _____ Absent _____ Abstention _____
- Date of Publication: _____