

ORDINANCE NUMBER 675-AC

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEEDLES, CALIFORNIA, ADDING CHAPTER 11A, CAMPING, TO THE NEEDLES MUNICIPAL CODE

WHEREAS, on June 28, 2024, the United States Supreme Court issued its ruling in *Grants Pass v. Johnson*, which among other things, held that the Eighth Amendment does not prohibit cities from enforcing laws regulating camping on public property; and

WHEREAS, following the Grants Pass decision, Governor Newsom issued an executive order directing state agencies and departments to adopt clear policies that urgently address encampments, and encouraging local agencies to take proactive steps to remove the same; and

WHEREAS, the City Council has determined that it is necessary to address encampments, which subject individuals living in them to unsanitary conditions, extreme weather, predatory and criminal activity, and widespread substance use, among other things, harming their health, safety, and well-being, and which also threaten the safety and viability of nearby businesses and neighborhoods and undermines the cleanliness and usability of parks and other public facilities; and

WHEREAS, this Ordinance is enacted to preserve the public peace, health, safety, and welfare.

NOW, THEREFORE, the City Council of the City of Needles does ordain as follows:

SECTION 1. Incorporation of Recitals. The recitals reflected above are true and correct and incorporated herein by this reference as the cause, purpose, and foundation for the action taken by the City Council through this Ordinance.

SECTION 2. CEQA. Pursuant to section 15060(c)(2) of the California CEQA Guidelines, adoption of the subject Ordinance will not result in a direct or reasonably foreseeable indirect physical change in the environment and therefore is not subject to CEQA. Additionally, pursuant to section 15060(c)(3) the activity is not a “project” as defined in section 15378 because it has no potential for resulting in physical change to the environment, directly or indirectly.

SECTION 3. Findings. The City Council HEREBY FINDS AND DETERMINES that facts do exist to approve an amendment to the Needles Municipal Code (“Needles Code”).

SECTION 4. Approval. The City Council HEREBY APPROVES Ordinance 675-AC amending the Needles Municipal Code by adding Chapter 11A “Camping” as set forth on Exhibit A, which Exhibit is attached hereto and incorporated herein by this reference.

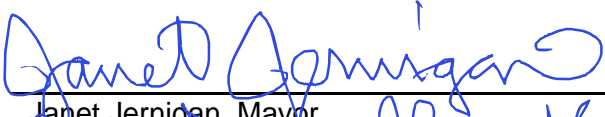
SECTION 5. Effective Date. This action shall become final and effective thirty (30) days after the adoption of this Ordinance by the City Council as provided by the Needles Code.

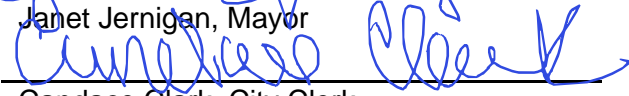
SECTION 6. Severability. If any section or provision of this Ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, or contravened by reason of any preemptive legislation, the remaining sections and/or provisions of this Ordinance shall remain valid. The City Council hereby declares that it would have adopted this Ordinance, and each section or provision thereof, regardless of the fact that any one or more section(s) or provision(s) may be declared invalid or unconstitutional or contravened via legislation.

SECTION 7. Certification. The City Clerk shall certify the introduction and adoption of this Ordinance.

INTRODUCED AND READ for the first time and ordered posted at a regular meeting of the City Council of the City of Needles, California, held on the 8th day of July 2025, by the following roll call vote:

AYES: COUNCIL MEMBERS FORD, MCCORKLE, CAMPBELL, POGUE, BELT
NOES: COUNCIL MEMBER LONGBRAKE
ABSENT: NONE
ABSTAIN: NONE



Janet Jernigan, Mayor
ATTEST: 

Candace Clark, City Clerk

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Needles, California, held on the 9th day of September 2025.

AYES:
NOES:
ABSENT:
ABSTAIN:

Janet Jernigan, Mayor
ATTEST: _____
Candace Clark, City Clerk

Approved as to form:

Lena Wade, Deputy City Attorney

Exhibit A

Chapter 11A “CAMPING”

11A.1 - Purpose

The streets and public areas within the City should be readily accessible and available to residents and the public at large. Using these areas for camping purposes or storage of personal property interferes with the rights of others to use the areas for which they were intended. Such activity can constitute a public health and safety hazard that adversely impacts neighborhoods and commercial areas, as well as poses a danger to the individuals living in them. Furthermore, Camping on private property without the consent of the owner, proper sanitary measures, and for other than a minimal duration, adversely affects private property rights as well as the public health, safety, and welfare of the City.

The purpose of this chapter is to maintain streets, parks, and other public and private areas within the City in a clean, sanitary, and accessible condition and to adequately protect the health, safety, and public welfare of the community and its residents. Nothing in this chapter is intended to interfere with otherwise lawful and ordinary uses of public or private property.

11A.2 - Definitions

"Camp" means to place, pitch, erect, or occupy camp facilities, or to use camp paraphernalia for the purpose of, or in a way that facilitates outdoor sheltering for living accommodation purposes or for remaining outdoors overnight; or to live temporarily in a camp facility or outdoors.

"Camp facilities" include one or more temporary, makeshift, or hand-built structures or shelters not intended for long-term or continuous occupancy, and include, but are not limited to, tents, huts, vehicles, vehicle camping outfits or other temporary shelter.

"Camp paraphernalia" means personal property used to facilitate occupancy of an area, and includes, but is not limited to, bedrolls, bedding, tarpaulins, cots, beds, sleeping bags, hammocks, cooking facilities, camp stoves, buckets and similar equipment, mattresses, couches, dressers or other furniture.

"City Manager" means the City Manager or designee.

"Establish" means setting up or moving equipment, supplies, or materials onto public or private property to Camp or operate Camp facilities.

"Maintain" means keeping or permitting equipment, supplies or materials to remain on public or private property in order to Camp or operate Camp facilities.

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"Operate" means participating in or assisting in establishing or maintaining a Camp or Camp facility.

"Store" means to put aside or accumulate for use when needed, to put aside for safekeeping, to place or leave in a location.

"Stored personal property" means any tangible property a person may deposit in a location with an intent to recover at a later time. Tangible property includes, but is not limited to, goods, materials, merchandise, tents, tarpaulins, bedding, sleeping bags, hammocks, and personal items such as luggage, backpacks, clothing, documents, medication, and household items. Stored personal property excludes intentionally discarded refuse, trash, and/or tangible property.

11A.3 - Unlawful Camping.

A. Except as provided in this Code, it is unlawful and a public nuisance for any person to Camp; to occupy, establish, maintain, or operate any Camp facilities, or use Camp paraphernalia for the purpose of establishing or maintaining a temporary shelter in the following areas:

1. Any public property; or
2. Any private property.

a. This chapter does not intend to prohibit overnight camping on private residential property by friends or family of the property owner, so long as the owner consents and the overnight camping is limited to not more than one consecutive night. In addition, this chapter is not intended to prohibit overnight camping on public property as required by State or Federal law.

b. Nothing in this chapter is intended to prohibit or make unlawful activities of an owner of private property or other lawful user of private property that are normally associated with and incidental to the lawful and authorized use of private property for residential or other purposes; and provided further, nothing in this chapter is intended to prohibit or make unlawful, activities of a property owner or other lawful user if such activities are expressly authorized by the Needles Municipal Code or other laws, ordinances, and regulations.

B. Notwithstanding the above, the City Manager, as provided in Section 12-35 and Chapter 15A of this Code, may issue a temporary permit to allow camping on public or private property in connection with an Outdoor Festival, Recreational Use, or as otherwise permitted by this Code.

Chapter 11A “CAMPING”

C. This Section shall not apply to any event involving camping that is approved or sponsored by the City, or to any person Camping, occupying Camp facilities, or using Camp paraphernalia on public property specifically designated for such purposes.

11A.4 - Unlawful Storage of Personal Property on Public and Private Property.

It shall be unlawful and a public nuisance for any person to leave stored personal property on public property or private property without the consent of the property owner or except as otherwise approved by the City Manager, Police Chief, or any of their designees.

Stored personal property left on public or private property in violation of this section may be impounded pursuant to the provisions of this chapter.

11A.5 - Impounding Stored Personal Property

A. The Police Chief, or designee, is authorized to impound stored personal property located on public property or private property without the consent of the property owner pursuant to the provisions of this chapter. The Police Chief is authorized to adopt written policies and procedures to implement the provisions of this chapter. Nothing in this chapter shall be construed to limit or otherwise interfere with State law regarding the impounding of evidence related to a crime.

B. Stored personal property may be impounded and disposed of without notice if there is cause to reasonably believe that the stored personal property is:

1. Perishable.
2. Contaminated with feces, urine, or bodily fluid.
3. Infested with insects.
4. Contaminated with mold or mildew.
5. Intentionally discarded.
6. An immediate threat to public health or safety.

C. Stored personal property may be impounded without notice if there is cause to reasonably believe that the stored personal property is:

1. Evidence of a crime; or
2. Evidence in a criminal investigation; or
3. Unlawful to possess.

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D. Except as provided above, stored personal property located on public property or private property without the consent of the property owner may be impounded after providing 24 hours actual or posted notice as provided in this section.

E. Actual notice shall be deemed provided by placing on or near the stored personal property with a writing containing the following information:

1. A general description of the stored personal property.
2. The location of the stored personal property.
3. The date and time the notice was placed; and

4. A statement that the stored personal property has been deposited in violation of Chapter 11A.4 and will be impounded by the City if the stored personal property is not removed within 24 hours of issuance of actual notice.

F. Posted notice shall be deemed provided by erecting at least one sign in a conspicuous place stating that any stored personal property found in a described area may be removed and impounded if not claimed and removed within 24 hours after being discovered. The sign shall provide a phone number and address where a person may receive information to recover his or her personal property.

G. After the notice period has expired, the stored personal property shall be deemed abandoned and may be impounded. Prior to impounding stored personal property, the City will provide notice in a conspicuous place at or near where the stored personal property was located with the following information:

1. A general description of the stored personal property.
2. The location of the stored personal property.
3. The date and time the notice was placed; and

4. A statement that the stored personal property has been impounded by the City and the process to re-claim the stored personal property.

11A.6 - Impounding Personal Property after Closure

Notwithstanding Section 11A.5, any stored personal property located in any area that is posted with conspicuous signs indicating the area is closed to the public may be immediately impounded without notice. The posted signs must contain language indicating that all stored personal property found during the hours the area is closed will be impounded. The sign shall describe where the stored personal property will be stored,

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including a telephone number and the address where a person may receive information regarding how to recover the stored personal property.

11A.7 - Storage and Disposal of Impounded Personal Property

A. Stored personal property that is impounded pursuant to this chapter shall be stored by the City for a period of 90 days. If the owner of the stored personal property is reasonably ascertainable, the Police Chief, or designee, shall promptly notify the owner of the procedure to claim his or her personal property.

B. The Police Chief, or designee, shall return the stored personal property to its owner upon presentation of satisfactory evidence of ownership.

C. In the event the stored personal property is not claimed within 90 days, it may be subject to disposition as determined by the Police Department and in accordance with applicable State and Federal statutes.

11A.8 – Violation - Penalty

In the discretion of the Enforcement Officer, any person violating the provisions of this Chapter shall be subject to penalties as provided in the City of Needles Charter Section 520, Needles Municipal Code Chapter 1.7, and/or issued an administrative citation pursuant to Needles Municipal Code Chapter 2A. In either case, the amount of the fine shall be the appropriate amount set forth in this Code. Each such violation shall be deemed a separate offense as specified in Section 1.7 and 2A.03, respectively.

11A.9 - Severability.

If any provision of this chapter is rendered illegal, invalid, or unenforceable, all other parts of this chapter shall remain in full force and effect.