

ORDINANCE NUMBER 677-AC

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEEDLES, CALIFORNIA, AMENDING
CHAPTER 18, ARTICLE 18-V, ENTITLED "CONDUCT ON PUBLIC PROPERTY"
IN THE NEEDLES MUNICIPAL CODE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEEDLES, SAN BERNARDINO
COUNTY, STATE OF CALIFORNIA AS FOLLOWS:

SECTION 1. 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 2. Severability. The City Council hereby declares that if any provision, section, paragraph, sentence, or word of this Ordinance is rendered or declared to be invalid or unconstitutional by any final court action in a court of competent jurisdiction, or by reason of any preemptive legislation, such invalidity shall not affect the other provisions, sections, paragraphs, sentences, or words of this Ordinance, and to this end the provisions of this Ordinance are severable. The City Council declares that it would have adopted this Ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed and the balance of the Ordinance enforced.

SECTION 3. Prosecution of Prior Ordinances. Neither the adoption of this Ordinance nor the repeal of any other ordinance of this City shall in any manner affect the prosecution of any violation of any City ordinance or provision of the City of Needles Municipal Code, committed prior to the effective date hereof, nor be construed as a waiver of any penalty or the penal provisions applicable to any violation thereof.

SECTION 4. Chapter 18, Article 18-V. Conduct on Public Property. The City Council hereby amends Chapter 18, Article 18-V "Conduct on Public Property" of the City of Needles Municipal Code as set forth in Exhibit "A" attached hereto and incorporated herein by this reference.

SECTION 5. Publication. The City Clerk shall certify to the adoption of this Ordinance and shall cause the same to be published pursuant to state law within fifteen (15) days after its passage, and this Ordinance shall become effective thirty (30) days after its passage.

SECTION 6. 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 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 12th day of August 2025, by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

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

Attachment "A"
to Ordinance No. 677-AC

Article 18-V. Conduct on Public Property

18-42 Public Property Defined

For the purpose of this chapter, "public property" means any publicly owned property within the city, except the traveled portion of any public streets, and shall include but not be limited to any park, sidewalk, curb or any public right-of-way devoted to planting. (Ord. No. 387-AC)

18-43 Vandalism

It is unlawful for any person to willfully mark, deface, disfigure, injure, tamper with, displace or remove any railing, bench, or any facilities or property and equipment of any public utility, or parts of appurtenances thereof, signs, notices, placards, whether temporary or permanent, monuments, stakes, posts or other boundary markers, wall or rock border, or other structures or equipment, facilities or public property or appurtenances whatever, either real or personal. (Ord. No. 387-AC)

18-44 Structures--Tents--Ropes And Lines

It is unlawful for any person to construct or erect any building or structure of whatever kind, whether permanent or temporary in character, any tent, fly or windbreaker, or run or string any rope, cord or wire into, upon or across any public property, except on special permit issued pursuant to a city ordinance, resolution or regulation. (Ord. No. 387-AC)

18-45 Trees And Plants

It is unlawful for any person to, without a city permit, damage, cut, carve, burn, transplant or remove any tree or plant, or injure the bark or pick the flowers or seeds of any tree or plant, nor shall any person attach any pole, wire or other contrivance to any tree or plant. No person shall dig in or otherwise disturb or in any way injure or impair the natural beauty or usefulness of any park area. (Ord. No. 387-AC.)

18-46 Climbing Trees--Inappropriate Sitting Or Lying

It is unlawful for any person to climb any tree or walk, stand or sit upon monuments, vases, fountains, railings, fences, planted areas or upon any other property not designed or customarily used for such purposes, or to sit on any sidewalks or steps or to lie or sit on any lawns which are posted with a sign prohibiting this use on the lawn area. (Ord. No. 387-AC)

18-47 Sleeping--Disorderly Conduct

It is unlawful for a person to sleep on any public sidewalks, curbs, planters or walls, or to block pedestrian traffic on the sidewalk or other public walks, ways or footpaths devoted to pedestrian use. (Ord. No. 387-AC)

18-48 PROHIBITED TRESPASS

(a) It is unlawful for any person to enter or remain upon any posted public property during those hours prohibited by the signs posted thereon without the written permission of the owner, tenant, or occupant in the legal possession or control thereof.

(b) The signs shall be not less than one square foot in area and will have letters not less than two inches in height which shall read "Trespassing-Loitering Forbidden by City of Needles Municipal Code Article 18-V" followed by a designation of specific hours during which such trespassing and loitering are prohibited. These signs shall be posted at each entrance to the property and on at least two prominent places on the exterior boundaries of the property where they are clearly visible from outside of the property.

18-49 VIOLATIONS—PENALTY

Any person violating any of the provisions of this Article 18-V shall be guilty of a misdemeanor and shall upon conviction be punished by a fine not to exceed five hundred dollars (\$500.00) or by imprisonment, not exceeding six months or by both such fine and imprisonment. Every separate violation of this Article shall be deemed a separate offense.