

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:
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 12th day of August 2025.

AYES:
NOES:
ABSENT:
ABSTAIN:

Janet Jernigan, Mayor

ATTEST: _____
Candace Clark, City Clerk

Approved as to form:

Lena Wade, Deputy City Attorney