

ORDINANCE NO. 20-2024

AN ORDINANCE CREATING CHAPTER 140 OF THE CODE OF ORDINANCES OF THE CITY OF SPRINGDALE, OHIO TO REGULATE UNLAWFUL CAMPING

WHEREAS, the streets, parks and other public areas within the City of Springdale (the “City”) should be readily accessible and available to residents and the public at large and maintaining the City’s streets, parks and other public areas within the City in a clean, sanitary and accessible condition is crucial to adequately protect the health, safety and public welfare of the City; and

WHEREAS, the use of these areas within the City for camping purposes or storage of personal property or sleeping interferes with the rights of others to use the areas for which they were intended, and such activity can constitute a public health and safety hazard which adversely impacts neighborhoods and commercial areas.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Springdale, _____ members elected thereto concurring:

Section 1. Chapter 140 of the Code of Ordinances of the City of Springdale shall be created to regulate unlawful camping as provided for in the attached Exhibit A which is incorporated herein by reference.

Section 2. Council hereby finds and determines that all formal actions relative to the passage of this legislation were taken in an open meeting of this Council, and that all deliberations of this Council and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3. This Ordinance shall take effect on the earliest date allowed by law.

Passed this ____ day of May, 2024.

Attest:

Clerk of Council

President of Council

Approved:

Mayor

Date

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CHAPTER 140 UNLAWFUL CAMPING.

140.01 PURPOSE

The streets, parks and other public areas within the City of Springdale (the “City”) should be readily accessible and available to residents and the public at large. The use of these within the City for camping purposes, storage of personal property, or sleeping 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 which adversely impacts neighborhoods and commercial areas. The purpose of this Chapter is to maintain the City’s streets, parks, and other public areas within the City in a clean, sanitary and accessible condition and to adequately protect the health, safety, and public welfare of the community while recognizing that, subject to reasonable conditions, camping and camp facilities associated with special events can be beneficial to the cultural and educational climate in the City. Nothing in this Chapter is intended to interfere with otherwise lawful and ordinary uses of public property.

140.02 DEFINITIONS

As used in this Chapter:

“Bench” means a seat located upon public property or along any public street for the accommodation of passersby or persons awaiting transportation.

“Camp” means to pitch, use, or occupy camp facilities for the purposes of habitation, as evidenced by the use of camp paraphernalia.

“Camp facilities” include, but are not limited to, tents, huts, temporary shelters. “Camp facilities” does not include tents, huts, or temporary shelters when used temporarily in a park for recreation or play during daylight hours when the park is open to the public.

“Camp paraphernalia” includes, but is not limited to, tarpaulins, cots, beds, sleeping bags, blankets, mattresses, hammocks or cooking facilities or similar cooking equipment.

“Park” means any publicly owned area controlled by the City or other governmental entity for park purposes. “Park” also includes all associated areas, including parking lots for parks.

“Public property” means any real property, building, structure, equipment, sign, shelter, vegetation, trail, and public open space, including all associated areas such as parking lots, controlled or owned by the City or any other governmental agency.

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

“Street” means any highway, lane, road, street, right-of-way, sidewalk, boulevard, alley, and every way or place in the City open as a matter of right to public pedestrian and vehicular travel.

140.03 UNLAWFUL CAMPING, STORAGE OF PERSONAL PROPERTY OR SLEEPING IN PUBLIC PLACES.

A. It shall be unlawful for any person to camp or to store personal property, including camp facilities or camp paraphernalia, in the following areas:

1. Any park; or
2. Any street; or
3. Any public property, improved or unimproved.

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- B. It shall be unlawful for any person to sleep or engage in protracted lounging on any bench, playground equipment, monument, or parapet wall in the following areas:
1. Any park; or
 2. Any street; or
 3. Any public property, improved or unimproved.

140.04 EXCEPTION FOR SPECIAL EVENTS OR ACTIVITIES

No person shall be in violation of this Chapter if they have received permission from the City as part of a special event or activity to camp or to store personal property in any area where such conduct is otherwise prohibited in Section 140.03.

140.05 PENALTY.

Whoever violates this Chapter is guilty of “unlawful public camping.” Except as otherwise provided, “unlawful public camping” is a misdemeanor of the fourth degree. If the offender previously has been convicted of, or pleaded guilty to “unlawful public camping” then the violation is a misdemeanor of the first degree.