

Chapter 12.32

CAMPING

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Section 12.32.010 Purpose

The streets and public areas within the City of Vacaville need to be readily accessible and available to residents and the public at large. The use of these areas for camping purposes or storage of personal property interferes with the rights of others to use these areas for which they were intended. Such activity can also constitute a public health and safety hazard, which adversely impacts other members of the public, neighborhoods and commercial areas. The purpose of this chapter is to maintain public and private lands, streets, sidewalks, alleys, ways, creeks, waterways, parks, playgrounds, recreation areas, plazas, open spaces, lots, parcels and other public and private areas within the city in a clean, sanitary and accessible condition and to protect the health, safety and welfare of the community, while recognizing that, subject to reasonable conditions, camping and camping facilities associated with special events can be beneficial to the cultural and educational well-being of city residents. Nothing in this chapter is intended to interfere with otherwise lawful and ordinary uses of public or private property.

The unauthorized or inappropriate use of outdoor cooking equipment, open flame, fires or stoves of any sort typically associated with camping creates a major fire threat to life, safety and property, including public and private property, open lands, and hillsides. Illegal campsites are typically located in areas where high levels of combustible vegetation are located (e.g. wooded areas), which creates an even higher level of a fire threat.

Camping adjacent to, within, or below the top of banks of creeks or streams poses a health and safety risk from potential flooding, proximity to unstable banks with slippage potential, health risks from human waste entering into creeks, streams, or other waterways and the risk of damage to environmentally sensitive habitat and species known to exist in some portions of the city, such as creeks, streams, waterways, and wetlands;

Unauthorized camping near bicycle paths within the city also increases the potential for crimes against persons using the bicycle paths.

It is not the intent or purpose of this chapter to prohibit overnight camping on private residentially zoned property when located on the same lot as an existing single family residence as permitted under section 14.09.074.100 of this code.

(Ord. 1741, Add, 05/26/2006)

Section 12.32.020 Definitions.

Unless the particular provisions or the context otherwise requires, the definitions contained in this section shall govern the construction, meaning, and application of words and phrases used in this chapter.

A. "Camp" or "camping" means to do any of the following:

1. To sleep at any time between the hours of 11:00 p.m. and 8:30 a.m. in any of the following places:

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- a. Outdoors, with or without bedding, sleeping bag, blanket, mattress, tent, hammock, or other similar protection, equipment or device;
 - b. In, on, or under any structure or thing not intended for human occupancy, whether with or without bedding, sleeping bag, blanket, mattress, tent, hammock, or other similar protection, equipment or device.
2. To establish or maintain, outdoors or in, on, or under any structure, object or thing not intended for human occupancy, at any time between the hours of 11:00 p.m. and 8:30 a.m., a temporary or permanent place for sleeping by setting up any bedding, sleeping bag, blanket, mattress, tent, hammock, or other sleeping equipment or device in such a manner as to be usable for sleeping purposes.
3. To establish or maintain, outdoors or in, on, or under any structure or thing not intended for human occupancy, at any time during the day or night, a temporary or permanent place for cooking or sleeping by setting up any bedding, sleeping bag, blanket, mattress, tent, hammock, or other sleeping equipment or device or by setting up any cooking equipment, with the intent to remain in that location overnight.
- B. "Camping facilities" or "camping facility" include, but are not limited to, tents, huts, lean-to's, tarps, trailers, vehicles, vehicle camping outfits or other forms of temporary shelter.
- C. "Camping paraphernalia" includes, but is not limited to, bedrolls, blankets, tarpaulins, cots, beds, mattresses, pads, sleeping bags, hammocks, lanterns, stoves or non-city designated cooking facilities and similar equipment.
- D. "City manager" means the city manager or his/her designee.
- E. "Establish" means setting up or moving equipment, supplies or materials onto public or private property for the purpose of camping or operating or using camping facilities.
- F. "Maintain" means keeping or permitting equipment, supplies or materials to remain on public or private property in order to camp or operate or use camping facilities.
- G. "Operate" or "operating" means participating or assisting in establishing or maintaining a camp or camping facility.
- H. "Parks" means public and private parks.
- I. "Playgrounds" means play lots, playgrounds, and play fields for local youth and adult recreation programs, excluding professional or semi-professional athletic fields or other outdoor commercial recreation as defined in division 14.02 of this code.
- J. "Private property" means all privately-owned real property including, but not limited to, privately-owned streets, sidewalks, alleys, ways, creeks, waterways, lots, parcels and other forms of improved or unimproved land or real property.
- K. "Public property" means all publicly-owned property including, but not limited to, public streets, sidewalks, alleys, ways, creeks, waterways, parks, playgrounds, recreation areas, plazas, open spaces, lots, parcels and other forms of improved or unimproved land or real property.
- L. "Sidewalks" are the areas along the frontage of private or public property between the street pavement line and the adjacent property line designated or designed for pedestrian use, including driveways and landscape medians.
- M. "Special event" means the meaning set forth in section 12.32.050 of this code.
- N. "Store" means to set aside or accumulate for use when needed, to put for safekeeping, or to place or leave in a location.

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O. "Streets" or "public streets" includes avenues, highways, lanes, alleys, ways, crossings or intersections, courts and cul-de-sacs that have been dedicated and accepted according to law, or which have been in common and undisputed use by the public for a period of not less than five years from the effective date of the ordinance enacting this chapter. "Streets" and "public streets" do not include privately-owned streets unless the context clearly provides otherwise.

(Ord. 1741, Add, 05/26/2006)

Section 12.32.030 Unlawful Camping.

It is unlawful and a public nuisance for any person or group of persons to camp, occupy camping facilities, or use camping paraphernalia in the following areas:

A. Any public property, improved or unimproved, including, but not limited to, public streets and sidewalks, parks, open space, and other property; or

B. Except as otherwise permitted under Title 14 of this code, including section 14.09.074.100 of this code, any private property

(Ord. 1741, Add, 05/26/2006)

Section 12.32.040 Storage of personal property on public and private property.

It is unlawful and a public nuisance for any person to store personal property, including but not limited to camping facilities and camping paraphernalia, in the following areas, except as otherwise specifically permitted in writing by the city manager upon a finding by the city manager that, under the circumstances, such storage shall not constitute a public nuisance nor be a threat to the public health, safety or welfare:

A. Any public property, improved or unimproved including, but not limited to, public streets and sidewalks; or

B. Any private property without the consent of the owner or other lawful user of such property.

(Ord. 1741, Add, 05/26/2006)

Section 12.32.050 Permit for special events required.

The city manager may, in his or her discretion, issue a temporary permit to permit camping in connection with a special event. A "special event" is intended to include, but not be limited to, programs operated by the departments of the city, youth or school events, marathons or other sporting events and scouting activities that the city manager deems to be in the public interest and shall not constitute a public nuisance nor be a threat to the public health, safety or welfare. In rendering this determination, the city manager may consult with various city departments, the health officer, or members of the public prior to issuing any temporary permit. Each department or person consulted may provide comments to the city manager regarding any health, safety or public welfare concerns and provide recommendations to the city manager pertaining to the issuance, denial or conditioning of the permit. A reasonable fee, to be set by the city council, shall be paid, in advance, by the applicant. The fee shall be returned if the application is denied. In exercising his or her discretion to issue a temporary permit, the city manager may consider any facts or evidence bearing on the sanitary, health, safety and welfare conditions on or surrounding the area or tract of land upon which the proposed temporary camp or camping facility is to be located.

(Ord. 1741, Add, 05/26/2006)

Section 12.32.060 Posting copy of permit.

The permit obtained from the city manager in accordance with section 12.52.050 of this code shall be at all times posted in a conspicuous place upon the area or tract of land upon which the camp or camping facility is located.

(Ord. 1741, Add, 05/26/2006)

Section 12.32.070 Power of the city manager to make rules and regulations.

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The city manager is further empowered to ascertain that the operation or maintenance of any camp or camping facility to which a temporary permit has been issued pursuant to section 12.32.050 of this code will not jeopardize the public health, safety or welfare and, for this purpose, may make additional rules and regulations pertaining to their establishment, maintenance or operation. The city manager may also impose conditions on the establishment, maintenance or operation of the camp or camping facility, including, but not limited to security, sanitation facilities, the number of occupants, posting of bonds or deposits, insurance, quiet hours, duration of the permit, and permitted activities on the premises. When the city manager issues any permit pursuant to section 12.32.050 of this code, such permit may be revoked at any time thereafter by the city manager if the city manager reasonably determines that the maintenance or continuing operation of the camp or camping facility is a public nuisance or poses a threat to or is adverse to the public health, safety or welfare.
(Ord. 1741, Add, 05/26/2006)

Section 12.32.080 Current ordinance provisions.

Neither the adoption of this chapter nor its repeal or amendment shall in any manner affect the prosecution for violation of this code or other ordinances, which violations were committed prior to the effective date of such adoption, repeal or amendment, nor be construed as affecting any of the provisions of this code or other city ordinance, regulation or rule relating to the collection of any license, fee or penal sum applicable to any violation thereof, nor affect the validity of any bond or cash deposit in lieu thereof, required to be posted, filed or deposited pursuant to this code or other city ordinance, regulation or rule and all rights and obligations thereunder appertaining shall continue in full force and effect.
(Ord. 1741, Add, 05/26/2006)

Section 12.32.090 Violations.

A violation of this chapter is a misdemeanor and is subject to fine and/or imprisonment. In addition to the remedies set forth in Penal Code Section 370, the city attorney may, at the city council's direction, institute civil actions to abate a public nuisance under this chapter.
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