

ORDINANCE NO.

AN ORDINANCE AMENDING TITLE 8, CHAPTER 8.110 OF THE STOCKTON MUNICIPAL CODE RELATING TO CAMPING AND THE PROTECTION OF CRITICAL INFRASTRUCTURE AND WILDFIRE RISK AREAS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF STOCKTON, AS FOLLOWS:

SECTION I. AMENDMENT OF CODE

Title 8, Chapter 8.100, Section 8.100.010 of the Stockton Municipal Code is amended to read as follows:

8.100.010 Findings and purpose.

The City Council finds as follows: (1) a principal threat to the public health, safety, and welfare is the potential destruction of, damage to, or interference with, infrastructure that is critical to the provision of public services such as law enforcement, fire prevention, transportation, and utilities including communication, water, wastewater, stormwater, and waste disposal; (2) destruction of, damage to, or interference with, critical infrastructure [and public property](#) is caused by fire, contamination, obstructing access, or other causes; and (3) destruction of, damage to, or interference with, critical infrastructure [and public property](#) is often caused by persons whose activities are not permitted or authorized in, on, or near critical infrastructure.

The purpose of this chapter is to mitigate the threat of fire and other potential causes of destruction and damage to, and interference with, critical infrastructure, in order to protect the health, safety, and welfare of the public, by authorizing the removal of persons and their personal property in, on, or near critical infrastructure.

SECTION II. AMENDMENT OF CODE

Title 8, Chapter 8.100, Section 8.100.030 of the Stockton Municipal Code is amended to read as follows:

8.100.030 Prohibited activities.

A. It is unlawful and a public nuisance for any person to camp, occupy camp facilities, or use camp paraphernalia, or for a property owner to allow such activity to occur, at the following locations:

1. Critical infrastructure;
2. Within 30 feet of critical infrastructure;
3. Within 30 feet of the property line of any parcel enclosing critical infrastructure;

4. Within 30 feet of a vehicular or pedestrian entrance or exit of critical infrastructure;
5. On those portions of a right-of-way that are required by local, State, or Federal law to be free of obstruction to first responders, including, but not limited to, members of law enforcement, fire prevention, or emergency medical services agencies; ~~or~~
6. In a wildfire risk area; or-
7. Public property under the jurisdiction of the City that is not specifically designated for camping.

B. It is unlawful and a public nuisance for any person to store personal property, including camp facilities and camp paraphernalia, in the following locations without the written consent of the owner, except as otherwise provided by action of the City Council:

1. Critical infrastructure;
2. Within 30 feet of critical infrastructure;
3. Within 30 feet of the property line of any parcel enclosing critical infrastructure;
4. Within 30 feet of a vehicular or pedestrian entrance or exit of critical infrastructure;
5. On those portions of a right-of-way that are required by local, State, or Federal law to be free of obstruction to first responders, including, but not limited to, members of law enforcement, fire prevention, or emergency medical services agencies; ~~or~~
6. Wildfire risk area; or-
7. Public property under the jurisdiction of the City that is not specifically designated for camping.

C. Nothing in this chapter is intended to prohibit or make unlawful the 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 nothing is intended to prohibit or make unlawful the activities of a property owner or other lawful user if such activities are expressly authorized by the Stockton Development Code or other laws, ordinances, and regulations.

SECTION III. AMENDMENT OF CODE

Title 8, Chapter 8.100, Section 8.100.070 of the Stockton Municipal Code is added to

read as follows:

8.100.070 Temporary exclusion from City parks.

A. An individual may be issued a written exclusion order by a Police Officer barring said individual from all City parks for a period of 30 days, if within a one-year period the individual:

1. Is issued two (2) or more citations for violating regulations under this Chapter at a City park; or

2. Is issued one (1) or more citations for violating any state law(s) while at a City park.

B. Any individual issued a written exclusion order may appeal the order within ten (10) calendar days from the date of the issuance in accordance with Chapter 1.44.

SECTION IV. CRITICAL INFRASTRUCTURE LIST

The City Council approves of the amended Critical Infrastructure List included as Attachment C1 to this ordinance. Properties and facilities on the Critical Infrastructure List shall be included in the definition of critical infrastructure for Chapter 8.100 of the Stockton Municipal Code.

SECTION V. SEVERABILITY

If any section of this ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the act which can be given without the invalid provisions or application, and to this end the provisions of this act are severable.

SECTION VI. EFFECTIVE DATE

The Ordinance shall take effect and be in full force thirty (30) days after its passage.

ADOPTED: _____

EFFECTIVE: _____

KEVIN J. LINCOLN, II
Mayor of the City of Stockton

ATTEST:

KATHERINE ROLAND, CMC, CPMC
City Clerk of the City of Stockton