ORDINANCE NO. 1648

AN ORDINANCE ADDING ARTICLE V TO CHAPTER 19 OF THE SOLANO COUNTY CODE, RELATING TO CAMPING AND SQUATTING WITHIN THE UNINCORPORATED AREA OF SOLANO COUNTY

The Solano County Board of Supervisors ordains as follows:

Section 1. Chapter 19 of the Solano County Code is amended to add Article V and Sections 19-60 to 19-60.6 to read as follows:

ARTICLE V. CAMPING OR SQUATTING

Sections:

19-60 Authority and purpose
19-60.1. Definitions
19-60.2. Camping on public property
19-60.3. Camping on private property
19-60.4. Campfires
19-60.5. Enforcement
19-60.6. Severability

Sec. 19-60. Authority and purpose

This chapter is enacted to protect public and private property within the unincorporated area of the County from the destruction and littering that accompanies camping or squatting. Public roads and areas within the County should be readily accessible and available to residents and the public at large. This chapter is enacted to prevent degradation of public and private lands and to assure that such lands are utilized for their intended purpose. It is also enacted to ensure that proper health and safety accommodations are provided to those who lawfully camp.

Sec. 19-60.1. Definitions

As used in this chapter:

(a) Camping means residing on or using any public or private property for camping purposes or for living accommodation purposes, such as sleeping activities or making preparations to sleep (including the laying down of bedding for the purpose of sleeping), or storing personal belongings (including, but not limited to, clothing, sleeping bags, bed rolls, blankets, sheets, luggage, backpacks, kitchen utensils, cookware, and similar material), or making any fire or using any tents, regularly cooking meals, or living in a parked vehicle. These activities constitute camping when a person is using public or private property as a living accommodation with intent to camp.
(b) Squatting means unlawfully settling on another's land, without legal title or authority to do so, or entering upon another's land in bad faith claiming the right to do so by virtue of any title of one's own or by virtue of some agreement with another whom one believes to hold title.

(c) Camp facilities include, but are not limited to, a vehicle which is a motor home, travel trailer, truck camper, or camping trailer with or without motive power, designed for human habitation, for recreation, travel accommodations purposes or emergency occupancy, tents, huts, and temporary shelters.

(d) Camp paraphernalia includes but is not limited to tarpaulins, cots, beds, sleeping bags, hammocks or similar equipment.

Sec. 19-60.2. Camping or squatting prohibited on public property

(a) No person shall camp or squat in any unincorporated County area not designated as a campground.

(b) Except as may be permitted within parks by the parks services manager, it is unlawful to camp or squat upon any public property owned or maintained by the county, including, without limitation, streets, roads, easements, parks, dump sites, river banks or shores, creek beds, electric utility substations, parking lots or corporation yards. No person shall set up tents, shacks, house trailers, motor homes, camp trailers, campers, or any other temporary or permanent shelter for the purpose of camping or squatting, nor shall any person leave in any such place any movable structure of special vehicle to be used or that could be used for such a purpose, such as a house trailer, tent, automobile, or similar vehicles. Violation of this section is a misdemeanor.

Sec. 19-60.3. Camping or squatting on private property

(a) Except as otherwise provided in this section, it is unlawful to camp or squat upon private property within the unincorporated area of the County. No person shall set up tents, shacks, motor homes, camp trailers, campers, or any other temporary or permanent shelter for the purpose of camping or squatting, nor shall any person leave upon any private property any movable structure of special vehicle to be used or that could be used for such a purpose, such as a tent or automobile, or similar vehicles. Violation of this section is a misdemeanor.

(b) This section shall not apply to persons camping upon their own land or camping with the owner of the land, or to persons camping with the written consent of the owner of the land, provided that such written consent is in their possession at the time and is shown upon demand of any law enforcement officer, and provided that all local zoning ordinances of the County are met and all Health and Safety Code sections of the State are complied with.

(c) This section shall not apply to persons lawfully camping within campgrounds, or mobilehome parks, recreational vehicle parks or trailer parks specifically designated or approved for such use pursuant to the Chapter 28, Zoning Regulations of this Code.
Sec. 19-60.4. Campfires

(a) No person shall kindle or maintain an open campfire or bonfire, except on park property as designated by the parks services manager.

(b) Nothing in this chapter shall be construed to permit fires otherwise prohibited by law or to negate the requirement for burning permits otherwise required by law.

Sec. 19-60.5. Enforcement

The law enforcement officer enforcing this chapter shall issue a citation to a person(s) camping or squatting on public or private property.

Sec. 19-60.6. Severability

Any portion of this ordinance deemed invalid or unenforceable shall be severed from the remainder which shall remain in full force and effect.

Section 2. This ordinance shall take effect thirty (30) days after its adoption.

Section 3. A summary of this ordinance will be published within fifteen (15) days after its adoption, in the Fairfield Daily Republic, a newspaper of general circulation in Solano County.

Passed and adopted by the Solano County Board of Supervisors at its regular meeting on July 27, 2004 by the following votes:

AYES: Supervisors Forney, Kondyis, Kromm, Vasquez, and Chairman Silva

NOES: Supervisors None

EXCUSED: Supervisors None

Attest:
Michael D. Johnson, Clerk
Board of Supervisors

By: Deputy

Introduced: June 22, 2004
Adopted: July 27, 2004
Effective: August 27, 2004