



Legislation Text

File #: 18-0400, **Version:** 1

TO:

Honorable Mayor and Members of the City Council

THROUGH:

Bruce Moe, City Manager

FROM:

Quinn Barrow, City Attorney
George Gabriel, Management Analyst

SUBJECT:

Consider Urgency Ordinance No. 18-0020-U and Ordinance No. 18-0020 Relating to Camping and Storage of Personal Property in Public Areas and Private Property (City Attorney Barrow).

a) ADOPT URGENCY ORDINANCE NO. 18-0020-U

b) INTRODUCE ORDINANCE NO. 18-0020

RECOMMENDATION:

Staff recommends that the City Council adopt Urgency Ordinance No. 18-0020-U and introduce Ordinance No. 18-0020. Both ordinances amend the Municipal Code to prohibit the camping and storage of personal property in public places.

FISCAL IMPLICATIONS:

There are no fiscal implications associated with the recommended action.

BACKGROUND:

Concerns have been raised within the community regarding an increased presence of individuals camping in public places and storing personal property. The Manhattan Beach Police Department has received a number of calls regarding unattended personal property left in public areas (including public right-of-ways) and camping. Unattended personal property and camping in public areas in the City have interfered with access to public areas and to businesses, negatively affecting the quality of life, and creating serious safety concerns.

Residents have expressed concerns that camping may attract vermin, increase the risk of the spread of communicable diseases, and interfere with safe passage for pedestrians and the disabled across public rights-of-way. Additionally, camping and leaving unattended personal property in public areas can impair the use of public areas due to safety concerns.

Currently, the Manhattan Beach Municipal Code (MBMC) has regulations in place regarding overnight camping on the beach or in parked vehicles. MBMC 12.08.210 regarding beach regulations states, "No person shall camp on or use for overnight sleeping purposes any beach or bring a house-trailer or similar vehicle on to any beach." Further, MBMC 14.36.160 prohibits overnight camping in vehicles: "It shall be unlawful for any person to use or occupy, permit the use or occupancy of any

vehicle for human habitation, including but not limited to sleeping or eating, on any street, alley, park, beach, public parking lot or parking structure, or any public property within the City of Manhattan Beach between the hours of 10:00 p.m. and 6:00 a.m...”

DISCUSSION:

Two ordinances have been drafted for City Council consideration. The purpose of each ordinance is to maintain public and private areas within the City in a clean, sanitary, safe and accessible condition. Doing so adequately protects the health, safety, environment and general welfare of the community. All the while, it ensures that public areas are used for their intended purposes and remain accessible to all residents, businesses and visitors in the City.

The ordinances specifically prohibit any person from camping establishing, maintaining, operating, or occupying camping facilities, or using camp paraphernalia in any improved or unimproved public area. The ordinances define public areas as:

“Any publicly owned or controlled place, including, but not limited to, any public street, alley, public parking lot, public park, public right-of-way, public parkway, public sidewalk, public recreational area, public recreational facility, open space, the Manhattan Beach Civic Center and all public areas adjacent thereto, the County of Los Angeles Public Library - Manhattan Beach Library and all public areas adjacent thereto, the Joslyn Community Center and all public areas adjacent thereto, the Manhattan Heights Community Center and all public areas adjacent thereto, Veterans’ Parkway, and any and all other publicly-owned or controlled property in the City.”

Additionally, the ordinances prohibit the storage of personal property, in any public area (as defined earlier), except as otherwise approved by the Chief of Police, the City Manager or by resolution of the City Council.

Conclusion

Staff has drafted Urgency Ordinance No. 18-0020-U and Ordinance No. 18-0020 which would amend the MBMC to prohibit camping and storage of personal property in public places. The Urgency Ordinance would take effect immediately. The regular ordinance would take effect 30 days after it is adopted.

LEGAL REVIEW

The City Attorney has reviewed this report and approved the Ordinances “as to form.”

Attachments:

1. Urgency Ordinance No. 18-0020-U
2. Ordinance No. 18-0020