

Mayor and Council Communication

DATE: 09/10/19

M&C FILE NUMBER: M&C 19-0135

LOG NAME: 12ADOPT_UNAUTHORIZED CAMPING_ORDINANCE

SUBJECT

Adopt Ordinance Revising Chapter 23 "Offenses and Miscellaneous Provisions," of the Code of the City of Fort Worth, Texas (2015) to Provide Regulations Concerning Unauthorized Camping on Certain Private Properties (ALL COUNCIL DISTRICTS) (Continued from a Previous Week)

RECOMMENDATION:

It is recommended that the City Council adopt the attached ordinance revising Chapter 23 "Offenses and Miscellaneous Provisions," of the Code of the City of Fort Worth, Texas (2015) to provide regulations concerning unauthorized camping on certain private properties.

DISCUSSION:

Unauthorized camping on private properties is frequently the source of public health nuisances, including the improper disposal of human waste, wastewater and garbage, as defined by section 341.011 of the Texas Health and Safety Code. Such unauthorized camping may provide harborage to rodents and other disease vectors and may also create a fire hazard to nearby structures. Additionally, unauthorized camping may diminish property values and the appearance of a neighborhood, reducing the incentives for others in the neighborhood to adequately maintain their own properties, creating a self-perpetuating cycle of decline.

By adopting this ordinance, the Police Department will be able to better regulate unauthorized camping on certain private, non-residential properties and on private, residential properties that do not have a permanent dwelling or potable water and toilet facilities. While addressing campsites on private property is primarily the responsibility of the private property owner, campsites are often erected on vacant properties and on properties with out-of-town or absentee owners. In situations where the private property owner is unable to give notice that the camping is forbidden, the Police Department has been unable to enforce the Criminal Trespass statute. This ordinance addresses that issue by requiring campers on certain properties to have express written permission from the private property owner. A violation of the ordinance would be a Class C misdemeanor and result in a citation with a fine not to exceed \$500.00 for each offense. An individual camping on their own property would not be in violation of the ordinance. The ordinance would not impact the City's ability to enforce any other ordinances, including those related to zoning and health and safety.

A Form 1295 is not required because: This M&C does not request approval of a contract with a business entity.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that the proposed changes will have no material effect on City funds.

Submitted for City Manager's Office by: ALL ACMs 6222

Originating Business Unit Head: Sarah Fullenwider 7623

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