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RECORDING REQUESTED BY:

WHEN RECORDED MAIL TO:
Golden West Community Services District
P.O. Box 448
El Dorado, CA 95623

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ORDINANCE NO: 2019-07

AN ORDINANCE OF
GOLDEN WEST COMMUNITY SERVICES DISTRICT
ADDRESSING CAMPING AND STORAGE OF PERSONAL
PROPERTY ON PRIVATE AND PUBLIC PROPERTY IN THE DISTRICT

WHEREAS, the Board of Directors (the "Board") of Golden West Community Services District (the "District") believes that establishing standards and regulations as it pertains to property in the District will protect the rights of the District and property owners within the District;

NOW, THEREFORE, the Board of Dictors of Golden West Community Services District ordains as follows:

SECTION 1 PURPOSE

The purpose of this Ordinance is to maintain the streets, parks, common area, and other public and private property within the District in a clean, sanitary, and accessible condition and to protect the health, safety, and welfare of the District. The district finds that the use of certain areas for camping purposes or storage of personal property interferes with the right of others to use the areas for which they were intended. Such activity can also constitute a public health and safety hazard that adversely impacts the District. The District further finds that camping and storing personal property on private property without the consent of the owner adversely affects private property rights as well as the health, safety, and welfare of the owner and public.

SECTION 2 APPLICATION

This section shall apply generally to all property throughout the District where any of the conditions herein specified are found to exist. Any condition or conduct that would constitute a violation of this Ordinance, but which is permitted or authorized under any County ordinance or State or Federal law, shall not constitute a violation.

SECTION 3 ENFORCEMENT

Any law enforcement officer shall have the authority to enforce this Ordinance

SECTION 4 DEFINITIONS

For the purposes of this Ordinance, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

Camp or Camping means using the property for living accommodation purposes, as evidenced by (a) remaining for prolonged or repetitious periods of time, not associated with ordinary use of the property, with one's personal possessions or belongings (including, but not limited to, clothing, tents, sleeping bags, bedrolls, blankets, sheets, pillows, luggage, backpacks, kitchen utensils and cookware; and (b) engaging in one or more the the following: sleeping, storing personal possessions or belongings, making a fire, or cooking meals. The combination activities of (a) and (b) constitute camping when it reasonably appears in light of all the circumstances that a person is using the property as a living accommodation.

Common Area or Park means any lands or facilities owned, operated, maintained, or managed by the District.

Personal Property means any tangible property, including but not limited to goods, marerials, merchandise, tents, cooking equipment, tarpaulins, bedding, sleeping bags, hammocks, personal or household items, luggage, backpacks, clothing and documents.

Private Property means all private property, including but not limited to streets, sidewalks, and improved or unimproved land.

Public Property means all public property, including but not limited to streets, improved or unimproved land, or trails.

Store means to put aside or accumulate personal property for use when needed, to put for safekeeping,. or to place or leave in a location.

Tent means a collapsible shelter made of fabric or a tarp stretched and sustained by supports, which is not open on all sides and which hinders an unobstructed view behind or into the area surrounded by the fabric.

Unattended means no person is present with the personal property who asserts or claims ownership over the personal property.

SECTION 5 UNLAWFUL CAMPING

With the exception of authorized camping on private or public lands, no person shall camp in the following areas:

1. Any private property unless:
 - (a) The person camping is the owner or tenant of the private property, is a family member or relative of the owners, is accompanied by the owner, or has written permission in his/her possession from an owner including owner's name, address, and phone number
 - (b) The camping is not prohibited under El Dorado County Title 130 or any other ordinance, law, or regulation

SECTION 6 STORAGE OF PERSONAL PROPERTY

No person(s) shall store personal property in the following areas:

1. Any private property unless the person is the owner, a family member or relative of an owner, accompanied by an owner, or has permission from an owner to store property inside a build or structure other than a tent, or has written permission in his/her possession from an owner including name, address, and phone number.
2. Any public property if the personal property obstructs County operations.

SECTION 7 UNLAWFUL DAYTIME CAMPING/STORAGE

There shall be no camping or storage of personal property or erection of any structure during daylight hours – (sun up to sun down) on either public or private lands within the District.

SECTION 8 NOTICE

If the person or persons are present, verbal notice is to be given. If they do not immediately vacate the area the Sheriff is to be called to remove them.

SECTION 9 STORAGE AND DISPOSAL

If personal property has been left and there is no visible means to determine who it belongs to, the Sheriff is to be called and take possession leaving notice as to where the property is and how to retrieve it.

If the owners of said property are unable to be located or do not retrieve said property within a period described in the Notice left by the Sheriff, the property will be disposed of.

SECTION 10 PENALTY FOR VIOLATION

Violators will be cited by the Sheriff if they do not immediately leave the property under Sheriff's instructions to do so and Sheriff will determine manner of confiscation of property (if any) remaining on premises.

SECTION 11 SEVERABILITY

If any section, subsection, subdivision, paragraph, sentence, clause, or phrase in this Ordinance is for any reason held to be unconstitutional, invalid, or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portion of the Ordinance or any part thereof.

This Ordinance shall become effective thirty (30) days following adoption hereof.

PASSED AND ADOPTED by the Golden West Community Services District Board of Directors at a regular meeting of said Board held on _____ by the following vote of said Board:

AYES:

NOES:

ABSENT:

PRESIDENT

SECRETARY