

Brentwood Municipal Code
Chapter 7.02 ('Parks and Facilities')
Section 7.02.150 ('Camping')

§ 7.02.150. Camping.

Camping, as well as erecting a campsite, tent, or other shelter, on City-owned property is prohibited.

- A. "Camp" or "camping" means the conduct of more than one of the following activities on a public property, when it reasonably appears, in light of all circumstances, that a person is using such public property for living accommodation purposes:
1. sleeping or preparing to sleep (including the laying down of bedding for the purpose of sleeping), including undertaking such activities in a vehicle (including any motorhome, camp trailer, camper, coach, fifth wheel travel trailer, house car, recreational vehicle, mobile home), or obscuring some or all of the vehicles windows
 2. erecting or using any tent, camp facilities, or building any other form of shelter:
 3. unattended storage of personal belongings (including but not limited to clothing, sleeping bags, bedrolls, blankets, sheets, luggage, backpacks, kitchen utensils, cookware) or camp paraphernalia;
 4. making or using any fire, for purpose of heating or cooking, or using any flame, grill, portable stove, or similar flame producing device for cooking of meals on public property, except for in City parks with designated barbeque and cooking areas while using City-provided cooking facilities designed for such purposes; or
 5. undertaking any digging or earth-moving activities for purpose of creating or improving a shelter.

Camping shall be deemed to occur regardless of whether a full night is actually spent occupying any specific location on City-owned public property.

- B. "Camp facilities" include, but are not limited to, tents, huts, or similar temporary shelters consisting of any material with a top or roof or any other upper covering or that is otherwise enclosed by sides that is of sufficient size for a person to fit underneath or inside while sitting or lying down and includes the use of a tarp or other material tied or affixed to a structure or bush to create an enclosed area.

Brentwood Municipal Code
Chapter 7.02 ('Parks and Facilities')
Section 7.02.150 ('Camping')

- C. "Camp paraphernalia" includes, but is not limited to, tarpaulins, cots, beds, sleeping bags, hammocks, or non-City designated cooking or heating equipment.
- D. "City property" means any City-owned property in the City, whether improved or unimproved, including, but not limited to, any of the following: public alleyways; public parking lots; public passageways; public streets; public rights- of-way; park playgrounds; publicly owned, maintained, or operated parks; publicly owned, maintained, or operated landscaped areas or greenbelts; publicly owned fences, trees, light poles, or equipment boxes; publicly owned, maintained, or operated open spaces including, but not limited to, public facilities or buildings of any kind; public sidewalks, curbs, and gutters; or other City-owned, maintained, or operated properties located within the City.
- E. Storage of Personal Property Prohibited.
 - 1. It shall be unlawful for any person to store any personal property, including camp facilities and camp paraphernalia, on any City-owned property within the City, except as otherwise provided herein.
 - 2. Except as otherwise provided in this Section 7.02.150, before removing any personal property, the enforcement officer, or their designee, shall attempt to provide any readily apparent owners with a Notice to Vacate, which shall provide at least 48 hours' notice of the City's intent to remove the personal property and a reasonable opportunity to remove the personal property from public property. The enforcement officer, or their designee, shall post a Notice to Vacate on or near the personal property so as to reasonably communicate the following information:
 - a. The location of where the personal property was located;
 - b. The date and time notice was served or posted;
 - c. A statement that the storage of personal property violates this Section;
 - d. An advisement that the City will commence removal work on the date written on the Notice to Vacate and shall begin no earlier than the time written on the Notice to Vacate. If removal work does not begin on the date written on the Notice to Vacate, the location must be reposted before removal operations may begin.

Brentwood Municipal Code
Chapter 7.02 ('Parks and Facilities')
Section 7.02.150 ('Camping')

- e. An advisement that the City has impounded the personal property for at least 30 days, the location where the personal property is impounded, and that the personal property will be discarded after 30 days if not claimed.
 - f. The address, phone number, and operating hours of the location where the personal property will be stored and may be retrieved, and that the City will charge no fee for storage or retrieval.
 - g. Information about any housing or shelter and homeless services available for the owners of the personal property, the phone number and address to contact in order to obtain the housing or shelter or other health and human services;
3. The foregoing notwithstanding, the enforcement officer, or their designee, may immediately discard, without impounding or retaining for 30 days, any items which constitute an immediate threat to the health or safety of the public or items that constitute evidence of a crime or contraband that may be seized, as permitted by law.
4. Personal Property to be Stored or Discarded
- a. Personal property to be stored. Personal property that is not a health or safety hazard, in plain sight, shall be collected, labelled, and stored. City employees and/or contractors shall collect the following items:
 - 1. Items of apparent value (defined as items having an apparent value of \$50 or more).
 - 2. Items of apparent personal value including but not limited to:
 - a. Eyeglasses, operational wheelchairs, walkers, crutches, other medical equipment.
 - b. Tents (habitable and uncontaminated).
 - c. Personal papers such as photographs, albums, identification documents, bank statements, legal papers,

Brentwood Municipal Code
Chapter 7.02 ('Parks and Facilities')
Section 7.02.150 ('Camping')

- d. Bicycles, scooters, strollers in good repair.
 - e. Backpacks and containers that appear to be in good condition and have been determined to be free of materials described in Section F(l)(a)-(f) below. [Caltrans's current policy is not to collect backpacks and closed containers due to potential safety issues].
- b. Personal property that will not be collected or stored upon removal from City-owned property:
- 1. Items that present an immediate health or safety risk, such as:
 - a. Toxic sharps, including but not limited to needles, scissors, and knives;
 - b. Chemicals, including but not limited to bleach, paint, and oils;
 - c. Items, including bedding and clothing, soiled by infectious materials such as human waste and bodily fluids;
 - d. Moldy and/or mildewed items;
 - e. Items that may be infested by rodents and insects such as rats, mice, fleas, lice, or bed bugs;
 - f. Items that pose a risk of fire or explosion, combustibles and propane tanks; any item containing fuel or corrosives or other unidentified liquids;
 - g. Backpacks and closed containers that have been determined to contain items listed in (a)-(f) above or items (3), (4), (5), or (6) below;
 - h. If personal belongings are co-mingled or littered with needles, human waste, or other health risks, employees/contractor may dispose of the entire pile

Brentwood Municipal Code
Chapter 7.02 ('Parks and Facilities')
Section 7.02.150 ('Camping')

of belongings and are not required to sort through and attempt to remove the health or safety risks. The presence of clothing in a backpack or container shall not be the sole reason to discard the backpack or container.

2. Mattresses (including furniture with fabric or padding, or is porous), sheds, structures, rolling structures, and bulky items. Sheds, structures, or rolling structures may be demolished if not removed by the apparent owner prior to the encampment removal. A "bulky item" is any single item that is over 50 pounds and requires more than two persons to safely lift.
3. Perishable items, including but not limited to perishable food.
4. Controlled substances, drugs with or without prescription, and medications of any kind.
5. Contraband, weapons, and illegal items.
6. Trash, garbage, and/or debris. This includes property that appears to have been discarded by its owner and broken appliances or broken furniture that constitutes abandoned property or trash.

(Ord. 788 § 1, 2004)