

**CITY OF CARPINTERIA
5775 CARPINTERIA AVENUE
CARPINTERIA, CA 93013
(805) 684-5405/www.carpinteriaca.gov**



**NOTICE OF FIRST READING
OF ORDINANCE NO. 765**

MONDAY, APRIL 24, 2023 at 5:30 p.m.

NOTICE IS HEREBY GIVEN THAT Ordinance No. 765, amending Carpinteria Municipal Code (“CMC”) Sections 8.20 and 12.24 pertaining to public sleeping and camping, will be duly introduced for a first reading at the Carpinteria City Council meeting of April 24, 2023 at 5:30 p.m. at the Carpinteria City Hall, 5775 Carpinteria Avenue, Carpinteria, CA. A second reading and adoption of the Ordinance will be scheduled for a future City Council meeting.

The City of Carpinteria is considering amending CMC Sections 8.20 and 12.24 pertaining to public sleeping and camping to reflect recent case law regarding the enforcement of local agency regulations that prohibit public sleeping and camping. Specifically, Ordinance No. 765 amends CMC Section 8.20 such that (i) the prohibition on camping shall not be enforceable against homeless persons when there is no available shelter, subject to limited exceptions, and (ii) the penalty for a violation of CMC Section 8.20 is only a misdemeanor or an infraction, and violators receive a warning and referral to services prior to citation. The exceptions where CMC Section 8.20 is enforceable against a homeless person without access to shelter are where there is a substantial danger to any person, where there is an immediate threat and/or an unreasonable risk of harm to public health or safety, and where there is a disruption to vital government services. Ordinance No. 765 also amends CMC Section 12.24 so that the prohibition on camping therein is subject to the limitations in CMC Section 8.20. The City also proposes to find that approval of Ordinance No. 765 is exempt from the California Environmental Quality Act (“CEQA”) pursuant to Sections 15060(c)(2), 15060(c)(3), and 15061(b)(3) of the CEQA Guidelines.

A copy of the full text of Ordinance No. 765 is available in the Office of the City Clerk, 5775 Carpinteria Avenue, Carpinteria, CA. The full text will also be posted as an attachment to the relevant agenda item on the agenda for the April 24, 2023 meeting, which agenda will be posted here: <https://carpinteriaca.gov/city-hall/agendas-meetings/>.

Ordinance No. 765 will become effective 30 days after its adoption at a second reading.

Brian C. Barrett, CMC, CPMC, City Clerk

Post: April 11, 2023

Publish: April 13, 2023