

PUBLIC NOTICE
SUMMARY OF PROPOSED ORDINANCE NO. 765
(AS PRESCRIBED BY GOVERNMENT CODE SECTION 36933(C)(1))

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
CARPINTERIA, CALIFORNIA, AMENDING CHAPTERS 8.20 AND 12.24
OF THE CARPINTERIA MUNICIPAL CODE

NOTICE IS HEREBY GIVEN THAT this Ordinance was duly introduced for first reading at the Carpinteria City Council meeting of April 24, 2023. A second reading and adoption of the Ordinance is scheduled for May 8, 2023, at 5:30 pm, City Hall, 5775 Carpinteria Avenue, Carpinteria, CA.

If adopted, this Ordinance will amend Carpinteria Municipal Code (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 certified copy of the full text of the ordinance is posted in the Office of the City Clerk, 5775 Carpinteria Avenue, Carpinteria, CA. The full text can also be viewed on the City's website at <https://carpinteriaca.gov/city-hall/public-hearings-legal-notice/>, under "Public Hearing & Legal Notices."

Brian C. Barrett, CMC, CPMC, City Clerk

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