

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

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

The proposed Ordinance was introduced and first reading was approved at the regular City Council meeting held on April 24, 2023. The Ordinance was adopted at a regular City Council meeting held on May 8, 2023, by the following vote:

AYES: Lee, Nomura, Solórzano, Alarcon, and Clark
NOES: None
ABSENT: None
ABSTAIN: None

Summary of Ordinance: 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 Council also found that approval and adoption of Ordinance No. 765 is exempt from 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-notices/>, under “Public Hearing & Legal Notices.”

Said Ordinance will become effective 30 days after adoption.

Brian C. Barrett, CMC, CPMC, City Clerk

Post: May 9, 2023

Publish: May 11, 2023