

ORDINANCE NO. 2020-2195

AN ORDINANCE OF THE CITY OF NEW PORT RICHEY, FLORIDA, PROVIDING FOR AMENDMENT OF ARTICLE I OF CHAPTER 14 OF THE NEW PORT RICHEY CODE OF ORDINANCES, PERTAINING TO GENERAL OFFENSES; PROVIDING FOR THE PROHIBITION OF CAMPING WITHIN THE CITY; PROVIDING DEFINITIONS OF TERMS; PROVIDING FOR EXEMPTIONS; PROVIDING FOR ENFORCEMENT; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, within the City limits of the City of New Port Richey, Florida is a recurring condition in which individuals have engaged in camping within the City;

WHEREAS, camping is a detriment to the public health, safety, welfare and quality of life of the residents of the City;

WHEREAS, camping creates visual blight and noise within the City and constitutes a nuisance; and

WHEREAS, it is declared as a matter of legislative determination and public policy that the provisions and prohibitions herein are necessary in the public interest; and it is further declared that the provisions and prohibitions herein are in pursuance of and for the purpose of securing and promoting the public health, safety, welfare and quality of life in the City in accordance with the City's police powers.

NOW, THEREFORE, THE CITY OF NEW PORT RICHEY, FLORIDA HEREBY ORDAINS:

Section 1. Chapter 14, Article I, of the Code of Ordinances, pertaining to general offenses, is hereby amended to add Section 14-12 thereto, as follows (strikeout text is deleted and underlined text is added):

Sec. 14-12. – Camping prohibited.

(a) It shall be unlawful and a violation of this Code of Ordinances to allow, engage in, or authorize camping on any public or private property in the City, except as otherwise allowed in this section.

(b) For the purposes of this section, the following terms shall have the meanings hereafter ascribed:

(1) “Camping” shall mean the placement, pitching, parking, use, occupancy,

custody or control of camping facilities or camping equipment on any property;

(2) “Camping Facilities” shall mean any temporary structure or vehicle used or designed for temporary human habitation, including without limitation any pitched tent, recreational vehicle, trailer, vessel or other shelter;

(3) “Camping Equipment” shall mean any item used for the temporary outdoor habitation of any person, including without limitation any bed, bedroll, air mattress, cot, sleeping bag, blanket, cooking facilities, tarpaulin, or refrigeration equipment; and

(4) “Public Property” shall mean any property owned or occupied by a governmental entity, including without limitation any public park, building, right-of-way, street, alley, sidewalk, driveway, parking area or landscape area.

(c) The owner, tenant, occupant, operator or manager of any private property where camping is taking place and any persons engaged in camping shall be in violation of this Section.

(d) The following shall be exempted from the provisions of this Section and are hereby permitted:

(1) The parking of any unoccupied recreational vehicle or trailer on any private developed property for storage, so long as the same is not connected to a source of electricity or an operating generator;

(2) Camping within a licensed, properly permitted and operating campground, whose primary business is providing property for camping;

(3) The sale, rental or display of camping facilities or camping equipment by any business duly licensed, permitted and operating in the sale or rental of such facilities or equipment;

- (4) Camping for periods of less than 48 hours in any 90 day period in the rear yard of any single family residential dwelling with the permission of the owner thereof, so long as the same is conducted within camping facilities other than vehicles, trailers or vessels of any kind; and
- (5) Camping specifically authorized by the City in conjunction with any special event approved by the City.

Section 2. Enforcement. The provisions of this Ordinance shall be enforced as otherwise provided in the Code of Ordinances.

Section 3. Conflict with Other Ordinances and Codes. All ordinances or parts of ordinances of the City of New Port Richey, Florida, in conflict with the provisions of this ordinance, are hereby repealed to the extent of such conflict.

Section 4. Severability. If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this ordinance shall remain in full force and effect.

Section 5. Effective Date. This ordinance shall take effect immediately upon its adoption as provided by law.

The foregoing Ordinance was duly read and approved on first reading at a duly convened meeting of the City Council of the City of New Port Richey, Florida this 16th day of June, 2020, and read and adopted on second reading at a duly convened meeting of the City Council of the City of New Port Richey, Florida this 7th day of July, 2020.

ATTEST:

By: _____
Judy Meyers, CMC, City Clerk

By: _____
Robert Marlowe, Mayor-Council Member

(Seal)

APPROVED AS TO FORM AND LEGALITY FOR
THE SOLE USE AND RELIANCE OF THE CITY OF
NEW PORT RICHEY, FLORIDA:

Timothy P. Driscoll, City Attorney