

ORDINANCE NO. 2024-19

**AN ORDINANCE PROHIBITED CAMPING IN PUBLIC PLACES;
DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.**

WHEREAS, THE CITY COUNCIL OF WARD has determined that the health, safety, and welfare of its citizens require the regulation of camping in public spaces; and

WHEREAS, public camping can pose significant health and safety hazards to both campers and the general public, including but not limited to, unsanitary conditions, fire hazards, and environmental degradation; and

WHEREAS, the unrestricted camping in public spaces can impede the public's access to these areas, adversely affecting the community's enjoyment and use of parks, sidewalks, and other public areas; and

WHEREAS, THE CITY OF WARD has a vested interest in maintaining clean, safe, and accessible public spaces for all residents and visitors; and

WHEREAS, it is the intent of this ordinance to ensure the responsible use of public spaces while safeguarding the rights of all individuals.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF WARD, ARKANSAS, THAT:

SECTION 1 – DEFINITIONS:

- a. "To Camp" means to set up or to remain in or at a campsite.
- b. "Campsite" means any place where bedding, sleeping bag, or other material used for bedding purposes, or any stove or fire is placed, established, or maintained for the purpose of maintaining a temporary place to live, whether or not such place incorporates the use of any tent, lean-to, shack, or any other structure, or any vehicle or part thereof.
- c. "Personal Property" means any item reasonably recognizable as belonging to a person and having apparent utility or monetary value.

SECTION 2 – SLEEPING ON SIDEWALKS, STREETS, ALLEYS, OR WITHIN DOORWAYS PROHIBITED:

- a. No person may sleep on public sidewalks, streets, or alleyways at any time as a matter of individual and public safety.
- b. No person may sleep in any pedestrian or vehicular entrance to public or

- private property abutting a public sidewalk.
- c. In addition to any other remedy provided by law, any person found in violation of this section may be immediately removed from the premises.

SECTION 3 – CAMPING PROHIBITED: No person may occupy a campsite in or upon any sidewalk, street, alley, lane, public right of way, park, bench, or any other publicly-owned property or under any bridge or viaduct.

SECTION 4 – REMOVAL OF CAMPSITE ON PUBLIC PROPERTY: Upon discovery of a campsite on public property, removal of the campsite by the Ward Police Department, assisted by other City Departments, may occur under the following circumstances:

- a. Prior to removing the campsite, the City shall post a notice, 24-hours in advance.
- b. After the 24-hour notice period has passed, the Police Department is authorized to remove the campsite and all personal property related thereto.

SECTION 5 – DISPOSITION AND RELEASE OF PERSONAL PROPERTY:

- a. Items having no apparent utility or monetary value and items in an unsanitary condition may be immediately discarded.
- b. Weapons, drug paraphernalia, items appearing to be stolen, and evidence of a crime may be retained as evidence by the Police Department until an alternate disposition is determined.
- c. All personal property removed from the campsite which is not retained, disposed of, or held as evidence (as provided above) shall be stored by the Police Department for a minimum of 30 days, during which time it shall be reasonably available for and released to an individual confirming ownership.

SECTION 6 – MITIGATION: Upon conviction for a violation of this Ordinance, in addition to any other factors deemed appropriate by the Court, the Court shall consider in mitigation whether or not the person immediately removed all personal property and litter, including but not limited to bottles, cans, and garbage from the campsite after being informed it was in violation of the law.

SECTION 7 – PENALTY: Any person or persons cited and found guilty of violating any section of this Ordinance, shall be fined no less than one hundred dollars (\$100) and no more than more than five hundred dollars (\$500) per offence.

SECTION 8 – SEVERABILITY: If, for any reason, any portion or portions of this ordinance shall be held invalid, such invalidity shall in no way affect the remaining portions.

SECTION 9 – EMERGENCY CLAUSE: This Ordinance, necessary for the continued


efficient delivery of public services and for the benefit, health, safety, and welfare of the citizens of Ward, should be implemented immediately. Therefore, an emergency is hereby declared, and this Ordinance shall be in force and effect from and after its date of passage.

SAID ORDINANCE WAS ADOPTED ON August 20, 2024.

Brooke Yes, Chapman Yes, Hall Yes, Hefner Yes, McMinn Yes, Ruble Yes

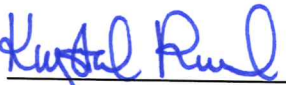
YEAS: 6 NAYS: 0 Mayor (if needed) _____

APPROVED:



Charles Gastineau, Mayor

ATTEST:



Krystal Rummel, City

