



Council

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Mayor

Jerry Ashmore
Mayor Pro Tempore

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Darryl Owens
Kevin Phillips

Van Willis
Town Manager

T. Alan Beach
Chief of Police

Jeffrey S. Coppinger
Operations

Linda Bridges
Planning

ORDINANCE 2020-37

An Ordinance creating Chapter 15, Section 28, of the Port Royal Code of Ordinances prohibiting camping in public places in the Town of Port Royal

WHEREAS, the Town of Port Royal respects and upholds the rights of all persons in the Town to exercise first amendment rights of free speech and expression; and,

WHEREAS, Town officials have found individuals camping and setting up residence in public places within the Town, creating health and safety concerns for others utilizing such public spaces; and,

WHEREAS, Town Council finds it in the best interest of the Town to regulate camping in public spaces in the Town limits;

NOW THEREFORE, be it ordained by the Port Royal Town Council, in Council duly assembled, and by the authority of the same, to create 15-28 of the Port Royal Code of Ordinances, to state as follows:

Section 15-28: Camping on Public Property Prohibited.

1. **Definition:** As used in this Section, the terms **Camp** or **Camping** shall mean the use of public parks, buildings, or grounds or private property for living accommodation purposes unless permitted, such as sleeping activities, or making preparation to sleep, including the laying down of bedding for the purpose of sleeping, or storing personal belongings, or making any fire or using any tents or shelter or other structure or vehicle for sleeping, or doing any digging, or earth breaking, or undertaking cooking activities. The above-listed activities constitute Camping when it reasonably appears, in

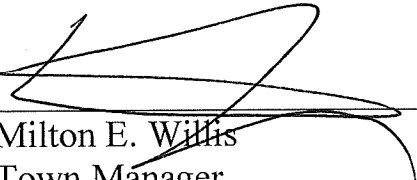
light of all the circumstances, that the participants, in conducting these activities, are in fact using the area as a living accommodation.

2. Except as may be permitted within municipal parks by Town Manager, or his or her designee, it is unlawful to Camp upon any public property owned by the Town, including, without limitation, streets, easements, parks, parking lots, or other public property, or to start or maintain an open fire on said property in violation of the State or Town Fire Code.
3. **Enforcement and Penalties:** No person may be arrested for violating this code section until he or she has received an oral or written warning to cease the unlawful conduct. Upon willful failure to comply with the warning issued, he or she is subject to arrest for violation of this code section, and upon conviction may be fined not to exceed \$500.00 or imprisoned for not more than 30 days.

If any part or provision of this Ordinance shall be deemed unenforceable, the remainder of this Ordinance shall be segregated and remain in force and effect.

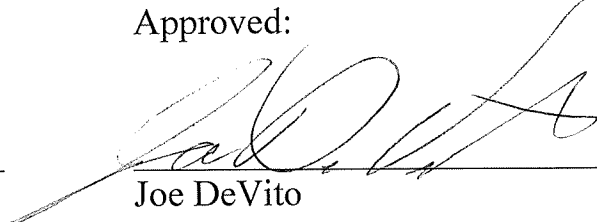
This ordinance shall become effective immediately upon adoption by Council.

Requested:




Milton E. Willis
Town Manager

Approved:



Joe DeVito
Mayor

Attest:



Brooke Plank-Buccola
Municipal Clerk

Introduced: 12/09/2020

Final Reading: 1/13/2021