



WASHOE COUNTY

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STAFF REPORT

BOARD MEETING DATE: December 13, 2022

DATE: Thursday, December 08, 2022

TO: Board of County Commissioners

FROM: Darin Balaam, Sheriff, Washoe County Sheriff's Office, (775) 328-3010 – dbalaam@washoecounty.gov

THROUGH: Jan Galassini, Washoe County Clerk

SUBJECT: Request by the Sheriff, through the Washoe County Clerk, and pursuant to Washoe County Code ("WCC") 2.030, to initiate amendments to WCC Chapter 50 (Public Peace, Safety and Morals), primarily to update provisions relating to camping and storage of personal property in public areas. The amendments are being requested to add a section governing unauthorized camping and storage of personal property which may pose a risk of significant harm to any person, or public area; and to update a section governing the criminal penalties for a violation of chapter 50; and direct the County Clerk to submit the request to the District Attorney for preparation of a proposed ordinance in accordance with WCC 2.040 (All Commission Districts).

SUMMARY

The Washoe County Sheriff's Office, through the County Clerk, requests (pursuant to Washoe County Code 2.030) to initiate proceedings to amend Washoe County Code Chapter 50 (Public Peace, Safety and Morals) and enact an ordinance, primarily to revise provisions relating to camping and storage of personal property in public areas. The Sheriff is requesting these amendments to update governance around unauthorized camping and/or storage of personal property which may pose a risk of significant harm to any person or public area. If the request is approved, the Board of County Commissioners is asked to direct the County Clerk to submit a request to the District Attorney to draft the proposed ordinance amending this code chapter. When the proposed ordinance is complete, the County Clerk will set an Introduction and First Reading.

Washoe County Strategic Objective supported by this item: Vulnerable Populations

PREVIOUS ACTION

The Board has taken no previous action on this item.

BACKGROUND

AGENDA ITEM # _____

WCC 2.030 provides that amendments to the Washoe County Code must be initiated by a request from the head of a Washoe County department to the County Clerk. Upon receiving the request, the County Clerk, pursuant to WCC 2.040, places the request on an agenda for consideration by the Board of County Commissioners. Upon a majority vote of the members present at the meeting, the Board may approve the request with any changes the Board desires. In considering this request, the Board may hear testimony from the proposer or any other person regarding the proposed changes. If approved, the Board would then direct the County Clerk to submit the request to the District Attorney for preparation of a proposed ordinance. Pursuant to WCC 2.050, when the District Attorney has completed the proposed ordinance, the County Clerk will place the proposed ordinance on the Board's agenda at a regularly scheduled meeting for an introduction and first reading in accordance with the adoption procedures set out in NRS 244.100.

The Washoe County Sheriff's Office is requesting to amend WCC Chapter 50 (Public Peace, Safety and Morals) primarily to update provisions relating to camping and storage of personal property in public areas and create uniform camping regulations across jurisdictions. The amendments are being requested to add a section governing unauthorized camping and storage of personal property which may pose a risk of significant harm to any person, or public area; and to update a section governing the criminal penalties for a violation of chapter 50. The desired additions include:

- This provision applies to all geographic public areas within the boundaries of Washoe County, excepting those areas lying within the corporate boundaries of the city of Reno and the city of Sparks as defined in Washoe County Code 40.130, where camping is not permitted by Washoe County.
- Camping is defined as the use of a public area for living accommodation such as sleeping or making preparations 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 structure or vehicle for sleeping, or doing any digging or earth breaking, or carrying on cooking activities. The above-listed activities constitute camping when it reasonably appears, considering all the circumstances, that the participants, in conducting these activities, are in fact using the area as a living accommodation regardless of the intent of the participants or the nature of any other activities in which they may also be engaging.
- A person who engages in camping in an area set forth in Section A is guilty of a misdemeanor punishable by imprisonment in the county jail for not more than 6 months or by a fine of not more than \$500, or by both fine and imprisonment, unless the statute enforced at the time of commission of such misdemeanor prescribed a different penalty.

FISCAL IMPACT

There is no fiscal impact to request initiation of proceedings to repeal, amend, or enact provisions in Washoe County Code.

RECOMMENDATION

It is recommended that the Washoe County Board of Commissioners approve a request by the Sheriff, through the Washoe County Clerk, and pursuant to Washoe County Code (“WCC”) 2.030, to initiate amendments to WCC Chapter 50 (Public Peace, Safety and Morals) primarily to update provisions relating to camping and storage of personal property in public areas. The amendments are being requested to add a section governing unauthorized camping and storage of personal property which may pose a risk of significant harm to any person, or public area; and to update a section governing the criminal penalties for a violation of chapter 50; and direct the County Clerk to submit the request to the District Attorney for preparation of a proposed ordinance in accordance with WCC 2.040

POSSIBLE MOTION

Should the Board agree with staff’s recommendation, a possible motion would be: “Move to approve the request by the Sheriff, through the Washoe County Clerk, and pursuant to Washoe County Code (“WCC”) 2.030, to initiate amendments to WCC Chapter 50 (Public Peace, Safety and Morals) primarily to update provisions relating to camping and storage of personal property in public areas. The amendments are being requested to add a section governing unauthorized camping and storage of personal property which may pose a risk of significant harm to any person, or public area; and to update a section governing the criminal penalties for a violation of chapter 50; and direct the County Clerk to submit the request to the District Attorney for preparation of a proposed ordinance in accordance with WCC 2.040.”