

SUMMARY: An ordinance amending Washoe County Code Chapters 50 and 70 regarding camping; uses of fires and/or generators; parking vehicles on county-owned property or public places; human habitation of vehicles on county-owned property or public places; obstructive uses of public sidewalks, roads, and/or highways; and ride solicitation.

BILL NO. 1904

ORDINANCE NO. _____

AN ORDINANCE AMENDING WASHOE COUNTY CODE CHAPTER 50 (PUBLIC PEACE, SAFETY AND MORALS) AND CHAPTER 70 (VEHICLES AND TRAFFIC) BY ADDING NEW SECTIONS REGARDING: CAMPING ON COUNTY-OWNED PROPERTY OR PUBLIC PLACES WITHIN 1000 FEET OF THE TRUCKEE RIVER (50.400); USE OF FIRES, BLOW TORCHES, AND/OR PROPANE TANKS (50.500); PARKING OF OVERSIZED VEHICLES ON COUNTY-OWNED PROPERTY OR PUBLIC PLACES (70.391); OBSTRUCTIVE USES OF PUBLIC SIDEWALKS, ROADS, AND/OR HIGHWAYS PROHIBITED (70.392); RIDE SOLICITATION AND CONTRIBUTION FROM DRIVER/OCCUPANT OF VEHICLE PROHIBITED (70.393); HUMAN HABITATION OF VEHICLES ON COUNTY-OWNED PROPERTY OR PUBLIC PLACES (70.411); AND ALL MATTERS NECESSARILY CONNECTED THEREWITH AND PERTAINING THERETO.

WHEREAS, The Board of County Commissioners of the County of Washoe hereby finds and declares as follows:

(A) Limited regulation of camping provides for safer and cleaner spaces in Washoe County and promotes public health.

(B) Unregulated camping, to include daytime and/or overnight living accommodation and/or for inhabitation purposes, in and around the Truckee River threatens to pollute the area's primary source of drinking water and detracts from the scenic beauty of the river.

(C) Limited regulation of camping within the Truckee River Corridor is reasonably necessary to protect and enhance water quality or water resources of the Truckee River and appropriately balances the public interest and individual rights.

(D) The Truckee River runs from the outlet of Lake Tahoe, through Truckee, and directly through Washoe County on its way to Pyramid Lake, and is an important natural resource shared by our county and surrounding communities.

(E) The Truckee River watershed includes all of the land draining into the river, either directly, through our urban storm water system, or into creeks which feed into the Truckee River.

(F) Once a thriving, wild waterway with hundreds of bird species and 40-pound Lahontan cutthroat trout, the Truckee River has been highly degraded over the past century.

(G) Proper management of the Truckee River, which provides 85 percent of the water delivered in the Truckee Meadows, is vital to sustaining a healthy community.

NOW THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE DO ORDAIN:

Section 1. Chapter 50 of the Washoe County Code is hereby amended by adding a new section which shall be labeled 50.400 and read as follows:

CAMPING ON COUNTY-OWNED PROPERTY OR PUBLIC PLACES

50.400 Camping on county-owned property or public places.

1. Unless permitted by Section 95.380 or other applicable provision of the Washoe County Code, it shall be unlawful to camp on county-owned property within 1000 feet of the shore of the Truckee River or public place within unincorporated Washoe County limits. For the purpose of this section, "to camp" or "camping" means to use real property of the County for living accommodation and/or inhabitation purposes such as:
 - (a) Sleeping activities or making preparations to sleep, including the laying down of bedding for the purpose of sleeping;
 - (b) Storing personal belongings for a period in excess of 48 hours. All items remaining in the area following the 48-hour notification would be considered abandoned property and are subject to removal and/or disposal;
 - (c) Using any tent, shelter, other structure, or vehicle for sleeping.

The above-listed activities constitute camping when it reasonably appears in light of all the circumstances that the

participant, in conducting these activities, is in fact using the area for living accommodation and/or inhabitation purposes, regardless of the intent of the participant or the nature of any other activities in which he or she may also be engaging.

2. The prohibition against camping in subsection (1) above shall not apply to any person:
 - (a) Sitting or lying down on county-owned property or a public place due to a medical emergency;
 - (b) Who, as the result of a disability, utilizes a wheelchair, walker, or similar device to move about the county-owned property or a public place;
 - (c) Operating or patronizing a commercial establishment conducted on the county-owned property or a public place pursuant to an applicable permit; or
 - (d) Participating in or attending a parade, festival, performance, rally, demonstration, meeting, or other similar event conducted on County-owned property or public place pursuant to an applicable permit.
3. No person shall be charged with a violation of this section unless the person engages in conduct prohibited by this section after having been notified by a law enforcement officer or notified by written posting that the conduct violates this section. "Written Posting" means posting "no camping" signs or other notice of like meaning at intervals of such a distance as is necessary to ensure that at least one such sign would be within the direct line of sight of a person standing next to another such sign, but at intervals of not more than 500 feet.
4. The provisions of this section are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subparagraph, section, subsection, or portion of this section, or the invalidity of the application thereof to any person and/or circumstance shall not affect the validity of the remainder of this section and/or the validity of its application to other persons or circumstances.
5. Any person who violates this section shall be guilty of a misdemeanor.

Section 2. Chapter 50 of the Washoe County Code is hereby amended by adding a new section which shall be labeled 50.500 and read as follows:

50.500 Use of Fires, Blow Torches, and/or Propane Tanks

1. **Outdoor Fires and Portable Open-Flame Devices.** It shall be unlawful for any person to start or maintain an open-flame fire on any county-owned property or public place which is not in a fire or barbeque pit provided by the County or in another area designated for such use by the County.
2. **Blow Torches and Propane Tanks or Containers.** It shall be unlawful to utilize a blow torch, propane tank, or propane container upon any county-owned property or public place of the County in a manner which could reasonably cause injury or death to a person or could reasonably cause damage to public property or public spaces.
3. **Any person who commits a violation of this provision is guilty of a misdemeanor.**

SECTION 3. Chapter 70 of the Washoe County Code is hereby amended by adding a new section which shall be labeled 70.391 and read as follows:

70.391 Parking of oversized vehicles

1. **Within areas designated as or residential districts by the Washoe County Commissioners,** it is unlawful for the owner or driver of any vehicle, trailer, or vehicle and trailer having an overall length of more than twenty (20) feet to stand or park the same at any time on any public street, highway, or alley, except immediately in front of the property of the owner or driver thereof while goods or passengers are being loaded or discharged.
2. **In the case of recreational vehicles, trailers, and boats,** a forty-eight (48) hour period will be allowed for loading and unloading provided all vehicle and traffic regulations are otherwise complied with.
3. **It is unlawful for the owner or an agent of the owner of any commercial trailer or semitrailer, which is not attached to a tractor or other motor vehicle, to cause or allow the same to be parked on a public street, highway, alley, or parking lot.**

4. Any person who commits a violation of this provision is guilty of a misdemeanor.

SECTION 4. Chapter 70 of the Washoe County Code is hereby amended by adding a new section which shall be labeled 70.392 and read as follows:

70.392 Obstructive Uses of Public Sidewalks, Roads, and/or Highways are Prohibited

1. As used in this section, the terms as defined herein shall have the meaning ascribed to them.

(a) "Obstructive use" means:

- (1) Placing, erecting, or maintaining an unpermitted table, chair, booth, tent, or other structure upon a public sidewalk, road, and/or highway which actually causes an obstruction.
- (2) Placing or storing equipment, materials, parcels, containers, packages, or other property upon the public sidewalk, road, and/or highway which actually causes an obstruction on the sidewalk or public place.
- (3) Sleeping upon a public sidewalk, road, and/or highway.
- (4) Any use upon a public sidewalk, road and/or highway which obstructs, delays, hinders, blocks, hampers, or interferes with pedestrian passage or which affects public safety.

(c) The definition of "obstructive use" in subsection (a) does not include the following:

- (1) Any use of the public sidewalk, road, and/or highway by public safety equipment, including but not limited to: street signs, traffic signals, fire hydrants, utility poles, and lighting.
- (2) Any use of the public sidewalk, road, and/or highway for purposes of construction, maintenance or repair of the public safety equipment, right-of-way, or adjoining private property, which is

conducted by or pursuant to a valid permit issued by Washoe County.

(3) Any use of the public sidewalk, road, and/or highway resulting from a permitted and/or licensed encroachment or structure.

(4) Any other use which is permitted and/or licensed by the Washoe County.

2. No obstructive use shall be permitted on any public sidewalk, road, and/or highway within Washoe County:

(a) On or within any crosswalk, including but not limited to any portions of a public sidewalk located in or on a median, traffic island, or other structure within, across, or under a public road and/or highway.

(b) Within one hundred fifty (150) feet of any crosswalk.

(c) Within one hundred fifty (150) feet of any intersection of public roads and/or highways, or of a public road and/or highway and a private road or driveway.

(d) Within one hundred fifty (150) feet of any school.

3. Any person who commits a violation of this provision is guilty of a misdemeanor.

SECTION 5. Chapter 70 of the Washoe County Code is hereby amended by adding a new section which shall be labeled 70.393 and read as follows:

70.393 Solicitation of ride, business, or contribution from driver or occupant of vehicle prohibited.

1. It shall be unlawful for any person to obstruct vehicular traffic while standing in or upon any public road and/or highway.

2. It shall be unlawful for any person to stand in or within fifteen (15) feet of a public street or highway for the purpose of soliciting a ride or any business from the driver or any occupant of a vehicle, without a permit issued by the Washoe County.

3. Any person who commits a violation of this provision is guilty of a misdemeanor.

SECTION 6. Chapter 70 of the Washoe County Code is hereby amended by adding a new section which shall be labeled Section 70.411 and read as follows:

70.411 Human Habitation of Vehicles on County Owned Property or Public Places

1. It is unlawful for any vehicle to be used for human habitation purposes for a period exceeding forty-eight (48) hours on County-owned property or public places. For the purposes of this section, "human habitation" shall mean the use of a vehicle for dwelling or residential purposes. Evidence of human habitation includes but is not limited to the following activities: sleeping; setting up any bedding, sleeping bags, bedroll, pillow, or other sleeping materials; engaging in housekeeping or cooking activities; storing cookware and/or cooking equipment; storing bodily fluids/waste in a vehicle; storing personal possessions in such a manner that some or all of the vehicle's windows are obscured; and/or using sanitation and/or plumbing and/or electrical systems or equipment in a manner where it reasonably appears that the person is using the vehicle as a living accommodation.
2. It is unlawful for any vehicle which is being used for human habitation purposes to be moved any distance less than two (2) miles from the position it occupied at the start of the forty-eight (48) hour period in order to avoid the time limit regulation of this section.
3. Proof that any vehicle was found stopped, parked, or standing in or along any public street or public right-of-way and was unattended by any person but was in violation of this section, together with proof that the individual was, at the time of the violation, the registered owner of the vehicle, shall create a presumption that the registered owner of the vehicle was the person who parked or placed that vehicle at that location.
4. A vehicle lawfully parked in a recreational vehicle park or campground in accordance with Chapter 95 is exempt from this provision.
5. Any person who commits a violation of this provision is

guilty of a misdemeanor.

[Business Impact Note: The Board of County Commissioners hereby finds that this ordinance does not impose a direct and significant economic burden upon a business, nor does it directly restrict the formation, operation, or expansion of a business.]

Proposed on the _____ day of _____, 2024.

Proposed by Commissioner _____.

Passed on the _____ day of _____, 2024.

Vote:

Ayes:

Nays:

Absent:

Chair
Washoe County Commission

ATTEST:

County Clerk

This ordinance shall be in force and effect from and after _____, 2024.