

AN ORDINANCE
TO BE ENTITLED

AN ORDINANCE TO AMEND CHAPTER 1, PERSONAL
CONDUCT, OF PART 9, OFFENSES, OF THE CODE OF THE CITY
OF SAVANNAH, GEORGIA; TO REGULATE URBAN CAMPING AND
IMPROPER USE OF PUBLIC PLACES; TO REPEAL ALL
ORDINANCES IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES.

BE IT ORDAINED by the Mayor and Aldermen of the City of Savannah, Georgia, in regular meeting of Council assembled, and pursuant to lawful authority thereof:

SECTION 1: That Section 9-1029, Urban camping and improper use of public places, be added to Chapter 1, Personal Conduct, of Part 9, Offenses, of the Code of the City of Savannah as follows:

Sec. 9-1029. Urban camping and improper use of public places.

(a) *Definitions.* The following words, terms, and phrases, when used in Sec. 9-1029, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

"*Bridge*" means a structure, including the approaches thereto, erected in order to afford passage over any obstruction in any public road, railroad, or other right-of-way; or to afford passage under or over existing public roads, railroads, or other rights-of-way. As used in this section the definition of "*Bridge*" shall include a controlled access highway overpass as defined herein.

"*Camp*" or "*camping*" means the use of a street, sidewalk, other right-of-way, and/or any area underneath a bridge, within the City of Savannah for living accommodation purposes such as sleeping activities, or making preparations to sleep (including the laying down of bedding for the purpose of sleeping), or storing personal belongings, or making a fire, or carrying on cooking activities, or using a tent or other structure for habitation. These activities constitute camping if, in light of all the circumstances, it reasonably appears that in conducting one or more of these activities, the participant is in fact using the area as a living accommodation, regardless of the intent of the participant or the nature of any other activities in which s/he may also be engaged.

"*City*" means the City of Savannah.

"*Controlled access highway overpass*" means a crossing of two controlled access highways or of a controlled access highway and other public road, pedestrian path, railroad, or public right-of-way at different levels where clearance to traffic on the lower level is obtained by elevating the higher level.

"*Interference* (or "*interfere*") *with ingress and egress*" means standing, sitting, lying down, using personal property, or performing any other activity on public property

and/or in a park, where such activity: a) materially interferes with the ingress into and egress from buildings, driveways, streets, alleys, or any other real property that has a limited number of entrances/exits, regardless of whether the property is owned by the city, a private owner, or another public entity; b) reasonably appears, in light of all of the circumstances, to have the purpose of blocking ingress and egress; and c) occurs without the express written permission of the owner of the property at issue. Where written permission has been granted, the individuals interfering with ingress and egress must have possession of the permission at the time of the activity in question.

"*Park*" or "*parks*" means any city-owned park or square.

"*Public property*" means any street, sidewalk, and/or other right-of-way, within the City of Savannah.

"*Storing* (or "*store*") *personal property*" means leaving one's personal effects unattended on public property, in any area underneath a bridge, and/or in a park or square, such as but not limited to clothing, bedrolls, cookware, sleeping bags, luggage, knapsacks, or backpacks. This term does not include parking a bicycle or other mode of transportation.

- (b) It shall be unlawful for any person to camp.
- (c) It shall be unlawful for any person to store personal property.
- (d) It shall be unlawful for any person to interfere with ingress and egress.
- (e) No person may be arrested for violating this code section until s/he has received an oral or written warning from the Savannah Police Department to cease the prohibited conduct. If the violator fails to comply with the warning issued, s/he may be arrested for violation of this section.
- (f) Where personal property is stored in violation of subsection (c) above, the Savannah Police Department may deem the property to be abandoned and may confiscate it. No warning is required prior to the confiscation. The Department shall retain the property in a manner consistent with the handling of other confiscated property.
- (g) The prohibitions set forth in subsections (b) and (c) above shall not apply during a duly permitted outdoor event on property where the outdoor event is located, as set forth in a city-issued outdoor event permit, unless the permit explicitly prohibits the activity.
- (h) The prohibitions set forth in this Section shall not apply to city, state, or county officials or employees acting in their official capacity, performing the activities as part of their official city duties.
- (i) The prohibitions set forth in this Section shall not apply to city, state, or county contractors or subcontractors where said activities are associated and performed in conjunction with the scope of work set forth in the city contract.

SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: This ordinance shall become effective upon the mayor affixing his signature below.

ADOPTED AND APPROVED:_____

Van R. Johnson II, Mayor

Mark Massey, Clerk of Council