

Desert Hot Springs Municipal Code[Up](#)[Previous](#)[Next](#)[Main](#)[Collapse](#)[Search](#)[Print](#)[No Frames](#)[Title 12 STREETS, SIDEWALKS AND PUBLIC PLACES](#)**Chapter 12.04 CAMPING RESTRICTIONS**

12.04.010 Purpose.

The public streets, private property, and areas within the City should be readily accessible and available to residents, the public at large, property owners, or lawful tenants, as may be applicable, and maintained in a clean, safe and attractive condition that promotes the quality of life of the citizens. The use of these areas for camping purposes or storage of personal property interferes with such purposes and the rights of owners, lawful tenants, or others, as may be applicable, to use the areas for which they were intended. The provisions of this chapter shall not be implemented in any way to infringe upon the constitutional rights of any person. The purpose of this chapter is to maintain public streets, private property, and areas within the City in a clean and accessible condition. (Ord. 701 12-3-19; Ord. 600 2-21-17; prior code § 90B.01)

12.04.020 Definitions.

Unless the particular provisions or the context otherwise requires, the definitions contained in this section shall govern the construction, meaning, and application of words and phrases used in this chapter.

“Camp” means to pitch or occupy camp facilities; to use camp paraphernalia; to sleep outdoors, or in, on or under any structure not intended for human occupancy.

“Camp facilities” means and includes, but is not limited to, tents, huts, or temporary shelters.

“Camp paraphernalia” means and includes, but is not limited to, tarpaulins, cots, beds, sleeping bags, hammocks or non-city-designated cooking facilities and similar equipment.

“Habitable” shall refer to a dwelling that has not been declared unfit for habitation by the City or other agency with jurisdiction thereover.

“Nonresidential” is intended to refer to property, or any portion thereof, that is not improved with a habitable dwelling unit.

“Park” means any public park or recreation or playground area or building or facility thereon within the City, owned and maintained by the City as a public park or recreation or playground area, whether or not such areas have been formally dedicated to such purpose.

“Publicly accessible area” means that portion of any privately owned, nonresidential property that is not enclosed by a City-approved structure, including, but not limited to, vacant land or the exterior of commercial or business establishments.

“Public property” means any property owned or managed by any government entity.

“Store” means to put aside or accumulate for use when needed; to put for safekeeping; to place or leave in a location.

“Street” means and includes all highways, avenues, lanes, alleys, courts, places, squares, sidewalks, parkways, curbs, or other public ways in this City that have been or may hereafter be dedicated and open to public use, or such other public property so designated in any law of this state. (Ord. 701 12-3-19; Ord. 600 2-21-17; prior code § 90B.02)

12.04.030 Unlawful camping.

It is unlawful for any person to camp, occupy camp facilities, or use camp paraphernalia in the following areas, except as otherwise provided:

- A. Any street;
- B. Any public parking lot, publicly accessible area visible from any off-site location, or public property, improved or unimproved.

C. Any Private Property.

1. Overnight camping on private property by persons other than the property owner(s) or lawful tenants is prohibited, except when the overnight camping meets all of the following: (a) is limited to no more than one night; (b) overnight camping is in the rear yard, or in an area of a side yard or front yard that is separated from view from the street by a fence, hedge, or other lawful obstruction; and (c) the property owner or person in lawful possession consents to such overnight camping.

2. Nothing in this chapter is intended to prohibit or make unlawful, activities of an owner of private property or other lawful user of private property that are normally associated with and incidental to the lawful and authorized use of private property for residential or other purposes; and provided further, nothing is intended to prohibit or make unlawful activities of a property owner or other lawful user if such activities are expressly authorized by any State, Federal and local laws, rules, regulation, or policies.

3. Camping shall not be permitted. Where it is conducted in such a manner as to create a public nuisance, including any noise disturbance, as provided in Chapter 8.12 of this code, inadequate sanitation, or other matters offensive to reasonable persons, nor where the camping activity is of such frequency, intensity or duration as to constitute a use of land prohibited by any provisions of Title 17 of this code or where the camping and or activities incidental to it constitute a public nuisance. (Ord. 701 12-3-19; Ord. 600 2-21-17; prior code § 90B.03)

12.04.040 Storage of personal property.

A. It is unlawful for any person to store personal property, including camp facilities and camp paraphernalia, in the following areas, except as otherwise provided:

- 1. Any park;
- 2. Any street;
- 3. Any public property, improved or unimproved; or
- 4. Any private property without the written consent of the owner or lawful tenant.

B. The impoundment and retrieval of such property shall be in accordance with procedures established by the City Manager, or designee, or according to the procedures of the law enforcement agency whose peace officers impounded the property. (Ord. 701 12-3-19; Ord. 600 2-21-17; prior code § 90B.05)

12.04.060 Enforcement authority.

Departments or personnel designated by the City Manager shall have the power and authority to enforce any and all provisions of this chapter. (Ord. 701 12-3-19; Ord. 600 2-21-17; prior code § 90B.07)

12.04.080 Violation—Nuisance.

A. Any violation of the provisions of this chapter shall constitute a public nuisance and may be enforced pursuant to any applicable provision of Title 4 of this code. If a violation of this chapter is of a continuing nature, each day during which it occurs shall constitute an additional, separate, and distinct

offense. All remedies set forth in this chapter shall be cumulative and in addition to any and all other remedies, civil and equitable, afforded to the City under the law.

B. Notwithstanding any other provision of this code, no violation of the provisions of this chapter shall constitute an infraction or misdemeanor. (Ord. 701 12-3-19; Ord. 600 2-21-17; prior code § 90B.08)

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