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ORDINANCE NO. O2017-32

**AN ORDINANCE ESTABLISHING SECTION 351.17
"OVERNIGHT CAMPING PROHIBITED ON CITY STREETS
AND CITY OWNED PARKING AREAS"
OF THE CODIFIED ORDINANCES OF THE CITY OF GALLIPOLIS, OHIO**

WHEREAS, the City of Gallipolis is desirous of promoting the health and welfare of the Citizenry by enforcement of the provisions adopted by these Codified Ordinances (as amended from time to time); and,

WHEREAS, the purpose of this ordinance is to make public streets and other public use areas readily accessible to the public for their intended and supported purposes and to limit the overnight parking of vehicles on public streets and public use areas for the purpose of human habitation, temporary or permanent residential occupation, camping, or sleeping (hereinafter referred to as "overnight camping"), which uses are hereby deemed to be unsafe, unsanitary, and incompatible with the intended and supported uses of streets and other public use areas; and,

WHEREAS, this ordinance shall not apply to persons who, having first obtained a license or permit from the City Manager or his designated agent, lawfully occupy designated camping spaces at the City riverfront public use area or other public use area; and,

WHEREAS, this ordinance shall not apply to persons who are occupying vehicles such as tractor trailer cabs, camper trailers, etc.; and,

WHEREAS, the City of Gallipolis is desirous of instituting additional incentives and safeguards for the enforcement of ordinance violations; and,

WHEREAS, the City of Gallipolis is desirous of instituting penalties for certain classes of ordinance violations; and,

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Gallipolis, Ohio:

SECTION 1: That Section 351.17 is hereby established and shall read as follows:

**"351.17. OVERNIGHT CAMPING PROHIBITED ON CITY STREETS
AND CITY OWNED PARKING AREAS**

(a) Prohibition.

No occupied vehicle shall be parked for the purpose of allowing the occupant(s) thereof to establish a temporary or permanent residential use, camp, or sleep within the vehicle during the hours of 9:00 P.M. to 7:00 A.M.. For the purposes of this section, any motor vehicle parked on any public street or any public use area owned by the City of Gallipolis at the times specified herein which (1) contains a person or persons sleeping or in a state of unconsciousness therein, or (2) contains bedding or camp paraphernalia arranged for

the purpose of, or in such a way as will permit, the occupants thereof to remain overnight shall be deemed to be a violation of this section.

(b) Application.

This section shall apply to all motor vehicles found on or in the right of way of any public street, regardless of ownership, and on or in the right of way of any other thoroughfare owned or maintained by the City of Gallipolis, and on any publicly accessible parking area or other public use area owned by the City of Gallipolis. This ordinance shall not apply to persons who, having first obtained a license or permit from the City Manager or his designated agent, lawfully occupy designated camping spaces at the City riverfront public use area or other public use area and this ordinance shall not apply to persons who are occupying vehicles such as tractor trailer cabs, camper trailers, etc.

(c) Penalty.

Any violation of this section shall be a misdemeanor of the fourth degree as described in 303.99(b)."

BE AND HEREBY IS ESTABLISHED, AND;

SECTION 2: That this Ordinance shall take effect and be in full force at the earliest period of time allowed by law.

PASSED: October 3, 2017

ATTEST:

Annette M. Landers
Clerk of the City Commission
Annette M. Landers

Tony Gallagher
President of the City Commission
Tony Gallagher

The foregoing Ordinance is hereby approved as to form.

Adam R. Salisbury
Gallipolis City Solicitor
Adam R. Salisbury