

STATE OF SOUTH CAROLINA

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CITY OF YORK

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COUNTY OF YORK

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#### ORDINANCE 24-715

#### AMENDING THE CODE OF ORDINANCES FOR THE CITY OF YORK BY ADDING DEFINITIONS AND REQUIREMENTS FOR URBAN CAMPING

- Whereas, York City Council and Planning Commission find that the City currently lacks an ordinance regulating how temporary residential facilities can be utilized;
- Whereas, York City Council and Planning Commission find that the absence of such regulations may allow for increased risks to the public health within in the city, such as toxic substances infiltrating ground water, offensive and/or harmful gases and an increase in the population of vermin and other nuisance animals;
- Whereas, York City Council and Planning Commission find that the adoption of such requirements related to regulation of temporary residential facilities shall provide law enforcement with the necessary means to ensure the public safety of all citizens and visitors in the City; and
- Whereas, York City Council and Planning Commission find that the regulation of temporary residential facilities shall promote the public health, safety, order, appearance and general welfare of all citizens by providing for a safer and healthier city.

NOW, THEREFORE, BE IT ORDAINED by the City Council of York, South Carolina, assembled on dates hereafter set forth, that the Code of Ordinances for the City of York be amended by adding the following:

#### Chapter 14- Environment, Article II- Nuisances, Section 14.37 – Urban Camping

##### Definitions:

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. Except as otherwise provided, all words in this article shall be given their ordinary and customary meaning:

*Camp* and *Camping* shall mean occupying or using a public park, public street or private property for a living accommodation using a mobile, movable, or temporary shelter, including, but not limited to, a tent, travel trailer, recreational vehicle, park trailer, sleeping bag, or blanket; and in the course of such occupation or such use:

- Lying or sleeping in a single place or limited area for eight or more continuous hours;
- Cooking or preparing meals;
- Depositing or discharging human waste in areas not authorized by the City of York for such deposit or discharge; or performing any other activity commonly associated with occupation of a residence; or any combination thereof.

*Public Park* includes all municipal parks, public play grounds, public plazas, attractions and monuments.

*Public Street* includes all public streets and highways, public sidewalks, public benches, public parking lots and medians.

*Storing Personal Property* shall mean leaving one's personal effects, such as, but not limited to, clothing, bedrolls, cookware, sleeping bags, luggage, knapsacks, or backpacks, unattended for any substantial prolonged length of time. This term shall not include parking a bicycle or other mode of transportation.

**Requirements:**

1. It shall be unlawful to camp or to store personal property in any public park or public street, as defined in this chapter.
2. It shall be unlawful to camp, to sleep, to store personal property, to sit on, or to lie down on any public park, public street, or other public property so as to interfere with ingress or egress from such public park, or public street, or other public property, or any combination thereof, or so as to interfere with ingress and egress to any private property accessed by means of such public park, or public street, or other public property, or any combination thereof.
3. It shall be unlawful to camp or to store a personal travel trailer or recreational vehicle on private property except where each of the following requirements are met:
  - The subject property must have an existing, detached, single-family residential dwelling unit currently being used for legal residential purposes; and
  - A single tent is allowed as an temporary accessory use to the existing house. The temporary tent erection and use shall not exceed 5 days per month; and

- A single travel trailer or recreational vehicle may be stored but shall not be used as a temporary or permanent sleeping quarters. It shall be prima facie evidence that a travel trailer or recreational vehicle is being used as a sleeping quarters if it has been hooked up to any utility service(s) or any slide-out systems have been extended for eight or more continuous hours.
  - All applicable requirements of the City of York Zoning Ordinance must be met.
4. This section shall not be construed to prohibit any of the following behaviors:
- a. Uses of public parks or public streets authorized by York City Council;
  - b. A person or persons sitting or lying down as a result of a medical emergency; and
  - c. A person or persons in lying down, sitting on, or napping on a public park, public street or private property where such activity does not constitute camping as defined herein, and such activity does not interfere with ingress and egress as defined herein.

#### Penalties

No person may be arrested for violating this section until such person has received an oral or written warning to cease the unlawful conduct. If the violator fails to comply with the warning issued, he or she is subject to arrest for urban camping, which shall be an ordinance violation. Any subject who violates this section shall be penalized in accordance with Section 1-11.

#### Severability

If any provision, clause, sentence, or paragraph of this article or the application thereof to any person or circumstances shall be held invalid, that invalidity shall not affect the other provisions of this article which can be given effect without the invalid provision or application, and to this end the provisions of this article are declared to be severable.

  
MICHAEL D. FUESSER, MAYOR

ATTEST: Amy Craig  
Municipal Clerk

First Reading: Feb. 5, 2024

Public Hearing: Mar. 5, 2024

Second Reading: Mar. 5, 2024