



Approved by Garrett Evans
City Manager

Purpose:

The Pittsburg Municipal Code Section 9.27.050 makes it unlawful for any person to store or leave unattended personal property, including camp facilities and camp paraphernalia, on public property, unless such storage is expressly authorized and in conjunction with a permitted camping activity under the Chapter 9.27. PMC Section 9.27.060 provides that any campsite established in violation of the Chapter is a public nuisance, and the City is authorized to remove camp facilities, camp paraphernalia, and other personal property located at a campsite, consistent with administrative regulations adopted under the Chapter. PMC Section 9.27.090 requires the City Manager or his/her designee to develop and adopt administrative regulations consistent with the Chapter, including policies and procedures for ensuring safe and prompt removal of the nuisance while meeting procedural safeguards required by City, state or federal law. The procedures below are adopted by the City Manager to fulfill the requirements, and further the purpose of maintaining public areas in a sanitary, accessible condition and protecting the health, safety and public welfare of the community.

Abatement of Unlawful Campsite:

City staff, through any department, are authorized to abate the nuisance and remove camp facilities, camp paraphernalia and other personal property located at the campsite. Staff are authorized to utilize contractors.

Upon locating an unlawful campsite which is subject to abatement, the following steps shall be taken by staff regarding personal property:

- Fill out a property tag, and include the date and time, and if applicable, the time the facility (e.g. park) will close.
- Affix the tag to the property by tape, zip tie, or equivalent.
- Photograph or capture on body-worn camera the property with property tag.
- Return no sooner than 24 hours after the tag date and time, or if applicable, after the facility is closed, and photograph or capture on body worn camera the property once again.

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- Leave behind bottom half of the property tag, which includes information on how and where to retrieve the property.
- Photograph or capture on body-worn camera the bottom half of the property tag where the property was picked up.
- Property that entirely blocks the pedestrian walk-way or an entry to a facility, or impedes access by the disabled, does not need a property tag and can be taken immediately.
- Property located at a facility after facility closure (e.g. park, library) does not need a property tag and can be taken immediately.
- If the owner of the property being collected is present, he/she shall be provided with instructions on where and how to retrieve the property.

Items located and found to be wet, soiled, moldy, filthy, sullied, perishable, open consumables, recyclable waste, have a foul odor, could be used as bedding material, could be infested with insects or other contagion, or belonging to someone suspected of having a contagious skin disease shall be properly disposed to protect the public and prevent contamination of the property storage facility.

Any items disposed due to the above listed reasons shall be photographed or captured on body-worn camera. Staff shall document the reason why it was necessary to dispose the property.

Debris removed within the creek channel and along banks of the creek channel shall be done in accordance with the provisions of the City's Routine Maintenance Agreement with the Department of Fish and Wildlife. Trash, rubbish, natural debris, man-made material or non-living materials will be removed using on-foot personnel or heavy equipment operated from top of bank to restore flow to the natural channel. No work is to occur if staff encounters any species of concern, rare, threatened, or endangered, or if work affects the species' habitat. Documentation of debris removed shall consist of before and after photographs, classification of types of debris and quantity of debris removed.

For purposes of this order, "personal property" means tangible personal belongings or possessions, which shall include any movable or tangible thing that is subject to ownership; property or chattels that can be seen, weighed, measured, felt, or touched, including, but not limited to, furniture, appliances, money, books, and Camping Facilities and Camping Paraphernalia as defined by PMC Section 9.27.020.

Any and all "debris" shall be collected and disposed by the investigating officers, members of the City of Pittsburg Corporation Yard or their authorized designee. "Debris" includes but is not limited to items that are considered a health risk, newspapers and

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cardboard, paper and plastic debris, loose firewood or wood pieces, unsanitary clothing, food scraps, wet garbage, empty cans and bottles, and any related or similar items.

All property collected will be transported to the Police Department and stored appropriately. Shopping carts owned by businesses shall be collected and disposed of consistent with PMC Chapter 10.59. Property taken as unattended will be released to the owner pursuant to the policies and procedures of the Pittsburg Police Department Evidence Division.

PROPERTY TAG

On _____ (date) at _____ (time) this property was tagged because it is being stored on public property in violation of Pittsburg Municipal Code 9.27.050. If the property is not removed and remains on public property after _____ (date) _____ (time) it will be impounded by the City of Pittsburg pursuant to Pittsburg Municipal Code 9.27.060.



On _____ (date) at _____ (time) property:

(Brief description of property collected)

from this area was tagged as being stored on public property in violation of Pittsburg Municipal Code 9.27.50. The tag stated this property would be impounded if not removed from public property. The property was not removed and was impounded by the City of Pittsburg on _____ (date) at _____ (time) pursuant to Pittsburg Municipal Code 9.27.60. You may claim your property by contacting the Pittsburg Police Department (925-252-4980) and making an appointment with the Evidence Division, Monday through Friday, from 8:00 a.m. to 4:00 p.m. Impounded property will be kept for 90 days and then disposed if not claimed.

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Unlawful Camping:

City staff may issue administrative citations for camping in violation of PMC Chapter 9.27. City police officers may not criminally cite for unlawful camping unless consistent with federal law. No person shall be criminally cited for sleeping on public property unless the person has been offered shelter and refuses.