

ORDINANCE NO. 25-05

AN ORDINANCE REGULATING CAMPING AND SLEEPING IN PUBLIC AND PRIVATE PLACES WITHIN THE CITY OF SOUTH HUTCHINSON, KANSAS, AND PROVIDING PENALTIES FOR VIOLATIONS.

WHEREAS, the City of South Hutchinson has an important governmental interest in ensuring the streets, parks, and public areas of the city remain safe, accessible, clean, and available for their intended use by all members of the public; and

WHEREAS, unauthorized camping in public spaces interferes with public use, may pose health and safety risks, and can adversely impact nearby residential and commercial areas; and

WHEREAS, the City recognizes the importance of balancing enforcement with compassion, and it is not the City's intent to criminalize homelessness, but to maintain public property for the benefit and welfare of all residents.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SOUTH HUTCHINSON, KANSAS:

SECTION 1. DEFINITIONS.

(a) As used in this Ordinance:

- (1) Camp or Camping means using property for living accommodation purposes, including but not limited to: sleeping or preparing to sleep, storing camping-related personal property (sleeping bags, tents, cookware, etc.), cooking meals, or occupying vehicles or structures for shelter.
- (2) Public Property means property owned, leased, or controlled by the City or any other governmental entity, including streets, sidewalks, parks, rights-of-way, parking lots, and public buildings.
- (3) Private Property means property not owned or managed by a government entity.
- (4) Public Right-of-Way means any area dedicated for public vehicular or pedestrian traffic, including curbs, parkways, sidewalks, and easements.
- (5) Temporarily Camp means camping for no more than 72 consecutive hours with authorization.
- (6) Personal Property includes all tangible items such as tents, sleeping materials, bags, containers, furniture, and any item typically associated with overnight camping or sleeping outdoors.

SECTION 2. UNLAWFUL CAMPING ON PUBLIC PROPERTY.

- (a) It is unlawful for any person to camp on public property or public rights-of-way unless authorized by permit under Section 6.
- (b) A person found camping shall be given 24 hours' notice to vacate and remove personal property unless the person is in a restricted area (see Section 3) requiring immediate removal.
- (c) A person may not be cited under this section unless the person has first received a written warning from law enforcement.

SECTION 3. IMMEDIATE REMOVAL LOCATIONS.

- (a) Camping and associated personal property may be removed without prior notice in the following locations:
 - (1) Under or within 50 feet of bridges, overpasses, or major roadways;
 - (2) Within 500 feet of schools, daycares, or playgrounds;
 - (3) Within 20 feet of public or private doorways, fire escapes, or loading docks;
 - (4) Within designated flood control areas or stormwater systems;
 - (5) Inside or within 100 feet of park shelters, restrooms, or community centers;
 - (6) Any area deemed by public safety officials to pose an immediate health or safety risk.

SECTION 4. CAMPING ON PRIVATE PROPERTY.

- (a) It is unlawful to camp on private property without the written consent of the owner or lawful occupant.
- (b) Consent must include the name and contact information of the person granting permission and must be made available to law enforcement upon request.
- (c) Unauthorized camping on vacant or abandoned structures (barns, garages, trailers, etc.) is prohibited.
- (d) Camping in vehicles or trailers is only allowed:
 - (1) With written permission of the property owner; or
 - (2) On commercial property where overnight parking is posted as allowed; or

- (3) In licensed RV parks or locations with City-issued permits.

SECTION 5. IMPOUNDMENT OF PERSONAL PROPERTY.

- (a) Personal property not removed after notice may be impounded.
- (b) Property posing a health or safety risk (e.g., contaminated, blocking access) may be removed immediately without notice.
- (c) The City shall retain impounded property for 30 days and provide notice regarding its retrieval, with reasonable proof of ownership required.

SECTION 6. TEMPORARY CAMPING PERMITS.

- (a) The City Administrator or designee may issue temporary camping permits for special events or designated public activities. Criteria for approval shall include:
 - (1) Public health and safety considerations;
 - (2) Duration and size of the event;
 - (3) Clean-up and sanitation plan.
 - (4) Permits may be revoked for violation of terms or health and safety concerns.

SECTION 7. PENALTIES.

- (a) A person violating this ordinance shall be guilty of a misdemeanor and may be fined up to \$200 or jailed for up to 30 days, or both.
- (b) If the person is found to be indigent, the municipal court may allow public service in lieu of fines and cost.

SECTION 8. ENFORCEMENT.

The South Hutchinson Police Department and other authorized personnel may enforce this ordinance.

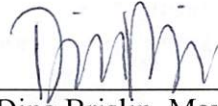
SECTION 9. SEVERABILITY.

If any portion of this ordinance is deemed invalid, the remaining provisions shall remain in full force and effect.

SECTION 10. EFFECTIVE DATE.

This ordinance shall take effect and be in force upon its passage and publication on the South Hutchinson City website, www.southhutch.com, the official city newspaper.

PASSED, APPROVED AND ADOPTED by the governing body of the City of South Hutchinson, Kansas, this 14th day of July 2025.



Dina Brislin, Mayor

ATTEST:



Katie Marcum, City Clerk

