

CITY OF SURPRISE Regular City Council Work Session Agenda 16000 N. Civic Center Plaza Surprise, AZ 85374

Tuesday, May 15, 2018 @ 5:00 PM COUNCIL CHAMBERS

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- A. Call To Order
- B. Roll Call
- C. Pledge of Allegiance
- D. Call To The Public:

INSTRUCTIONS: In order to address the City Council, you will need to fill out a Call to the Public Form available at the front counter, and then turn it in to the City Clerk before the meeting begins.

Download the Call to the Public form (PDF download requires Adobe Acrobat Reader)

<u>Fill out the Call to the Public form online</u> If submitting form electronically, please submit to City Clerk at least one hour before the meeting start time.

The Call to the Public form is also available at the front counter.

Note: A.R.S. 38-431.01(H)- During this time members of the public may address City Council only on issues within the jurisdiction of the City Council which are not an item on the agenda. At the conclusion of the open call, City Council may respond to criticism, may ask staff to review the matter or may ask that the matter be put on a future agenda. No discussion or action shall take place on any item raised.

Approval of items on the Consent Agenda – all items with an asterisk (*) are considered to be routine matters and will be enacted by one motion and one roll call vote to the City Council. There will be no separate discussion on these items unless a Councilmember requests, in which event the item will be removed from the consent agenda and considered in its normal sequence on the agenda.

E. Regular City Council Work Session Agenda:

Regular Agenda Item - Non-Public Hearing:

1. District Internal Presentation and discussion pertaining to the Draft Tourism Five Year Strategic Plan (2018-2023).

No Action Kendra Pettis, Sports and Tourism Director

2. District Citywide Presentation and discussion pertaining to a text amendment to Chapter 42 by adding a new article III, titled Urban Camping.

None
Seth Dyson,
Human
Service &
Community
Vitality

F. Executive Session:

For information Purposes; Upon a public majority vote of a quorum of the City Council, the Council may hold an executive session, which will not be open to the public, but for only the following purposes:

- discussion or consideration of personnel matters (A.R.S. §38-431.03 (A)(1));
- discussion or consideration of records exempt by law from public inspection (A.R.S. §38-401.03 (A) (2));
- discussion or consultation for legal advice with the city's attorneys (A.R.S. §38-431.03 (A)(3));
- discussion or consultation with the city's attorneys regarding the city's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation, or in settlement discussions conducted in order to avoid or resolve litigation (A.R.S.§38-431.03 (a)(4));
- discussion or consultation with designated representatives of the city in order to consider its position and instruct its representatives regarding negotiations with employee organizations (A.R.S. §38-431.03 (A)(5)); or
- discussion, consultation or consideration for international and interstate negotiations or for negotiations by a city or town, or its designated representatives, with members of a tribal council, or its designated representatives, of an Indian reservation located within or adjacent to the city or town. A.R.S. §38-401.03 (A)(6)).
- discussing or consulting with designated representatives of the city in order to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property (A.R.S. §38-431.03 (A)(7)).

Confidentiality Requirements Pursuant to A.R.S. §38-431.03(C)(D): Any person receiving executive session information pursuant to A.R.S. §38-431.02 shall not disclose that information except to the Attorney General or County Attorney by agreement of the City Council, or as otherwise ordered by a court of competent jurisdiction.

The council may vote to hold an executive session for the purpose of obtaining legal advice from the Board's attorney on any matter listed on the agenda pursuant to A.R.S. § 38-431.03(A)(3).

G. Adjournment:		
	SHERRY ANN AGUILAR, CITY CLERK, MMC	
POSTED:		

SPECIAL NOTE: PERSONS WITH SPECIAL ACCESSIBILITY NEEDS, INCLUDING LARGE PRINT MATERIALS OR INTERPRETER, SHOULD CONTACT THE CITY CLERK'S OFFICE @ 623.222.1200 OR TTY 623.222.1002, BY NO LATER THAN 24 HOURS IN ADVANCE OF THE REGULAR SCHEDULED MEETING TIME.



CITY OF SURPRISE

Regular City Council Work Session

May 15, 2018 @ 5:00:00 PM

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Council Meeting Date: May 15, 2018 Contact Kendra Pettis, Sports and Tourism

Person: Director

Submitting Department: Sports and Tourism District: Internal

Staff Recommendations: No Action

Consent Regular Public Hearing Report/Discussion

Agenda Wording:

Presentation and discussion pertaining to the Draft Tourism Five Year Strategic Plan (2018-2023).

Motion:

N/A

Background:

In April of 2017, the Tourism Advisory Commission decided to start the process of updating the 2010 Tourism Strategic Plan. The Tourism Advisory Commission worked with the Sports and Tourism department, Community and Recreation Services department and a facilitator on two developmental planning work sessions in April and November of 2017. The Commission and the Sports and Tourism department have created a draft Tourism Strategic Plan for 2018-2023.

Objective Analysis:

The Tourism Advisory Commission and Sports and Tourism department drafted strategies intended to increase and enhance tourism opportunities and awareness in Surprise.

Policy Compliant:

The presentation and discussion pertaining to the Draft Tourism Fiver Year Strategic Plan is in compliance with City and Council Policy.

Financial Impact:

At this time there are no financial impacts, however the goals and objectives contained within the document will guide future decision making related to tourism.

Budget Impact:

At this time, there are no budget impacts associated with this item.

FTE Impact: There are no additional FTE's associated with this item.



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☐ <u>Draft Tourism Strategic Plan 2018-2023</u>



TOURISM FIVE YEAR STRATEGIC PLAN

Created: January 2018 Revised: April 2018

The Purpose

The Tourism Advisory Commission completed a developmental work session to evaluate the current standing strategic plan. Completed by the Tourism Advisory Commission, Sports and Tourism Department, with facilitation from Bailey Strategic Innovation Group, the work session enabled the Tourism Advisory Commission to identify both internal and external influences affecting the current strategy in place.

This process served as a precursor to the strategic plan and offered insight into the vision, such as exploring new initiatives, making decisions about new policies, identifying possible areas for change, or refining and redirecting efforts. The work session is a reflection of time spent at events, communications with visitors, residents and stakeholders, goals for upcoming years, and weaknesses identified as opportunities for growth and change.

Deangelo Hall, *Tourism Advisory Commission* Chair, Citizen Representative Mario Rana, *Tourism Advisory Commission* Vice Chair, Restaurant Representative Kristin Peck, *Tourism Advisory Commission*, Citizen Representative Marco Daleo, *Tourism Advisory Commission*, Hotel Representative Raoul Sada, *Tourism Advisory Commission*, Chamber of Commerce Representative Chris Hall, *Tourism Advisory Commission*, Restaurant Representative Eric Bailey, Bailey Strategic Innovation Group (Facilitator) Kendra Pettis, City of Surprise Sports and Tourism Director Joe Bertoletti, City of Surprise Sports and Tourism Associate Director Tara Combs, City of Surprise Sports and Tourism Senior Manager Guillermo Lucero, City of Surprise Sports and Tourism Manager Travis Ashby, City of Surprise Sports and Tourism Supervisor Cecilia A. Covarrubio, City of Surprise Sports and Tourism Supervisor

Tourism Strategic Plan

Tourism is one of Arizona's largest export industries. 43 million domestic and international overnight visitors chose to experience Arizona in 2016. These visitors generated over \$21 billion in spending. That breaks down to an estimated \$58 million dollars a day or \$40,000 every minute.

Visitor spending in Arizona led to three billion dollars in tax revenue. These taxes reduce the annual tax burden for every Arizona household by almost \$1,200. Tax dollars generated by visitation in Arizona go directly to essential services for residents such as public safety, health services and education.

The City of Surprise has positioned itself to participate in this important economic driver with the creation of the new Department of Sports and Tourism and the continuing growth of the Tourism Advisory Commission.

Additional commitments within the community include Major League Baseball Spring Training, the Tennis and Racquet Complex, and many other facilities within our area.

With the creation of the second iteration of the Tourism Five Year Strategic Plan – 2018-2023, it will continue to provide guidance and direction for future efforts and funds aimed to increase tourism related spending within the City of Surprise, as well as measurements of its success.

With a renewed emphasis on tourism and a focus on the business development strategy needed to succeed in the highly competitive marketplace, the City of Surprise has identified key objectives:

- Increase total tourism related revenue
- Increase total number of room nights / length of stay
- Increase destination awareness

The City of Surprise also recognizes that what is attractive to tourists can also be a benefit to residents, thus providing a quality of life and business development component to the strategy.

Formation of the Strategic Plan

This is the second strategic plan for the City of Surprise Tourism Commission since the group was established in Spring 2009, and with the recent creation of the new Sports & Tourism Department in conjunction with the completion of the first strategic plan, the committee identified the opportunity to evaluate the outcomes of the "Tourism Five Year Strategic Plan" and begin laying the ground work for next steps in the development of becoming a more robust tourism destination.

The planning process began with the review of the previous plan's various initiatives, challenges and goals and a new discovery and collaboration session. The four new focus areas were identified by reviewing the previous strategic plan and establishing the areas of critical growth needed for the City of Surprise to continue to expand into a year round tourism destination.

The steps of creating the strategic plan

- 1. Evaluate the current strategic plan and analysis
- 2. Identify the Focus Areas
 - a. Outlining the top priorities for each focus area.
- 3. Define the Focus Areas
 - a. Within the definitions identifying the key stakeholders and beneficiaries.
- 4. Create goals for each Focus Area
 - a. Identifying activities and action plans that would drive success for each focus area.

The City of Surprise Tourism Advisory Commission Statement of Purpose

With the consistent growth of the City of Surprise, the Tourism Advisory Commission will increase prospective awareness of Surprise tourism and enhance the quality of life for residents through increased tourism based development and partnership opportunities, showcasing Surprise as an intentional tourist destination.

Focus Areas

Through a process of discovery and collaboration, the Tourism Advisory Commission identified 4 key focus areas for this strategic plan.

Events & Entertainment Marketing Partnership & Facility Development Funding

Focus Area 1: Events & Entertainment

Definition

Events are special activities (sporting events, tournaments, festivals, arts & culture events etc.) that attract visitors from outside the city limits and support the economic vitality of the community. Utilize existing facilities to enhance entertainment opportunities within the City of Surprise.

Goals:

1.1 Utilize the Tourism Fund to partner with an event management contractor to create an annual magnet event to attract tourist attendance in excess over 10% each year.

Action Items:

- a. Create an RFP process to attract professional event partners to hold events in Surprise.
 - i. Identify guidelines and criteria for the RFP.
 - ii. Establish a budget amount that can be used from the Tourism Fund to attract amagnet event each year.
 - iii. Establish a marketing budget to promote the RFP opportunity.
- **1.2** Create and update infrastructure for outside/third party events in order to add three new event/entertainment opportunities to build and promote year-round tourism activity.

- b. Update the current Tourism Fund application for third party events.
- c. Update current Sports & Tourism facility use fee structure and streamline facility use agreement process.
 - i. Work with PD/Fire to establish guidelines.
 - ii. Work with Finance and Council to update fees for tourism events.
 - iii. Develop an approved vendor list to help the third parties be successful (security companies, tenting/stage, etc.).
 - iv. Work with current and new hotel properties as well as local businesses to create competitive bid packages for events.
- d. Create an evaluation process for third party event bids and funding requests

1.3 Increase overall attendance to spring training, current sports tournaments and events by 5% each year.

Action Items:

- e. Develop master tracking system to accurately account for tourism related event participation and attendance.
- f. Develop specific event based strategies to increase attendance.
- g. Develop funding priorities to help increase exposure of current events.
- 1.4 Increase tourism related room nights by 5% each year.

Action Items:

- h. Work with hotel partners to develop a tracking mechanism for tourism related hotel stays.
 - i. Create statistical reporting standards and requirements for hotels to report impacts from tourism related efforts.
- i. Evaluate current facility capacity between Sports & Tourism, CRS, Rangers/Royals and OUAZ.
- j. Look at ways to improve and enhance current facilities to increase event and entertainment opportunities.
- k. Develop a tourism survey strategy for all event participants, visitors and spectators designed to find ways to extend their average stay in Surprise.

Focus Area 2: Marketing

Definition

Strategically market Surprise as an intentional sports and tourist destination.

Goals:

2.1 Achieve / become recognizable nationally through one or more destination publications by 2020.

Action Items:

- a. Research publications and apply for tourism related awards and recognition.
- 2.2 Assist to increase the departments advertising/marketing reach by 20% by 2021

Action Items:

- b. Provide resources to expand the departments marketing reach.
- c. Assist in the implementation of the departments marketing plan.
- 2.3 Increase strategic collaboration with key partners to expand our ability to identify and target demographics for tourism.
- 2.4 Identify possible other partners within the city (businesses, professional groups, etc) to invest in the board activities to assist in tourism board reach.
- 2.5 Assist in the acquisition of data to provide information for informed decision making for marketing and advertising.

- d. Work with other cities/partners/boards to establish what markets we want to advertise to (geographical, special interest, partner connections, etc.).
- e. Pool resources with partners for marketing research.

- 2.6 Create and expand Tourism Brand and assets by 50% to attract target tourism demographics by 2020 **Action Items:**
 - f. Support branding, advertising, and marketing materials to expand exposure of tourism assets in Surprise in line with the marketing strategy of the department of Sports and Tourism.
 - g. Assist in maximizing multimedia channels to position the Surprise tourism story and value proposition to expose prospective tourists and event planners to our marketing messages.
 - h. Assist in creating, identifying, and supporting marketing leads to help position a national consistent tourism brand.
- 2.7 Develop a comprehensive tourism advertising and communications plan to promote tourism board events and initiatives.

Action Items:

- i. Create an annual tourism board event and activity calendar.
- j. Produce an annual marketing plan based on board initiatives, goals, and event plans.
- 2.8 Create benchmarks, measurements, and criteria for tourism board resource allocation.

Action Items:

- k. Create an evaluation mechanism for tourism board fund spending, DMO approval, projects, and time and resource allocation.
- I. Align evaluation mechanism with tourism board goals and initiatives.

Focus Area 3: Partnership & Facility Development

Definition

Cultivate partnerships that enhance tourism events and/or lead to the development of permanent facilities or destination attractions that will increase visitors, room nights and enhance quality of life for Surprise residents.

Goals:

3.1 Assist in the planning/strategy execution to establish public-private partnerships to develop two new permanent facilities/attractions by 2023.

Action Items:

- a. Continue to work with our current partners to find creative ways to utilize/expand facilities and enhance tourism.
 - i. Texas Rangers and Kansas City Royals
 - ii. Ottawa University
 - iii. Dysart Unified School District
 - iv. United States Tennis Association
- b. Work with land owners and developers to support tourism and entertainment development in Surprise.
- c. Identify and attend sports and/or tourism related trade shows and conferences to establish best practices for the Tourism Board.
- 3.2 Work with the Economic Development department to attract a resort to Surprise by 2023.

- d. Provide potential resources to fund a resort feasibility study.
- e. Assist in researching resort groups and target partners that would potentially locate to Surprise.

Focus Area 4: Funding

Definition

Maximize the current Tourism Funds to enhance or add tourism driven events and opportunities. Develop new creative revenue sources for future planning, enabling Surprise to grow as a future tourist destination.

Goals:

4.1 Strategically utilize a minimum of 50% of the Tourism Fund each year.

Action Items:

- a. Create guidelines and criteria for using Tourism Fund annually:
 - i. Events
 - ii. Marketing
 - iii. Studies
- 4.2 Double Tourism Fund operating budget by 2023.

- b. Increase operating budget by increasing hotel nights/transient lodging tax.
 - i. Assist in the development of partnerships to entice event/tournament participants and fans to increase their average hotel stays.
 - ii. Work with local/regional partners to market tourism amenities in the area.
- c. Research and initiate other possible sources for creating revenue for Tourism in Surprise.
 - i. Grants: Private and Public grant processes
 - ii. Philanthropic Opportunities
- d. Develop entrepreneurial strategies to generate additional revenue.



CITY OF SURPRISE

Regular City Council Work Session

May 15, 2018 @ 5:00:00 PM

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Council Meeting Date: May 15, 2018 Contact Seth Dyson, Human Service &

Person: Community Vitality

Submitting Department: District: Citywide

Staff Recommendations: None

Consent Regular Public Hearing Report/Discussion

Agenda Wording:

Presentation and discussion pertaining to a text amendment to Chapter 42 by adding a new article III, titled Urban Camping.

Motion:

Discussion Only

Background:

The use of streets and public areas for camping purposes and storage of personal property interferes with the rights of others to use the areas for the purposes for which it is intended and may have adverse public health and safety impacts. The purpose behind the adoption of this article is to maintain public and private areas within the city in a clean, sanitary and accessible condition.

Objective Analysis:

This amendment will allow the City to limit Urban Camping in public and private areas of the city.

Policy Compliant:

This amendment is compliant with City and Council Policy.

Financial Impact:

N/A

Budget Impact:

N/A

FTE Impact:

This item does not impact the overall full time equivalent count.

ATTACHMENTS:	
Click to download	
DRAFT - Urban Camping Ordinance	
□ Presentation	

ORDINANCE 2018-XX

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, AMENDING CHAPTER 42 BY ADDING A NEW ARTICLE III, URBAN CAMPING, RELATING TO KEEPING STREETS AND PUBLIC AREAS ACCESSIBLE AND AVAILABLE; INCLUDING SEVERABLITY; ESTABLISHING AN EFFECTIVE DATE; AND REPEALING CONFLICTING ORDINANCES.

WHEREAS, the City of Surprise desires that streets and public areas be accessible and available to the public at large;

WHEREAS, the use of streets and public areas for camping purposes and storage of personal property interferes with the rights of others to use the areas for the purposes for which it is intended and may have adverse public health and safety impacts; and

WHEREAS, the purpose behind the adoption of this article is to maintain streets, parks and other public and private areas within the city in a clean, sanitary and accessible condition and to adequately protect the health, safety and public welfare of the community, while recognizing that, subject to reasonable conditions, camping and camp facilities associated with special events can be beneficial to the cultural and educational climate in the city.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Surprise, Arizona, as follows:

- <u>Section 1.</u> Chapter 42, Article III. Sections 42-50 through 42-57 of the Surprise Municipal Code is hereby added as described on attached Exhibit A, and incorporated by this reference.
- <u>Section 2.</u> All ordinances, resolutions or codes in conflict with the provisions of this Ordinance or Code adopted by this Ordinance are repealed.
- <u>Section 3.</u> If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of these amendments to the municipal code adopted herein is for any reason held to be invalid or unconstitutional by decision of any court of competent jurisdiction, such decision will not be read to affect the validity of the remaining portions thereof.
- **Section 4.** This ordinance will become effective at the time and manner prescribed by law.

PASSED AND ADOPTED this	day of, 2018.
	Sharon R. Wolcott, Mayor
Attest:	Approved as to form:
Sherry Aguilar, City Clerk	Robert Wingo, City Attorney

EXHIBIT A

Chapter 42, Article III. -- Urban Camping.

SEC. 42-50. - Purpose.

The streets and public areas within the city should be readily accessible and available to residents and the public at large. The use of these areas for camping purposes or storage of personal property interferes with the rights of others to use the areas for which they were intended. Such activity can constitute a public health and safety hazard which adversely impacts neighborhoods and commercial areas. Camping on private property without the consent of the owner, proper sanitary measures and for other than a minimal duration adversely affects private property rights as well as public health, safety, and welfare of the city. The purpose of this article is to maintain streets, parks and other public and private areas within the city in a clean, sanitary and accessible condition and to adequately protect the health, safety and public welfare of the community, while recognizing that, subject to reasonable conditions, camping and camp facilities associated with special events can be beneficial to the cultural and educational climate in the city. Nothing in this article is intended to interfere with otherwise lawful and ordinary uses of public or private property.

SEC. 42-51. - 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 article.

- (a) "Camp" means to utilize camp facilities and/or camp paraphernalia for the purpose of temporarily or permanently sleeping or living at that location, including but not limited to, activities such as laying down of bedding, erecting tents or any other structure providing shelter, digging or breaking earth, using camp paraphernalia, storing personal belongings, starting a fire, regularly cooking or preparing meals, or living in a parked vehicle. An activity shall constitute camping when it reasonably appears, in light of all the circumstances, the participants in conducting the activity are in fact using the area for the purpose of temporarily or permanently sleeping or living at the location regardless of the intent of the participants or the nature of any other activities in which they may also be engaging.
- (b) "Camp facilities" include, but are not limited to, tents, huts, lean to's, tarps, cardboard boxes or structures, vehicles, vehicle camping outfits, or temporary shelter.
- (c) "Camp paraphernalia" includes, but is not limited to, materials intended to be used as beds or bedding, blankets, bedrolls, tarpaulins, cots, beds, sleeping bags, hammocks or cooking facilities and similar equipment.

- (d) "City Manager" means the City Manager or designee.
- (e) "Establish" means setting up or moving equipment, supplies or materials on to public or private property to camp or operate camp facilities.
- (f) "Maintain" means keeping or permitting equipment, supplies or materials to remain on public or private property in order to camp or operate camp facilities.
- (g) "Operate" means participating or assisting in establishing or maintaining a camp or camp facility.
- (h) "Private property" means all private property including, but not limited to, streets, sidewalk, alleys, and improved or unimproved land.
- (i) "Public property" means all public property including, but not limited to, streets, sidewalks, alleys, improved or unimproved land and parks.
- (j) "Store" means to put aside or accumulate for use when needed, to put for safekeeping, to place or leave in a location.
- (k) "Street" means any street, highway, sidewalk, alley, avenue or other public way or public grounds in the city.
- (I) "Shelter space with homeless supportive services" means any overnight temporary housing shelter that offers at least one service to assist an individual or family unit experiencing homelessness and at no charge. For example a service might include a temporary place to sleep, food availability, shower/bathe, social services referrals like counseling, basic needs, housing, employment, identification services and health care. (These are examples and do not reflect all available services from public or private shelters)

SEC. 42-52. - Prohibited acts

- (a) It is unlawful and a public nuisance for any person to camp, occupy camp facilities, establish camp facilities, maintain camp facilities, or use camp paraphernalia in the following areas:
 - (1) Any public property; or
 - (2) Any private property.
- (b) Law enforcements officers shall not enforce Subsection (a) of this Section when the individual is on public property and there is no available shelter space with homeless supportive services within 50 miles of the city limits of the City of Surprise.

- (1) An overnight space shall still be considered an "available overnight shelter" if the individual cannot utilize the space due to voluntary actions such as intoxication, drug use, unruly behavior, or violation of shelter rules.
- (2) An overnight space shall not be considered an "available overnight shelter" if the individual is part of a family unit and the family would need to stay overnight at two or more different shelters; however, an overnight space is considered "available overnight shelter" if the individual is part of a family unit but the shelter requires that males and females must sleep separate and apart.
- (c) It is not intended by this section to prohibit or make unlawful:
 - (1) overnight camping on private residential property by the property owner or friends or family of the property owner, so long as all of the following conditions are met:
 - (i) the owner consents and the overnight camping is limited to not more than five consecutive nights;
 - (ii) the activity is not a nuisance because of noise, inadequate sanitation, or other matters offense to person of ordinarily sensibility;
 - (iii) no fee, charge or other monetary consideration is collected for the privilege of camping or for any services or the use of any facilities related thereto:
 - (iv) the camping occurs either in the rear yard or an area of a front or side yard separated from view from the street by a fence, hedge or other obstruction.
 - (2) 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;
 - (3) the mere possession of, or transportation of, camp facilities or camp paraphernalia on public or private property, except as provided in this article.
 - (4) activities of a property owner or other lawful user if such activities are expressly authorized by this Code or other laws and regulations.
- (d) The City Manager may, as provided in <u>section 42-55</u> of this article, issue a temporary permit to allow camping on public or private property in connection with a special event. It is a defense to a charge pursuant to this section that the person has a permit issued in accordance with section 42-55.
- (e) It is unlawful and a public nuisance for any person to wash one's body or belongings in a fountain.

(f) It is unlawful and a public nuisance to urinate or defecate in public.

SEC. 42-53. – Storage of personal property on public and private property.

It is unlawful and a public nuisance for any person to store personal property, including camp paraphernalia, in the following areas, except as otherwise provided by resolution of the city council:

- A. Any public property; or
- B. Any private property without the written consent of the owner.

A violation of this section is a misdemeanor. In addition to the remedies set forth in Title 13 of the Arizona Revised Statutes, the city attorney may institute civil actions to abate a public nuisance under this chapter.

SEC. 42-54. – Violation.

- A. A violation of this article is a misdemeanor, and upon conviction, in addition to the remedies provided in Title 13 of the Arizona Revised Statutes, the Court can order payment for the City's actual costs of transporting and storing property of the violator. In addition to the remedies set forth in Title 13 of the Arizona Revised Statutes, the City Attorney may institute civil actions to abate a public nuisance under this article.
- B. An individual charged with violation of this article, in lieu of being taken to jail may, at the election of the citing police officer and with the consent of the individual, be taken to a facility providing social services related to mental health, housing, and/or substance abuse treatment.

SEC. 42-55. – Permit for special events required.

The City Manager may, in his or her discretion, issue a permit to establish, maintain and operate a camp or a camp facility in connection with a special event. A special event is intended to include, but not be limited to, programs operated by the departments of the city, youth or school events, marathons or other sporting events and scouting activities. The City Manager may consult with various city departments, the health officer and the public prior to issuing any temporary permit. Each department or person consulted may provide comments regarding any health, safety or public welfare concerns and provide recommendations pertaining to the issuance, denial or conditioning of the permit. The City may establish a reasonable fee, to be paid in advance by the applicant. The fee shall be returned if the application is denied. In exercising his or her discretion to issue a temporary permit, the City Manager may

consider any facts or evidence bearing on the sanitary, health, safety and welfare conditions on or surrounding the area or tract of land upon which the proposed temporary camp or camp facility is to be located.

Any person who establishes, maintains or operates a camp or camp facility without a permit is guilty of a misdemeanor and constitutes a public nuisance. In addition to remedies provided in Title 13 of the Arizona Revised Statutes, the City Attorney may institute civil actions to abate a public nuisance under this article.

SEC. 42-56. – Posting copy of permit.

It is unlawful for any person to establish, maintain, conduct or carry on any camp or camp facility unless there shall be at all times posted in a conspicuous place upon the area or tract of land upon which the camp or camp facility is located a permit obtained from the City Manager in accordance with the provisions of section 42-55 of this article.

SEC. 42-57. – Power of the City Manager to make rules and regulations.

The City Manager is further empowered to ascertain that the operation or maintenance of any camp or camp facilities to which a temporary permit shall apply will in no way jeopardize the public health, safety or welfare and for this purpose may make additional rules and regulations pertaining to their establishment, operation or conduct. The City Manager may also impose conditions on the establishment, maintenance and operation of the camp or camp facility, including, but not limited to, security, sanitation facilities, the number of occupants, posting of bonds or deposits, insurance, quiet hours, duration of the permit, and permitted activities on the premises. When the City Manager shall issue any permit under the terms of section 42-55 of this article, the same may be revoked at any time thereafter by the City Manager if the City Manager becomes satisfied that the maintenance or continuing operation of the camp or camp facilities is adverse to the public health, safety and welfare.



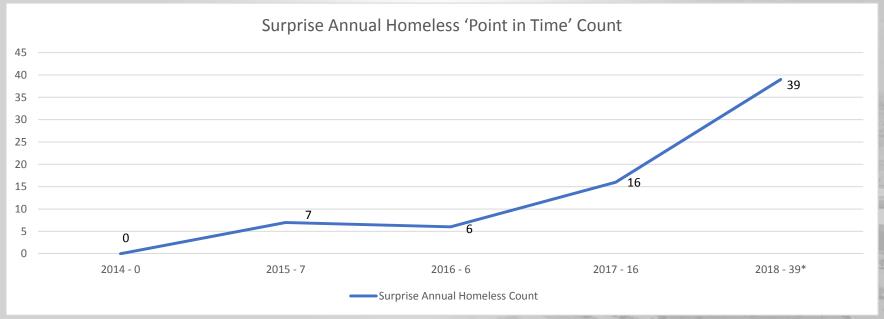
Draft Urban Camping Ordinance

Surprise City Council Work Session | May 15, 2018

Background

- Council presentation on the importance of a multidisciplinary approach to homelessness February 6, 2018
- Surprise does not currently have an urban camping ordinance
- Research into an urban camping ordinance
- Seeking Council direction on this item

Homelessness in the City of Surprise



Issue:

the use of streets and public areas for camping purposes and storage of personal property interferes with the rights of others to use the areas for the purposes for which it is intended and may have adverse public health and safety impacts

Purpose:

To maintain streets, parks and other public and private areas within the city in a clean, sanitary and accessible condition and to adequately protect the health, safety and public welfare of the community, while recognizing that, subject to reasonable conditions, camping and camp facilities associated with special events can be beneficial to the cultural and educational climate in the city.

Definitions:

 Camp - "Camp" means to utilize camp facilities and/or camp paraphernalia for the purpose of temporarily or permanently sleeping or living at that location, including but not limited to, activities such as laying down of bedding, erecting tents or any other structure providing shelter, digging or breaking earth, using camp paraphernalia, storing personal belongings, starting a fire, regularly cooking or preparing meals, or living in a parked vehicle...

Definitions Continued:

- Camp facilities "Camp facilities" include, but are not limited to, tents, huts, lean to's, tarps, cardboard boxes or structures, vehicles, vehicle camping outfits, or temporary shelter.
- Camp paraphernalia "Camp paraphernalia" includes, but is not limited to, materials intended to be used as beds or bedding, blankets, bedrolls, tarpaulins, cots, beds, sleeping bags, hammocks or cooking facilities and similar equipment.

Definitions Continued:

- "Establish" means setting up or moving equipment, supplies or materials on to public or private property to camp or operate camp facilities.
- "Operate" means participating or assisting in establishing or maintaining a camp or camp facility.
- "Shelter space with homeless supportive services" means any overnight temporary housing shelter that offers at least one service to assist an individual or family unit experiencing homelessness and at no charge. For example a service might include a temporary place to sleep, food availability, shower/bathe, social services referrals like counseling, basic needs, housing, employment, identification services and health care.

Prohibited Acts (Sec. 42-52)

- a) It is unlawful and a public nuisance for any person to camp, occupy camp facilities, establish camp facilities, maintain camp facilities, or use camp paraphernalia in the following areas:
 - (1) Any public property; or
 - (2) Any private property.
- (b) Law enforcement officers shall not enforce Subsection (a) of this Section when the individual is on public property and there is no available shelter space with homeless supportive services within 50 miles of the city limits of the City of Surprise.

Sec. 42-52 cont.

- (c) It is not intended by this section to prohibit or make unlawful:
- (1) overnight camping on private residential property by the property owner or friends or family of the property owner
- (2) 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;
- (3)the mere possession of, or transportation of, camp facilities or camp paraphernalia on public or private property, except as provided in this article.
- (4) activities of a property owner or other lawful user if such activities are expressly authorized by this Code or other laws and regulations.

Sec. 42-52 cont.

(d) The City Manager may, as provided in <u>section 42-55</u> of this article, issue a temporary permit to allow camping on public or private property in connection with a special event. It is a defense to a charge pursuant to this section that the person has a permit issued in accordance with section 42-55.

Storage of Personal Property on Public and Private Property. (Sec. 32-53)

It is unlawful and a public nuisance for any person to store personal property, including camp paraphernalia, in the following areas, except as otherwise provided by resolution of the city council:

- A. Any public property; or
- B. Any private property without the written consent of the owner.

A violation of this section is a misdemeanor. In addition to the remedies set forth in Title 13 of the Arizona Revised Statutes, the city attorney may institute civil actions to abate a public nuisance under this chapter.

Violation. Sec. 42-54

- A. A violation of this article is a misdemeanor, and upon conviction, in addition to the remedies provided in Title 13 of the Arizona Revised Statutes, the Court can order payment for the City's actual costs of transporting and storing property of the violator. In addition to the remedies set forth in Title 13 of the Arizona Revised Statutes, the City Attorney may institute civil actions to abate a public nuisance under this article.
- B. An individual charged with violation of this article, in lieu of being taken to jail may, at the election of the citing police officer and with the consent of the individual, be taken to a facility providing social services related to mental health, housing, and/or substance abuse treatment.



Permit for Special Events Required. Sec. 42-55

The City Manager may, in his or her discretion, issue a permit to establish, maintain and operate a camp or a camp facility in connection with a special event.

Summary:

- A new Urban Camping Ordinance for Surprise
- Referral to services before enforcement
- Provides city staff with enforcement options

