

22-00761

ORDINANCE

AMENDING THE CODE OF ORDINANCES OF THE CITY OF
BATON ROUGE AND PARISH OF EAST BATON ROUGE,
TITLE 13 (CRIMINAL LAW), SO AS TO ADD SECTION
13:107 (CAMPING IN A PUBLIC AREA PROHIBITED).

BE IT ORDAINED by the Metropolitan Council of the Parish of
East Baton Rouge and the City of Baton Rouge that:

Section 1. Title 13 (Criminal Law) of the Code of Ordinances
of the City of Baton Rouge and Parish of East Baton Rouge is hereby
amended as follows:

"Section 13:107 - Camping in a Public Area Prohibited.

(a) As used in this section, the term:

(1) *Camp* means the use of a public area for living
accommodation purposes for an extended period of time
including:

- (a) storing personal belongings;
- (b) making a camp fire;
- (c) using a tent or shelter or other structure for
a living accommodation;
- (d) carrying on cooking activities; or
- (e) digging or earth breaking activities.

(2) *Public area* means any and all streets, the area under
a highway overpass, sidewalks, boulevards, alleys or
other public ways and any and all public parks,
squares, spaces, grounds and buildings.

(b) It shall be unlawful for any person to camp in a public
area that is not designated as a camping area by the city-
parish.

(c) Unless a police officer determines that there is an
imminent health or safety threat, a police officer shall,
before citing a person for a violation of this section,
make a reasonable effort to:

- (1) advise the person of a lawful alternative place to
camp;
- (2) confirm available shelter or housing and advise the
person of said availability; and
- (3) contact, if reasonable and appropriate, a city
designee who has the authority to offer to transport
the person or provide the person with services.

(d) This section does not apply to a person who is:

- (1) permitted to camp or cook in a city-parish park or is otherwise in compliance with park regulations;
- (2) in the right-of-way because of a medical emergency;
- (3) operating or patronizing a commercial establishment that conducts business on the sidewalk in compliance with city-parish regulations;
- (4) participating in or viewing a parade, festival, performance, rally, demonstration, or similar event;
- (5) sitting on a chair or bench that is supplied by a public agency or by the abutting private property owner;
- (6) sitting within a bus stop zone while waiting for public or private transportation; or
- (7) waiting in a line for goods, services, or a public event.

(e) Whoever is found guilty of violating the provisions of this section shall be fined not more than twenty-five dollars (\$25.00) or sentenced to sixty (60) hours of community service as approved by the Court. Second and subsequent offenses in violation of this ordinance, the person may be fined not more than two hundred fifty dollars (\$250.00) and/or sentenced to sixty (60) hours of community service. Referral to any available social services may be ordered, at the court's discretion.

Section 2. This ordinance shall be effective 30 days following adoption by the Metropolitan Council.

Section 3. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance, or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this ordinance or the validity of its application to other persons or circumstances.

Section 4. All ordinances or parts of ordinances in conflict are hereby repealed.