

ORDINANCE NO. _____

AN ORDINANCE AMENDING SEC. 19.5-4 AND REPEALING SEC. 19.5-19 OF THE CODE OF ORDINANCES; PROVIDING A REPEALER CLAUSE; AND, PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ARANSAS PASS, TEXAS:

SECTION 1: Sec. 19.5-4 (Prohibited Overnight camping) of the Code of Ordinances is hereby amended to read as follows:

Sec. 19.5-4. Prohibited—Overnight camping.

- (a) It shall be unlawful for any person to camp upon a public place.
- (b) Excepted from subsection (a) shall be:
 - (1) Community or other organized camping activities explicitly authorized and approved by the city in writing; or
 - (2) Camping on the publicly assessable flatlands located east of the Dale Miller Bridge for no more than 3 consecutive or separated days a month and while maintaining a camping area free of litter, excessive debris, and human or hazardous waste.

(c) Definitions:

Camp or *camping* means the use of a public place for living accommodation purposes of sleeping, or making preparations to sleep, cooking activities, making any fire, or storing of personal belongings.

Public place is defined in the Texas Penal Code under Sec. 1.07.

SECTION 2: Sec. 19.5-19. Camping permit—Fee schedule of the Code of Ordinances is hereby repealed.

SECTION 3: All ordinances or parts thereof in conflict herewith are hereby repealed.

SECTION 4: This ordinance shall take effect immediately upon approval and passage.

PASSED AND ORDAINED this the _____ day of March, 2018.

CITY OF ARANSAS PASS, TEXAS

Ramiro Gomez, Mayor

ATTEST:

Mary Juarez, City Secretary

APPROVED AS TO LEGAL FORM:

Allen S. Lawrence, Jr., City Attorney