

Ordinance 22-06

AN ORDINANCE PROHIBITING CAMPING, LOITERING, SOLICITING
PANHANDLING IN THE CITY PROPERTY AND PARKS OF GALENA, KANSAS.

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

Section 1. (a) It shall be unlawful for any person to camp, loiter or solicit in or upon the public parks, streets, highways, roads, alleys, parks, playgrounds, public buildings or other public grounds and public places, between the hours of 9:00 p.m. and 10:00 a.m. any day of the week, the locations of Schermerhorn Park 3501 S. Main St., Galena, Kansas 66739, Howard "Pappy" Litch Park, 500 S. Main St., Galena, Kansas 66739 and the City Park 210 W. 13th St., Galena, Kansas 66739.

(b) Definitions: Camping shall mean if it reasonably appears, considering all the circumstances, that the participants, in conducting the specified activities, are using the area as a living accommodation regardless of the intent of the participants or the nature of any other activities in which they may be engaging. City shall mean the City of Galena, Kansas. Specified activities shall include one or more of the following: Sleeping or preparing to sleep, such as laying down bedding; Storing personal belongings including, but not limited to, clothing, sleeping bags, bedrolls, blankets, sheets, luggage, backpacks, kitchen utensils, cookware, and similar materials; Making any fire for the purpose of warmth, or cooking; Erecting a tent, lean-to, or other similar temporary structure. No person shall put or keep and maintain or occupy any tent, lean-to, tarpaulin or other structure for purposes of habitation or place of living or lodging, either temporarily or otherwise, upon any privately-owned grounds within the city.

Loitering Any person who shall loiter on the public streets, avenues, alleys, sidewalks, school grounds and/or buildings and other public places within the city, unless such person is for the time being engaged in some lawful business demanding his or her presence upon such street, avenue, alley, sidewalk, school ground and/or building or other public place, or who shall habitually lurk in public place without being engaged in some lawful business, shall be guilty of loitering. It is unlawful for any person to disrupt the normal activity, disturb the peace or to remain or loiter at any time on or about the premises or grounds of any public or private school and/or assembly of students for any school activities or athletic events conducted by such public or private school.

(c) It shall be illegal to engage in camping or loitering on private property without the consent of the property owner.

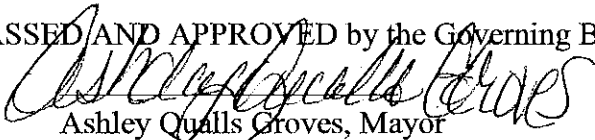
(d) It shall be illegal to engage in camping on any public right-of-way or public property located within the city.

(e) Exclusions (1) Camping on any public property for a special event that has been approved by the mayor or his/her designee, shall be excluded from the enforcement of this section.


(g) Penalty. Upon a conviction of a violation of this section, the violator shall be fined in an amount not to exceed \$500 or sentenced to a jail term not to exceed 30 days, or both.

Section 2. This ordinance shall take effect and be in force, from and after its passage, approval, and publication in the official city newspaper.

PASSED AND APPROVED by the Governing Body on the 18 day of July 2022.


Ashley Qualls Groves, Mayor

ATTEST:


Flora Charles, City Clerk