**ORDINANCE NO. 2025/16**

**AN ORDINANCE AMENDING TITLE IX, CHAPTER 95, § 95.02**

 **WHEREAS,** the Common Council of the City of Greenfield, Indiana has heretofore adopted Ordinance No. 2019-25 which included within Title IX, Chapter 95, a subsection of 95.02 entitled “Certain Conditions Declared Nuisances”; and

 **WHEREAS,** it has come to the attention of the Common Council that the need exists to prohibit certain activities on City owned property within the City of Greenfield, Indiana; and

 **WHEREAS,** upon the recommendations of the Chief of Police for Greenfield, Indiana, and the Greenfield City Attorney, the Common Council of the City of Greenfield, Indiana believes is in the best interest of the health, safety, and welfare of the citizens of Greenfield, Indiana that camping be prohibited on all City-owned properties within the incorporated limits of Greenfield, Indiana.

 **NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF GREENFIELD, INDIANA:**

**SECTION I**

 There shall be added a new provision to Title IX, Chapter 95, § 95.02 to be denominated as (G) entitled *“Nuisances on City-owned property*” to read as follows:

 (1) *Camping prohibited*. It is unlawful for any person to camp, occupy camp facilities, or use camp paraphernalia on any City-owned property except as set forth below.

 (2) *Storage of camping facilities and paraphernalia prohibited*. It is unlawful for any person to store camp facilities and camp paraphernalia on City-owned property except as otherwise provided herein.

 (3) *Exceptions*. The prohibitions contained in subsections (1) and (2) above shall not apply if the person has applied for and received permission to camp or use camp paraphernalia on City-owned property through the Office of Planning and Engineering either individually or in conjunction with a Special Use Permit or Temporary Use Permit.

 (4) *Sleeping on Sidewalks, Streets, Alleys, or Within Doorways Prohibited.*

 (a) No person may sleep on public sidewalks, streets, or alleyways at any time as a matter of individual and public safety.

 (b) No person may sleep in any pedestrian or vehicular entrance to public or private property abutting a public sidewalk.

 (c) In addition to any other remedy provided by law, any person found in violation of this section may be immediately removed from the premises.

 (5) *Definitions*.

 (a) *“City property”* as used in this section means all improved and unimproved areas owned or leased by the City of Greenfield, Indiana, including, but not limited to, all City parking lots, all City parks, all property utilized in any fashion by any City utility, all City streets, all City rights-of-way, all City sidewalks, all City alleys, the Pennsy Trail and all rights-of-way associated therewith.

 (b) *“Camp” or “camping”* means to pitch, create, use, or occupy camp facilities for the purposes of habitation, living accommodation, or dwelling, as evidenced by the storage of personal belongings in “camp facilities” or the use of “camp paraphernalia”.

 (c) *“Camp facilities”* include, but are not limited to, tents, tarps configured for shelter, huts, and temporary shelters. “Camp facilities” does not include shelters when used temporarily in a park for recreation or play, consistent with Title IX, Chapter 96, during hours when the park is open to the public.

 (d) *“Camp paraphernalia”* includes, but is not limited to, tarpaulins, cots, beds, sleeping bags, blankets, mattresses, hammocks, huts, awnings, lean to’s, chairs, or non-City-designated cooking facilities and similar equipment.

 (e) *“Personal property”* means any item that can reasonably be identified as belonging to an individual and that has apparent value or utility.

 (f) *“Relocate”* means to move both the individual(s) and personal property off of City property, or to a different authorized City property, for at least 24 hours. This definition does not include moving to another portion of the same City property.

 (g) *“Store”* means to put aside or accumulate for use when needed, to put for safekeeping, to place or leave in a location.

 (6) *“Disposition and release of public property”*. Items having no apparent utility or monetary value and items in an unsanitary condition may be discarded. Weapons, drug paraphernalia, items appearing to be stolen, and evidence of a crime may be retained as evidence by the Police Department until an alternate disposition is determined. All personal property removed from a campsite which is not disposed of, or held as evidence (as provided above), shall be stored by the Police Department for a minimum of 30 days, during which time it shall be made reasonably available for and released to an individual confirming ownership.

 (7) *Penalties and enforcement*. This section shall be subject to the penalty provisions of Title IX, Chapter 95, § 95.99.

**SECTION II**

 This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and publication as prescribed by law.

**SECTION III**

 Introduced and filed on the \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_, 2025. A motion to consider on first reading on the day of introduction was offered and sustained by a vote of \_\_\_\_\_ in favor and \_\_\_\_\_ opposed pursuant to I.C. 36-5-2-9.8. On the \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2025, a motion to approve the above as amended on second reading was offered and sustained by a vote of \_\_\_\_\_ in favor and \_\_\_\_\_\_ opposed pursuant to I.C. 36-5-2-9.8. Upon a motion to approve the above as amended on third reading was offered and sustained by a vote of \_\_\_\_ in favor and \_\_\_\_\_ opposed pursuant to I.C. 36-5-2-9.8.

 Duly ordained and passed this \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2025 by the Common Council of the City of Greenfield, Indiana, having been passed by a vote of \_\_\_\_\_\_ in favor and \_\_\_\_\_\_\_\_\_ opposed.

**COMMON COUNCIL OF THE CITY OF GREENFIELD, INDIANA**

Voting Affirmative: Voting Opposed:

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John Jester John Jester

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Amy Kirkpatrick Amy Kirkpatrick

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Jeff Lowder Jeff Lowder

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Thomas Moore Thomas Moore

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Joyce Plisinski Joyce Plisinski

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Dan Riley Dan Riley

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Anthony Scott Anthony Scott

ATTEST:

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Lori Elmore, Clerk-Treasurer

Presented by me to the Mayor this \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2025.

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Lori Elmore, Clerk-Treasurer

Approved by me this \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2025.

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 Guy Titus, Mayor

 City of Greenfield, Indiana

Gregg\MUNICIPAL\Greenfield\Ordinances\Camping Nuisance – 03-28-25