



RESOLUTION NO. 17 - 363

BOARD OF COUNTY COMMISSIONERS
COUNTY OF EL PASO, STATE OF COLORADO

RESOLUTION PROHIBITING UNAUTHORIZED CAMPING ON PUBLIC PROPERTY

WHEREAS, pursuant to §30-11-101(c), C.R.S., the Board of County Commissioners of El Paso County, Colorado (hereinafter "Board") has the power to make such order respecting real or personal property owned by El Paso County as may be deemed conducive to the interests of the inhabitants of the County; and

WHEREAS, §18-9-117, C.R.S. specifically authorizes the Board to adopt rules and regulations as are reasonable necessary for the administration, protection and maintenance of public property; and

WHEREAS, the Board previously adopted Resolution No. 10-130, which prohibited camping on property owned by the County, unless otherwise authorized; and

WHEREAS, the Board has identified an additional need to address camping in County right-of-way; and

WHEREAS, it is the opinion of the Board that in order to preserve the public health, safety and welfare of the citizens of El Paso County, the Board should adopt the following regulations; and

WHEREAS, this Resolution replaces and supersedes Resolution No. 10-130 in its entirety.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of El Paso County, State of Colorado, as follows:

Section 1. Definitions

- 1.1 The terms "camp" or "camping" as used herein shall mean to use or erect living accommodations, including vehicles, whether temporary or permanent, including but not limited to the following circumstances and activities:
 - 1.1.1 Sleeping or making preparations to sleep, including the lying down of bedding for the purpose of sleeping.
 - 1.1.2 Occupying a shelter out-of-doors. "Shelter" shall mean any cover or protection from the elements other than clothing, such as a tent, shack, sleeping bag, or other structure or material.

1.1.3 Occupying any operable or inoperable "motor vehicle", as defined under § 12-6-102(17) C.R.S. or "recreational vehicle", as defined under § 24-32-902(9) C.R.S., as may be amended.

1.1.4 The presence of use of a campfire, camp stove or other heating source or cooking device.

1.1.5 Keeping or storing personal property.

Section 2. Prohibited Acts

2.1 Camping on property owned by El Paso County or within County right-of-way, which includes, but is not limited to, County owned and maintained roads, streets, alleyways, and highways, is prohibited, except where such camping is otherwise authorized by County resolution, rule, regulation or order.

2.2 Notwithstanding the foregoing provision, a person may occupy a motor vehicle for a period of no longer than forty-eight (48) hours on any County owned right of way, parking garage or lot, or any other real property owned under circumstances constituting an emergency, including but not limited to adverse weather conditions or vehicle inoperability. Periodic occupancy shall not be a defense or exemption to these regulations if based on the totality of the circumstances the El Paso County Sheriff's Office has probable cause to believe a person is camping in a motor vehicle or recreational vehicle as defined by this Resolution.

BE IT FURTHER RESOLVED that pursuant to §18-9-117, C.R.S., the El Paso County Sheriff's Office shall be responsible for enforcing the provisions of this Resolution.

DONE THIS 12th of December 2017, at Colorado Springs, Colorado

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO

By: Chuck Broerman

Chuck Broerman
County Clerk & Recorder

BY: Darryl Glenn

Darryl Glenn, President

