



## TOWN OF PRESCOTT VALLEY STAFF REPORT

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**DATE:** October 3, 2024

**TO:** Mayor & Town Council

**THROUGH:** Gilbert Davidson, Town Manager

**FROM:** Bob Ticer, Police Chief

**DEPARTMENT:** Police Department

**AGENDA TYPE:** Discussion Items(s):

**SUBJECT:** Town Code Urban Camping Restrictions Public-Private Property - Discussion Only [Bob Ticer, Police Chief]

**VISION 2024 FOCUS AREA:** Enhancing the health of neighborhoods by promoting well-being for all through safety, infrastructure, housing, connectivity, recreational space, and community engagement.

### SUMMARY/BACKGROUND:

General law municipalities are authorized to “have control of the ...property of the corporation” and “to prohibit and punish any...practice tending to...obstruct persons passing upon...sidewalks...” and “to restrain and punish the...practices tending to cause the collection of persons upon the streets or sidewalks and the obstruction thereof.” [ARS §9-240(A) & (B)(15)] Public places in Prescott Valley are provided as common areas for residents and non-residents alike to meet, relax, and take part in recreational, cultural, social, and other activities. It is in the best interests of the community to ensure that public places (i.e., streets, rights-of-way, medians, sidewalks, parks, and similar) remain readily accessible to the public for these activities. Similarly, certain large-scale private commercial spaces to which the public is invited for commercial and entertainment purposes sometimes need government assistance through enforcement to ensure that the spaces remain reasonably accessible for the commercial and entertainment purposes for which

they have been created and are maintained.

Over time, urban camping in public and large-scale commercial spaces has become an increasing issue. This was exacerbated by the worldwide pandemic. Municipalities large and small throughout the nation have grappled with the issue, including municipalities in Arizona. A recent clarification by the US Supreme Court about constitutional law applicable to urban camping has helped municipalities understand they do have enforcement options to help keep such spaces free of urban camping while, at the same time, working with public and private service agencies to attempt to address some of the issues of homelessness that can lead to urban camping.

The Town has had various Code provisions it has relied upon in its enforcement of this issue from time to time. However, it has been felt the time has come for the Town to adopt direct urban camping restrictions similar to those that have been adopted by other similarly sized communities in the state. Staff has, therefore, looked at various examples (including provisions in the neighboring community of Prescott). One from Sedona has seemed to cover the bases in a balanced way, so staff has used it as a beginning template (then added some exemptions suggested by staff based on local experience). It is now attached for Town Council review.

Staff is looking for input from Council members prior to proposing a final Town Code provision for possible adoption.

**RECOMMENDED MOTION:**

N/A No Council Action Requested.

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**STAFF RECOMMENDATION:**

N/A No Council Action Requested.

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**FISCAL ANALYSIS:**

There is no anticipated direct fiscal impact due to the requested action.

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**Council Action at the Meeting:** N/A

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**ATTACHMENTS:** Yes