

Sent: Monday, September 30, 2024 10:28 AM

Subject: CHULA VISTA CAMPING ORDINANCE DEFECTIVE (Please include with docs. for agenda item 5.4)

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Hi Mayor, Councilmembers,

The proposed camping ordinance has some big flaws.

It prohibits camping activities in public places (only) for which the City has issued a permit. So the permittee pays his \$100, 500, or more to run a business but can't have free access to it if part of it is in a private alleyway? What is a permit for?

9.90.030 Sitting, Lying, Sleeping, or Storage at Specified Locations on Public Property Prohibited...

B. City Permit Activity. A person shall not sit, lie, sleep, or store, maintain, or place personal property upon a street, sidewalk, or other public property in a manner that obstructs or interferes with the use of the right of way for any activity for which the City has issued a permit. This is bound to be challenged and cost taxpayer dollars.

I suggest the addition of "on Public Property or areas where a permit has been issued by the City or other public authority."

Another very unfortunate thing in the proposed ordinance is that it prohibits camping activity on public land but then contains areas which are bound to be private. This will create confusion, when the city tries to enforce the ban and someone says 'no, this is private,' and will allow campsites within 1000 feet of schools and transit stops if the land is private, which negates the intent of the ordinance.

When the ordinance says *9.90.040 Campsites at Specified Locations on **Public Property** Prohibited. A. No person may maintain or occupy a Campsite in or upon public property within the following locations: 1. One thousand feet of a public or private school providing instruction in*

grades 1 to 12, inclusive. 2. A City Park and the area within one thousand feet of a City Park. 3. Any MSCP land...4. A Major Transit Stop and the area within one thousand feet of a Major Transit Stop, it is bound to be challenged and cost taxpayer dollars.

I suggest that you change "public property" to "public property or the adjacent specified areas."

As Alan pointed out below, THE SUPREME COURT RULING ALLOWS A BAN IN THE ENTIRE CITY. Pushing the homeless problem onto private lands is a cop--out which just won't work.

Please make these changes to the ordinance.

Regards,

Paul Henkin

-----Forwarded Message-----

From: alan mil

Sent: Sep 30, 2024 6:04 AM

Subject: Re: Chula Vista Camping Ban ONLY GOVERNMENT LAND - IGNORES WILDLIFE REFUGE - ENDANGERS COMMUNITY

COPY TO

NEWS

MAYORS

CITY COUNCILS

SAN DIEGO SUPERVISORS

SANDAG REPRESENTATIVES

CA STATE REPS AND SENATORS

BCC TO COMMUNITY FED UP DRUG TENTS OUR NEIGHBORHOODS

@CHULA VISTA CITY CLERK - Please ADD this Email along with my previous email and PowerPoint into public record AGENDA 5.4 TUESDAY OCTOBER 1 2025 MEETING.

A FOLLOW UP EMAIL WITH MORE LINKS
CAMPING BAN CITY LAND ON CONSENT
NO DISCUSSION ON IMPORTANT ITEM!

Good Morning,

EVERY ELECTED REP
CAMPING BAN IGNORES OUR NEIGHBORHOODS
SAN DIEGO CAMPING BAN ONLY CITY PROPERTY
NATIONAL CITY CAMPING BAN ONLY CITY PROPERTY
CHULA VISTA CAMPING BAN VOTE ONLY CITY PROPERTY
CHULA VISTA CITY ATTORNEY CONFIRMED
SUPREME COURT RULING ALLOWS ENTIRE CITY BAN

EVERY CITY BASIC #1 DUTY
PROTECT LIFE AND PROPERTY
EQUAL PROTECTION UNDER THE LAW
FAIL IF ONLY CITY PROPERTY CAMPING BAN
PRIVATE PROPERTY NOT EQUALLY PROTECTED

" (1) A specific violation by such party that would also constitute a violation of the Equal Protection Clause of the 14th Amendment to the United States Constitution. A person may not be deprived of life, liberty, or property without due process of law, or denied **equal protection of the laws.**"

[https://ballotpedia.org/Article I, California Constitution](https://ballotpedia.org/Article_I,_California_Constitution)

LAYMAN'S TERM FROM WIKI:
14th AMENDMENT U.S. CONSTITUTION

"The Equal Protection Clause is part of the first section of the Fourteenth Amendment to the United States Constitution. The clause, which took effect in 1868, provides "nor shall **any State deny to any person within its jurisdiction the equal protection of the laws.**" **It mandates that**

individuals in similar situations be treated equally by the law."
https://en.wikipedia.org/wiki/Equal_Protection_Clause

14th Amendment

. . . nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.