

CLEARFIELD CITY ORDINANCE 2025-26

AN ORDINANCE AMENDING TITLE 8 – PUBLIC WAYS AND PROPERTY OF THE CLEARFIELD CITY CODE TO ADD CHAPTER 7 – PROHIBITED CAMPING ON PUBLIC PROPERTY

BE IT ORDAINED BY THE CLEARFIELD CITY COUNCIL:

Section 1. Enactment:

Title 8 – Public Ways and Property is hereby amended to add Chapter 7 – Prohibited Camping on Public Property and will read as follows:

8-7-1: PURPOSE

- A. The purpose of this Chapter is to establish procedures for the lawful and humane enforcement of ordinances prohibiting unauthorized camping on public property. It is the policy of Clearfield City to protect public safety and health by enforcing restrictions on public camping or habitation, while treating all individuals particularly those experiencing homelessness with dignity, fairness, and respect. Enforcement actions must be consistent with constitutional rights and directed at conduct, not personal status.

8-7-2: DEFINITIONS

CAMP or CAMPING: The use of public property for sleeping, residing, or lodging using tents, bedding, tarps, vehicles, or other shelter, with the intent of remaining in or at a campsite.

CAMPSITE: Any place where bedding, sleeping bag, or other material used for bedding purposes, or any stove or fire is established, or maintained for the purpose of maintaining a place to dwell or sleep, whether or not such place incorporates the use of any tent, lean-to, shack, or any other structure or any vehicle or part thereof.

CODE BLUE WEATHER EVENT: A weather event between October 15th and April 30th in which the National Weather Service predicts temperatures of 18 degrees Fahrenheit or less, including wind chill, or any other extreme weather conditions established in rules made by the Department of Health and Human Services to occur in any county of the first, second, third, or fourth class for two hours or longer within the next 24 to 48 hours.

PARKING STRIP: The area between a curb, or a place where a curb would be located if improvements were installed, and where a sidewalk is located or would be installed.

PERSONAL PROPERTY: Any tangible item reasonably recognizable as belonging to a person and having apparent utility or monetary value or as defined by UCA 76-4-401(5).

PUBLIC PROPERTY: Any property owned, operated, or maintained by the City, including sidewalks, parks, streets, open space, public trails, and public rights-of-way or as defined by UCA 76-8-101(4).

REASONABLE NOTICE: Notice reasonably calculated under all circumstances to apprise a person that camping is prohibited at a particular location and, where personal property is deposited, affording the person time to gather their personal property and depart.

8-7-3 PROHIBITED ACTS

- A. It shall be unlawful for any person to camp on any public property unless expressly authorized by a permit or resolution of the city.
- B. Camping is prohibited at all times in the following areas:
 - 1. City parks and open space.
 - 2. Public sidewalks and rights-of-way.
 - 3. City-owned parking lots and facilities.
 - 4. Any location where camping obstructs public access or presents a safety hazard.

8-7-4 EXCEPTIONS

- A. This ordinance shall comply with Utah Code 35A-16-703, Code Blue Alert. The City may enforce a camping ordinance but may not seize from individuals experiencing homelessness any personal property used for survival in cold weather, including clothing, blankets, tents, and sleeping bags.

8-7-5 ENFORCEMENT

- A. Prior to enforcement, the City shall:
 - 1. Provide verbal or written notice advising individuals they are in violation.
 - 2. Offer available shelter information and service referrals.
 - 3. Allow a reasonable time to comply, generally not less than 12 hours unless public safety necessitates immediate action.

8-7-6 REMOVAL, DISPOSITION and RELEASE of PERSONAL PROPERTY

- A. Upon discovery of a campsite on public property, removal of the campsite by authorized agents of Clearfield City may occur if:
 - 1. After reasonable notice, the individual refuses to remove their personal property from the premises.
 - 2. Personal property appears to be abandoned.
 - 3. There is probable cause for law enforcement officials to believe that illegal activities other than camping are occurring at the campsite.
 - 4. There is immediate danger to human life, health or safety, including, but not limited to, possible contamination of public or private property by unsanitary and/or hazardous materials.

- B. Upon removal of a campsite, all litter, including items having no apparent utility or monetary value and items in an unsanitary condition, may be immediately discarded. All other personal property shall be gathered, retained, and released, with notice being provided to the property owner, in accordance with Utah Code Title 24, the Forfeiture and Disposition of Property Act; Utah Code Title 77, Chapter 24A, Lost or Mislaid Personal Property; and relevant Clearfield Police Department Policy.

8-7-7 PENALTIES

- A. Violations of this ordinance shall constitute a Class B Misdemeanor.
B. In lieu of enforcement and/or fines, officers are encouraged to refer repeat violators to appropriate outreach, housing or mental health resources.
C. Other criminal violations or trespass orders are not subject to this title, and if enforced, shall follow Utah Code or other City Ordinances.


Section 2. Repealer: Any provision or ordinances that are in conflict with this ordinance are hereby repealed.

Section 3. Effective Date: This Ordinance shall become effective immediately upon its posting in three public places within Clearfield City.

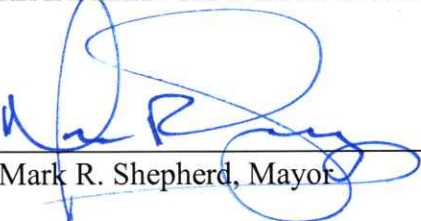
DATED this 9th day of December 2025, at the regularly scheduled meeting of the Clearfield City Council.



ATTEST:


Nancy R. Dean, City Recorder

CLEARFIELD CITY CORPORATION


Mark R. Shepherd, Mayor

VOTE OF THE COUNCIL

AYE: Councilmembers Peterson, Ratchford, Roper, Thompson, Wurth

NAY: None