



## CITY OF BANNING STAFF REPORT

**TO:** CITY COUNCIL

**FROM:** Elizabeth Gibbs, City Manager

**PREPARED BY:** Brandon Smith, Lieutenant  
Vince Avila, Chief of Police

**MEETING DATE:** March 10, 2026

**SUBJECT:** Making a Determination of Exemption from the California Environmental Quality Act and Conducting the First Reading and Introduction of Ordinance 1622, Amending Chapter 9.09 of Title 9 (Public Peace, Morals, and Welfare) of the Banning Municipal Code to Provide Updated Regulations Governing Camping and Related Activities Within the City of Banning

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### **RECOMMENDATION:**

Introduce and waive first reading, direct the City Clerk to read the ordinance by title only, and Introduce Ordinance No. 1622, entitled:

### **BACKGROUND:**

On April 23, 2024, the City Council of the City of Banning adopted Ordinance 1603 to add a new chapter 9.09 to Title 9 (Public Peace, Morals, and Welfare) of the Banning Municipal Code to provide for regulations governing camping and related activities within the City of Banning. Based on currently available resources within the City of Banning, and the United States Supreme Court decision in *Grants Pass v. Johnson*, related to camping in public, the City Council has requested amendments to regulations governing camping and related activities.

Ordinance 1622 provides necessary authority to the Banning Police Department and City of Banning Code Enforcement personnel to enforce camping in the City of Banning. The ordinance continues to make camping in public places unlawful, which includes streets, parks, public buildings and grounds, and other public areas in the City. Camping includes, among other things, the use of camp paraphernalia such as tents in combination with sleeping or preparing to sleep. Sleeping, lying, or sitting in public places in and of itself does not constitute camping. This keeps properties readily accessible and available to residents and the public at large. The camping ordinance also makes it unlawful to store personal property in a public place, including camp facilities and camp paraphernalia.

The ordinance updates notification requirements, storage requirements, and protocols for removal of personal property unlawfully stored or found on public places, which is consistent with case law. Personal property includes items such as medication, medical devices, eyeglasses, sanitary sleeping bag or bed roll, tents in reasonably good condition, sanitary/unsoiled clothing, etc.

Sitting, lying, and sleeping in public places that does not meet the definition of camping but is also regulated by the ordinance. No person shall obstruct pedestrian or vehicular traffic by sitting, lying, and

sleeping in a public place or in doorways or entrances or exits to buildings.

Camping on private property without written consent from the property owner in the possession of the person camping is prohibited and, is further regulated under Title 17 of the Banning Municipal Code.

**JUSTIFICATION:**

City Council established goals include reducing homelessness and improving quality of life for all residents and visitors to the City. With changes to available resources within the city, and clarification of local governments authority to ban sleeping or camping in public places by the United States Supreme Court in *Grants Pass v. Johnson*, the City Council has requested that necessary amendments to the existing ordinance governing camping, sleeping, and related activities be considered. Ordinance 1622 provides the necessary language to enforce lying, sleeping, and camping throughout the City of Banning.

**FISCAL IMPACT:**

Enforcement costs are budgeted.

**ALTERNATIVES:**

**BUDGETED?:**

No

**CONTRACT/AGREEMENT:**

No

**ATTACHMENTS:**

1. [Ordinance 1622.docx](#)
2. [Exhibit A Ordinance 1622 Camping in Public Spaces - Redline.final.docx](#)
3. [column\\_affidavit\\_1QwwLrNRbQd58tnYwmW8.pdf](#)