

ORDINANCE NO. 45, 4th SERIES

AN ORDINANCE OF THE CITY OF EAST GRAND FORKS, MINNESOTA, AMENDING CITY CODE CHAPTER 98: BY ADDING SECTION 98.60 CONCERNING ILLEGAL CAMPING WITHIN THE EAST GRAND FORKS CITY LIMITS AND BY ADOPTING BY REFERENCE CITY CODE CHAPTER 10 AND SECTION 10.99 WHICH, AMONG OTHER THINGS, CONTAIN PENALTY PROVISIONS.

THE CITY OF EAST GRAND FORKS DOES ORDAIN AS FOLLOWS:

SECTION 1: The East Grand Forks City Code is amended to include the following:

Sec. 98.60. – Illegal Camping.

(A) Purpose. It shall be the purpose of this section to restrict camping in areas not designed or designated for that purpose to prevent risks to public health and sanitation of the community and harm to the aesthetics of the community by preventing nonconsensual use of public and private property as living space.

(B) Definitions.

(1) "Illegal Camping" shall mean the use of land to conduct one or more specified activities when, based upon such use, it reasonably appears considering all the circumstances that the participants, in conducting the specified activities, are using the area as a living accommodation regardless of the intent of the participants or the nature of any other activities in which they may be engaging. Illegal camping shall not include residing in a permanent structure that may be lawfully occupied as a permanent or temporary structure or in a designated camping area.

(2) "Specified activities" shall include:

- a. sleeping or making preparations to sleep such as laying down bedding.
- b. storing personal belongings including but not limited to clothing, sleeping bags, bedrolls, blankets, sheets, luggage, backpacks, kitchen utensils, cookware, and similar materials.
- c. making any fire for the purpose of warmth or cooking.
- d. erecting a tent, lean-to or other similar temporary structure.
- e. parking a motor vehicle in a city park or public parking lot overnight.

(C) Unlawful. It shall be illegal to engage in illegal camping on public or private property without the consent of the City of East Grand Forks or the consent of the property's owner.

(1) Any person camping unlawfully shall vacate and remove all belongings from the public property immediately upon instruction by the enforcement officer unless a longer period is provided by a posted notice. After notice has been given to vacate a campsite and the allotted time has expired, the City or its contractor shall remove the campsite, all camp facilities and camp paraphernalia as the same has been deemed a public nuisance.

- a. All unclaimed personal property with apparent value or utility will be stored for 60 days as required by East Grand Forks City Code § 94.01 (A).

b. All unclaimed items that have no apparent utility or value, are in an unsanitary condition, or present an immediate hazard or danger, may be immediately discarded upon removal of individuals from the campsite.

c. Any personal property that remains unclaimed for 60 days after the campsite cleanup may be disposed of in accordance with East Grand Forks City Code § 94.01 (C).

d. Weapons, drug paraphernalia, and items which reasonably appear to be evidence of a crime may be retained and/or disposed of by the police department in accordance with the department's written policies and procedures.

(2) In addition to any other penalties that may be imposed, any campsite used in a manner not authorized by this Article, or other provisions of this code shall constitute a public nuisance and may be abated as such.

(3) Enforcement of provisions of this section may be suspended by resolution of the City Council.

(D). Penalty

Upon conviction for a violation of this section, the violator shall be fined in an amount not to exceed \$1,000.00 or sentenced to a jail term not to exceed 90 days, or both.

SECTION 2. City Code Chapter 10 entitled "General Provisions" applicable to entire city code including penalty for violation and Section 10.99 entitled "General Penalty" are hereby adopted in their entirety, by reference, as though repeated verbatim herein.

SECTION 3. This ordinance shall take effect and be in force from and after its passage and publication and be given the Number 45, 4th Series.

Voting Aye: Schumacher, Pokrzywinski, Riopelle, Helms, Casmey, Larson, and Peterson.

Voting Nay: None.

Absent: None.

ATTEST:

PASSED: June 17, 2025

City Administrator

President of Council

I hereby approve the foregoing Ordinance this 17th day of June, 2025.

Mayor