

Presented by: The Manager
Introduced:
Drafted by: A. G. Mead

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2016-44

An Ordinance Amending the City and Borough Code Relating to Camping in the Downtown Juneau Area.

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the City and Borough of Juneau Municipal Code.

Section 2. Amendment of Section. CBJ 53.09.340 Camping, is amended to read:
53.09.340 Camping.

(a) Except as provided in subsection (c) of this section, no person shall camp or establish or maintain a campsite:

(1) On any part of a public right-of-way not designated for camping by an official sign;

(2) For a period in excess of 48 hours within the boundaries of any one area on a public right-of-way, designated for camping by an official sign; or

(3) On City and Borough land other than a public right-of-way within one-half mile of the same location for a period in excess of 48 hours.

(4) On any parcel or right-of-way within or abutting the Downtown Juneau Area unless authorized by the property owner. For the purposes of this section, the Downtown

1
2 Juneau Area is defined as North of 900 South Franklin, South of Fourth Street, East of
3 Main Street and the waterside of the cruise ship docks, and West of Franklin Street as
4 depicted on the adopted Downtown Juneau Area No Camping Map dated xx, 2017, as the
5 same may be amended from time to time by the assembly by ordinance.
6

7 (b) The following words, terms and phrases, when used in this section, shall have the
8 meanings ascribed to them in this subsection, except where the context clearly indicates a
9 different meaning:

10 (1) *Camp* means to be personally present with the intent of remaining between the
11 hours of 12:00 midnight and 7:00 a.m., other than in a permanent residential structure
12 constructed and maintained in accordance with applicable codes.

13 (2) *Campsite* means a shelter, tent, camping equipment, furniture, bedding, cooking
14 or eating utensils, or other outdoor or household items indicating an intent to remain or
15 return for the purpose of staying overnight.

16 Establishment or maintenance of a campsite by a person may be established if the
17 campsite includes mail addressed to that person, items having other indicia of ownership
18 or control by that person, or items identified by a witness as owned or controlled by that
19 person. It shall be a defense to liability under this section if the defendant can establish
20 that an item came to be located at the campsite solely by an act of God or an act or
21 omission of a third party other than an employee or agent of the defendant, if the
22 defendant establishes that the defendant exercised due care with respect to disposal of
23 the item, including foreseeable acts or omissions of such third party. Items not claimed by
24 the defendant shall be confiscated as unclaimed property and disposed of according to
25 sections 55.50.230 through 55.50.310.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

(c) The manager or the manager's designee may issue permits for recreational camping in excess of that otherwise allowed by this section upon a showing by the applicant that such use will result in no waste, damage, or pollution to the land occupied.

(d) Violation of this section is an infraction.

Section 3. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____, 2016.

Kendell D. Koelsch, Mayor

Attest:

Laurie J. Sica, Municipal Clerk