

ORDINANCE NO. 4495

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SCOTTSDALE,
MARICOPA COUNTY, ARIZONA, ADDING SECTION 19-23 TO
CHAPTER 19 – OFFENSES – MISCELLANEOUS OF THE SCOTTSDALE
REVISED CODE

BE IT ORDAINED by the Council of the City of Scottsdale, Maricopa County, Arizona, as follows:

Section 1. Scottsdale Revised Code Section 19-23 is hereby added to Chapter 19 of the Scottsdale Revised Code, as follows:

19-23. – Camping in an area subject to flooding or within a watercourse prohibited.

A. No person shall camp at anytime in an area subject to flooding or within a watercourse.

B. The purpose of this section is to protect the life and safety of persons who could be endangered by flooding including flash flooding by choosing to camp in areas subject to flooding or within a watercourse.

C. A violation of this section is a class 3 misdemeanor. Prior to issuing a citation or making an arrest for this section, a peace officer shall give a person violating this section a reasonable opportunity to relocate to an area not subject to flooding or within a watercourse.

D. For the purposes of this section:

1. "Camp" means to reside in or use a place for living accommodation purposes; including, but not limited to, activities such as erecting tents or any other structure providing shelter, digging or breaking earth, laying down bedding for the purposes of sleeping, using camp paraphernalia, storing personal belongings, starting a fire, regularly cooking or preparing meals, or living in a parked vehicle.

2. "Camp paraphernalia" includes, but is not limited to, tarpaulins, cots, beds, sleeping bags, hammocks or non-city designated cooking facilities and similar equipment.

3. "Flood or flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from:

(a) The overflow of floodwaters;

(b) The unusual and rapid accumulation or runoff of surface waters from any source, and/or;

(c) The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high-water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood, or by some similarly unusual and unforeseeable event.

4. "Watercourse" means a natural or human-caused lake, river, creek, stream, wash, arroyo, channel, culvert, pipes or any other topographic feature, through, on or over which waters flow or pond at least periodically. Watercourses include specifically designated areas in which substantial flood damage may occur.

PASSED AND ADOPTED by the City Council of the City of Scottsdale, Maricopa County, Arizona this 4th day of May 2021.

CITY OF SCOTTSDALE, an Arizona
municipal corporation


David D. Ortega, Mayor

ATTEST:



Ben Lane, City Clerk

APPROVED AS TO FORM:



Sherry R. Scott, City Attorney

By: Luis E. Santaella, Deputy City Attorney