



TO: Mayor and Councilmembers

SUBMITTED BY: Winnie Cai, Assistant City Attorney

SUBJECT: Ordinance to Amend Encampment, Vehicle Camping, and Administrative Citation Regulations

RECOMMENDATION:

Introduce and conduct the first reading by title only, waiving further reading of Ordinance No. 25-__entitled, “An Ordinance of the City Council of the City of Goleta, California, Amending Chapter 1.02 of Title 1, Chapter 2.02 of Title 2, Chapter 10.04 of Title 10, and Chapter 12.01 of Title 12 of the Goleta Municipal Code Regarding Administrative Citations and Camping and Vehicular Camping on City Property and Finding the Ordinance Categorically Exempt from the California Environmental Quality Act.”

BACKGROUND:

On October 7, 2025, the City Council heard an agenda item that contemplated the community impacts of people who set up encampments on City property and live in vehicles parked on City streets. The impacts include fire risks to life and property, public health sanitation issues, noise nuisances, damage to environmentally sensitive habitats, and other residential neighborhood disturbances.

Against the backdrop of a comprehensive Homelessness Strategic Plan that utilizes a compassionate approach towards offering services and continuous follow up, the City Council approved the issuance of a forgivable administrative citation against individuals who camp or live in their vehicles parked on a City street in violation of the Goleta Municipal Code. Council authorized staff to create a program in which someone who receives an administrative citation could have that ticket forgiven if they enroll in the Homeless Management Information System and other services.

In addition, at the October 7th meeting, Council provided policy direction to amend the City’s encampment and vehicle dwelling ordinances. The following direction was given:

1. Modify the concept of requiring staff to ensure adequate shelter is available before enforcement, which is no longer the applicable standard required by supporting case law. Staff is now instead required to make reasonable efforts to offer services before enforcement.

2. Add indicia of what dwelling in one's vehicle entails.
3. Remove the concept of towing after someone has parked their vehicle on City streets for more than 72 hours if the person is dwelling in the vehicle.
4. Amend the City's encampment clearing policy to change the amount of notice from 72 hours to 48 hours and store items that are of \$50 value rather than \$100 value.

This staff report brings forth the ordinance amendments that are necessary to implement Council's policy direction, based on discussion in response to the October 7th staff report (Attachment 1) and public meeting.

DISCUSSION:

The primary ordinance amendments conform the City's regulations on encampments and vehicle dwelling to the policy direction given by Council at its October 7, 2025, meeting. Included in the ordinance are also clean up provisions to Title 1 and 2 relating to administrative citations. In reviewing the existing code language in preparation for the vehicle dwelling and encampment ordinances, staff noticed that some of the language in Title 1 and 2 were outdated and ambiguous. The proposed amendments to Title 1 and 2 will (1) conform outdated code language carried over upon incorporation from the County of Santa Barbara to current state law and (2) clarify that the prevailing party may recover its attorneys' fees and costs in actions to abate a public nuisance.

A. Encampment Ordinance Amendments

In 2022, the City last amended Chapter 12.01 of the Goleta Municipal Code ("GMC") to prohibit camping, whether inside or outside of a vehicle, on City property. The definition of "camp" is to use camp facilities and camp paraphernalia. (GMC §12.01.020.) "Camp facilities" include but are not limited to tents, shacks, huts, temporary structures, or specialty vehicles. "Camping paraphernalia" includes tarpaulins, cots, beds, hammocks, cooking facilities and similar items. (GMC §12.01.020.)

Chapter 12.01 states that absent exigent circumstances related to immediate threats to the public health, safety, or welfare, the City's encampment regulations would not be enforced against someone sitting, sleeping, and lying on public property when no alternative shelter or publicly available campsite is available *except* in high fire areas. Based on Council direction on October 7th, the currently proposed ordinance states that staff shall make reasonable efforts to offer services before enforcing the camping ordinance.

B. Vehicle Dwelling Ordinance Amendments

In addition to the camping prohibition in Chapter 12.01, Chapter 10.04 of the GMC also prohibits vehicular sleeping, camping or occupancy and authorizes towing of a vehicle that is not moved within 72 hours. (GMC §10.04.040) As a carve out, GMC §12.01.040 provides that, notwithstanding the prohibition against sleeping on a public road, it is not

the intent of Chapter 12.01 to prohibit persons who pull off the public road and sleep inside or outside their vehicles when necessary for their safety or the safety of others.

Given that the City does allow for a certain amount of sleeping in one's vehicle for safety purposes (GMC §12.01.040), at the October 7th meeting, staff recommended amending GMC §10.04.040 to be more specific about what behavior constitutes camping in one's vehicle. Council concurred with this suggestion. In consultation with the Sheriff's Office, the ordinance provides indicia of vehicular camping, including the presence of sleeping materials such as blankets, pillows, sleeping bags, mattresses, obscured windows, the vehicle remains stationary for over 72 hours, presence of makeshift restroom facilities, and the presence of cooking appliances and utensils. Any analysis to determine whether a violation of this provision of the Goleta Municipal Code has occurred would consider the totality of the circumstances, with at least two factors present for a violation to be deemed to have occurred.

In addition, in compliance with Council direction, the concept of towing someone's vehicle in response to a violation of GMC §10.04.040 has been removed. Accordingly, someone who is dwelling or camping in their vehicle and parked on a public street would not be towed under any circumstances for a violation of GMC §10.04.040.

C. Other Minor Ordinance Amendments for Consistency

Additional ordinance amendments had to be made in order to ensure consistency with the policy direction on the above-mentioned ordinance amendments. These include:

1. GMC §10.04.010 – This section relates to the parking prohibition of a vehicle on City streets for 72 hours on public property, which is distinct from the vehicle camping regulations in GMC §10.04.040. The ordinance modifies this section to reflect that any tow would need to be compliant with applicable law, including any constitutional requirements on towing (including the Community Caretaking Doctrine).
2. GMC §12.01.050 – This section has been amended to authorize the Neighborhood Services Department and Police Chief, or designee, to engage in enforcement of the encampment prohibitions. The Neighborhood Services Department is authorized to issue policies or guidelines, in consultation with the City Attorney's Office, as necessary to implement the ordinance in the manner required by law.
3. GMC §12.01.060 – This section relates to obstruction of watercourses and has been modified so that unpermitted structures are disallowed within 150 feet of a watercourse. Previously, structures were only disallowed when actually blocking or diverting the watercourse.
4. Ch. 1.02 and 2.02 – The ordinance modifies Chapters 1.02 of Title 1 and Chapter 2.02 of Title 2 to match Goleta's current code enforcement practices with statutory authority and language as to administrative citations, collection of fines for violations of the code, and liability regarding costs of enforcement.

- a. Title 1 - Currently, the City ordinance allows for recovery of civil penalties via a special assessment lien or other type of junior lien. To align with state statute, the City will remove this procedure and add procedures for collection of civil penalties through referring recovery to a collection agency or seeking a court judgment for monetary recovery. The City also includes recovery of attorney's fees and costs in its recovery as allowed by statute.
- b. Title 2 - The City adds recovery of attorney's fees and costs, by the prevailing party, in any action to abate a public nuisance as defined by the City's ordinance. Any unpaid penalties, costs, or attorney's fees will become a debt owed to the City recoverable by all means allowed by law.

In conclusion, the amendments in the proposed ordinance are necessary to effectuate Council's policy direction provided on October 7, 2025. After the first reading, a subsequent agenda item will come to Council for a second reading, and the ordinance would become effective upon the 31st day after the second reading.

FISCAL IMPACTS:

There are no fiscal impacts of the proposed ordinance amendments other than staff time.

ALTERNATIVES:

All alternatives have been provided above.

LEGAL REVIEW BY: Isaac Rosen, City Attorney

APPROVED BY: Robert Nisbet, City Manager

ATTACHMENTS:

1. October 7, 2025 staff report on Agenda Item D.1.
2. "An Ordinance of the City Council of the City of Goleta, California, Amending Chapter 1.02 of Title 1, Chapter 2.02 of Title 2, Chapter 10.04 of Title 10, and Chapter 12.01 of Title 12 of the Goleta Municipal Code Regarding Administrative Citations and Camping and Vehicular Camping on City Property and Finding the Ordinance Categorically Exempt from the California Environmental Quality Act."

ATTACHMENT 1

October 7, 2025 staff report on Agenda Item D.1.



Agenda Item D.1
DISCUSSION/ACTION ITEM
Meeting Date: October 7, 2025

TO: Mayor and Councilmembers

SUBMITTED BY: Winnie Cai, Assistant City Attorney
Chuck Flacks, Homelessness Services Coordinator

SUBJECT: Camping and Vehicle Dwelling Regulation and Enforcement

RECOMMENDATION:

Provide direction on the regulation of and enforcement against vehicle dwelling and encampments on City property, including whether an enforcement measure should be the issuance of a forgivable administrative citation as described in the staff report.

BACKGROUND:

The City has historically addressed encampments in its open space areas, creeks, sidewalks, library, and other public facilities. Recently, the City has received a number of resident complaints regarding individuals who dwell in their vehicles parked on City streets. The public health and safety risks and nuisances caused by individuals who set up encampments and/or live in their vehicles parked on City property include fire risks to life and property, public health sanitation issues, noise nuisances, damage to environmentally sensitive habitats, and the like.

The growing phenomenon of people living in their vehicles is not unique to the City of Goleta. The housing crisis affecting the State of California and the nation exerts tremendous upward pressure on rents and home prices. Increasingly people who are disabled, fleeing domestic violence, commuting to work, or struggling with mental health or substance misuse issues are the most vulnerable bearing the burden of high rents. They often have little choice but to seek shelter in their vehicles. Throughout the Tri-County region, every city and county seeks solutions that both protect public safety and humanely enable people experiencing homelessness to find permanent housing. No jurisdiction has succeeded in solving the problem of homelessness; however, the greatest successes have occurred where there is a concentrated combination of effective outreach, sufficient shelter and safe parking spaces, and permanent housing with sufficient services to keep people housed.

Continuing the work of the Homelessness Strategic Plan (2021), the City uses a collaborative and multi-agency approach to address homelessness within its boundaries. The City's full-time Homelessness Services Coordinator in the Neighborhood Services Department, works closely with staff from the County of Santa Barbara's Homelessness

Services Division of the Community Services Department, the Department of Behavioral Wellness, non-profit agencies, the Sheriffs' Office, staff in the City's Public Works Open Space Division, and others to provide services to individuals experiencing homelessness. The City's policy is to provide a compassionate approach that is focused on rehabilitating and supporting an individual who is suffering from homelessness. Highlights of these efforts include:

- A contract for outreach services with City Net, which includes connecting and offering services to people experiencing homelessness in encampments and living in vehicles;
- Safe Parking services in five lots (36 spaces) for eligible people living in vehicles provided by New Beginnings Counseling Center;
- Partnership with the County of Santa Barbara and New Beginnings Counseling Center for outreach, case management, essential services, and housing; navigation. To date, this three-year program has a 76% success rate in placing participants in shelter and housing for the City of Goleta; and,
- Ongoing encampment clearings involving both placement of people in shelter and housing by nonprofit service providers, and removal of debris and trash by the Public Works Department.

With this approach, there are still situations in which the City's offer of services do not completely address all homelessness issues in the City. The City also has an obligation to address the public health and safety consequences of people living in their vehicles and encampments.

On August 12, 2025, the Homelessness Committee held a public meeting and received public comment from residents expressing concern about the health and safety impacts related to people dwelling in vehicles on residential neighborhood streets. Staff from New Beginnings Counseling Center, operator of Goleta's Safe Parking Program, discussed trying to obtain greater participative in supportive services. The Committee directed staff to evaluation to process for issuing a ticket (e.g., administrative citation) that is forgiven if individuals enroll in certain supportive programs (e.g., safe parking, budgeting classes, and the like) and differentiating between individuals who are unhoused and living their vehicles versus those who using their vehicles for short-term stays. The Committee reached a consensus that staff should return with a range of criminal, administrative, and programmatic options aimed at reducing the number of vehicles used for dwelling while creating stronger incentives for individuals to engage with available services.

This staff report will (1) summarize the existing regulatory and enforcement framework of the encampment and vehicular dwelling municipal codes, and (2) present solutions to address the public health and safety risks associated with people living in encampments or vehicles on City property. Staff seeks Council's direction on certain ordinance amendments and enforcement policies.

DISCUSSION:

1. Existing Regulatory Framework

A. Camping Ordinance

In 2023, the City amended Chapter 12.01 of the Goleta Municipal Code (“GMC”) to prohibit camping, whether inside or outside of a vehicle, on City property. The definition of “camp” is to use camp facilities and camp paraphernalia. (GMC 12.01.020.) “Camp facilities” include but are not limited to tents, shacks, huts, temporary structures, or specialty vehicles. “Camping paraphernalia” includes tarpaulins, cots, beds, hammocks, cooking facilities and similar items. (GMC 12.01.020.) The ordinance specifically states that absent exigent circumstances related to immediate threats to the public health, safety, or welfare, the City’s encampment regulations would not be enforced against someone sitting, sleeping, and lying on public property when no alternative shelter or publicly available campsite is available *except* in high fire areas. Encampments, especially in open space areas, creeks, parks and undeveloped property, pose a significant fire risk to life and property.

B. Vehicular Dwelling Ordinance

In addition to Chapter 12.01 of the GMC that prohibits camping in a vehicle, Chapter 10.04 of the GMC also prohibits a person from parking a vehicle, recreational vehicle or trailer on any City street for the purpose of sleeping, camping or occupancy. (GMC 10.04.040) Concurrently, GMC 12.01.040 provides that notwithstanding the prohibition against sleeping in a vehicle parked on a public road, it is not the intent of Chapter 12.01 to prohibit persons who must pull off the public road and sleep inside or outside their vehicles when necessary for their safety or the safety of others.

GMC 10.04.040 also authorizes the City to tow a vehicle that is not moved within 72 hours. This code language is a carryover from the County. Since City incorporation, case law has changed to require laws imposing towing to follow the Community Caretaking Doctrine.

Under the Community Caretaking Doctrine, police may, without a warrant, impound and search a vehicle so long as they comply with standardized procedures of the local police department and further a community caretaking purpose, such as promoting public safety or the efficient flow of traffic. (*United States v. Torres* (2016) 828 F.3d 113) Where a warrantless removal of a vehicle is based on a community caretaking statute, a police officer must have both a valid storage authority (i.e., Vehicle Code 22651 which sets forth storage authority and other bases for impounding a vehicle) and a community caretaking justification such as, but not limited to the following examples: (1) if the vehicle is towed to prevent a hazard to other drivers; (2) if the officer towing the vehicle is protecting the public; and (3) if the officer is preventing a theft or vandalism to the vehicle.

2. Regulatory Options

A. Encampment Ordinance Amendments

In 2023 when the City adopted its encampment ordinance, the case *Martin v. City of Boise*, 920 F.3d 584 (9th Cir., 2019) was still in effect. In that case, the Ninth Circuit held that imposing criminal penalties for sleeping or camping in public when no alternative shelter was available violated the Eighth Amendment's prohibition on cruel and unusual punishment. In 2024, the United State Supreme Court, in *City of Grants Pass v. Johnson*, No. 23-175 (U.S. June 28, 2024) overturned *Boise*, reasoning that the Eighth Amendment addresses the type of punishment a government may impose after a conviction but does not limit the conduct a government may criminalize in the first instance. In doing so, the Court emphasized that homelessness is a complex social problem best addressed by state and local policymakers rather than through constitutional prohibition.

Given these legal changes, the City may now enforce its encampment prohibitions regardless of shelter availability, but enforcement must still comply with constitutional protections, including the Due Process Clause, the Excessive Fines Clause, and the Fourth Amendment. As a result, jurisdictions that proceed with encampment enforcement should still adequately notice any clearings, provide for property safeguards such as storage of personal items, and outreach. The City currently complies with all of these factors.

In May 2025, Governor Gavin Newsom released the "Model Ordinance: Addressing Encampments with Urgency and Dignity" (Attachment 1). The Model Ordinance is intended as a starting point for jurisdictions to adapt to their own needs. The Model Ordinance emphasizes three guiding principles:

1. Avoiding policies that effectively banish unhoused individuals from an entire jurisdiction without offering adequate indoor shelter;
2. Prioritizing the provision of shelter and services before enforcement; and
3. Ensuring officials retain authority to clear encampments to protect health, safety, and public access.

The Model Ordinance prohibits camping within 200 feet of the same area of public property for three (3) consecutive days or nights, camping within 200 feet of a posted notice that indicates encampment clearance or otherwise prohibiting sitting, sleeping, lying, or camping and to sit, sleep, lie or camp on a public street that blocks access under the Americans with Disabilities Act (ADA). The Model Ordinance retains an element of the *Boise* case in that it requires city officials to make *every reasonable effort* to identify and offer shelter and services to persons living in an encampment.

Policy Questions:

1. Should the City's ordinance incorporate some or all of the elements of the Governor's Model Ordinance?
2. In light of the *Grants Pass* decision, how should GMC 12.01.030(B) be amended? Should the entire provision be removed?

“Absent exigent circumstances related to immediate threats to the public health, safety, or welfare, the provisions of this section will not be enforced against indigent homeless persons sitting, lying, or sleeping on City-owned public property, except in high fire areas, when no alternative shelter or publicly available campsite is available in accordance with the holding in *Martin v. City of Boise* (9th Cir. 2019) 920 F.3d 584.”

- a. The Model Ordinance supports the policy that the local jurisdiction make reasonable efforts to identify and offer services and shelter before enforcement. The above section can incorporate a “reasonable” effort to find shelter instead mandating shelter before enforcement.
- b. The City also has the option to remove the entire provision since *Boise* was overruled, and cities can now enforce its camping prohibitions regardless of whether adequate shelter is available.

If Council supports amending the encampment ordinance, staff will bring back a future agenda item with the GMC amendments.

B. Vehicular Dwelling Ordinance Amendments

Given that the City does allow for a certain amount of sleeping in one’s vehicle for safety purposes (GMC 12.01.040), the City could consider amending its vehicular dwelling regulations to be more specific about what behavior constitutes dwelling in one’s vehicle (GMC 10.04.040). In consultation with the Sheriff’s Office, staff recommends adding more indicia of dwelling into the ordinance, including the presence of sleeping materials such as blankets, pillows, sleeping bags, mattresses, obscured windows, slightly cracked windows, the vehicle is stationary for hours, especially overnight, the presence of cooking appliances, and utensils, and food. Any analysis of a violation would involve a totality of the circumstances.

Policy Question:

1. Should the City add more indicia of vehicle dwelling to GMC 10.04.040?
2. Does the City want to keep the concept of towing? The language either needs to be eliminated or, if kept, factors under the Community Caretaking Doctrine will need to be added.

If Council supports amending the vehicular dwelling ordinance, staff will bring back a future agenda item with the GMC amendments.

3. Enforcement Framework

The City’s enforcement of its encampment and vehicular dwelling ordinances has adhered to the City’s Homelessness Strategic Plan. When the City encounters an individual who is living in an encampment or vehicle, the City’s staff, County Behavioral Health, and outreach officials from nonprofit agencies contact the individual to understand their situation, offer them services, which may include shelter, a bus ticket, transportation,

and the like, and get them registered into the Homeless Management Information System (HMIS) so that staff can continue to assist the individual to get to a better living situation.

In the case of encampments, if an individual in an encampment does not accept services and other assistance after multiple offers over a period of time, City staff would provide 72 hours' notice of clearance of an encampment. This step has proven to be effective in most circumstances.

However, if an individual still does not remove their encampment on City property after a clearing, the City has the option to work with the Sheriffs to issue a ticket to the individual for violation of the City's codes or California Penal Code, depending on the offense. A violation of the municipal code could be prosecuted as 1) an infraction, a low-level criminal offense which usually imposes a fine, or 2) a misdemeanor, a more serious criminal offense that carries a penalty of up to \$1000 in fines and up to six months in jail.

An infraction of a municipal code is typically written by a Sheriff Deputy and is processed through the traffic courts of the Santa Barbara County Superior Court. An infraction ticket imposes a fine, which includes the City's bail schedule amount (\$100 for GMC 10.04.040 and GMC 12.01.030) and court fees (approximately \$370). These infractions are adjudicated in traffic court whereby the judge has the authority to reduce the fine. Conversely, if a number of similar infraction tickets accumulate, the judge could issue a bench warrant for the arrest of the individual. In addition, the record of unpaid infraction tickets also has the potential to be reported to the Department of Motor Vehicles (DMV).

As a further measure of enforcement, which the City has not had to utilize yet and would only utilize as a last resort, the City could file a criminal complaint against an individual for a misdemeanor violation of the municipal code authorized by GMC 1.01.190. It would be utilized against individuals who have rejected multiple offers of service, have not removed their encampment over multiple clearings, and their encampments are posing a exigent public health and safety risks to life and property.

4. Enforcement Options

A. Administrative Citations

One enforcement option that has not been contemplated in the past is to issue an administrative citation against individuals who are violating the camping or vehicular dwelling ordinances but allow for the citation to be rescinded if the individual moves into a shelter, enrolls in a safe parking program, or other program within a certain time period.

Pursuant to Chapter 1.02 of the GMC, the City has the option to make violations of the GMC subject to administrative fines:

- \$100 for the first violation;
- \$200 for the second violation within one year of the date of the first violation;
- \$500 for the third or subsequent violation within one year of the date of the first violation. (GMC 1.02.080(B).)

The concept of using the administrative citation process would be that after an individual rejects shelter, services, or both and continues to violate the GMC by camping or dwelling in their vehicle on City property, a Sheriff Deputy or City employee can issue an administrative citation to the individual. The citation issued would include the cost of the fine, a warning about the amount of fines for future and continuing violations, information on how to appeal the citation, and steps on how to get the citation rescinded. Individuals who do not pay their administrative citations are subject to civil remedies, including having a civil lawsuit be filed against them.

If an administrative citation framework is put into place, the City would rely on the Sheriff's Office to issue citations. Given the capacity of our Sheriff Deputies, they will not likely be patrolling City streets on a regular basis to proactively find people who are violating the codes. They would respond to complaints about certain areas and issue citations if, in their discretion, they have sufficient evidence for a violation.

In conjunction with this proposal is the City's efforts to increase the opportunities for safe parking programs to occur within the City. At its public meeting on September 16, 2025, the City Council voted to amend the City's safe parking regulations to allow for more types of properties on which a safe parking program can be operated. The ordinance amendments also ease the City's requirements on operations and remove barriers to safe parking that have historically deterred certain individuals.

The Homelessness Services Division within the Neighborhood Services Department has budgeted funds to support the operation of an expanded safe parking program. As part of this expansion, City staff will support an outreach effort to property owners willing to host the program. These new spaces would conform to the amended ordinance and require oversight from a nonprofit service provider. The intention of this expanded program is to support the increased demand for safe parking services, particularly as citations for camping in one's vehicle are issued.

B. Model Ordinance

In terms of enforcement, Governor Newsom's Model Ordinance includes recommendations:

- No City officials should enforce until they have made a reasonable effort to identify or offer shelter and supportive services.
- City officials shall post a notice at least 48 hours before a clearing and should include information about the date and time of the clearing, services and shelter, and how unattended personal belongings will be handled and can be reclaimed. This notice can be shortened if there are exigent circumstances of imminent threat to life, safety, health, or infrastructure.
- Personal belongings include items of apparent value of \$50 or more and items of personal value (eyeglasses, wheelchairs, walkers, medical equipment, personal papers, photographs, IDs, bank statements, backpacks, etc.)

- Items that constitute a health and safety risk are not required to be stored, including toxic sharps, chemicals, soiled items, moldy/mildewy items, items infested by rodents and insects, and items that pose a risk of fire or explosion and propane tanks.
- Bulky items, such as mattresses and sheds, and perishable items, such as food, controlled substances, contraband, and trash or debris, will not be collected.

The City, by and large, already has a policy of encampment clearance that follows all these measures. The only differences are (1) the City provides 72-hour notice of a clearing whereas the Model Ordinance suggests 48-hour notice and (2) the City's personal belongings threshold is \$100 whereas the Model Ordinance suggests \$50. It is not necessary or recommended to memorialize these enforcement items into an ordinance. Having the encampment clearance procedures remain a policy document helps the City be nimble depending on the physical situation. If the enforcement policies are included in an ordinance, any change to it would require a first and second reading before Council and a waiting period of 30 days after the second reading before the change is effective.

Policy Questions

1. Should there be any changes to the existing enforcement framework?
2. Should the City start utilizing the administrative citation with a forgiveness component against individuals who set up encampments or dwell in their vehicles in violation of the City's laws? If Council supports the use of the administrative citation process, staff would develop a program in collaboration with the Sheriff's Office and begin this enforcement mechanism as soon as possible.
3. Should any of the components of the Governor's Model Ordinance on encampment clearing be incorporated into the City's encampment clearance policy? Public Works Open Space Division staff recommends Council allow staff to shorten its current 72-hour noticing policy to 48 hours and reduce the value of personal belongings from \$100 to \$50 to be eligible for storage and reclamation.

FISCAL IMPACTS:

Depending on Council direction, fiscal impacts will vary. The fiscal impacts of ordinance amendments will involve staff time, and the use of the administrative citation process will involve Sheriff and staff time. While fines may generate some revenue, collection rates are expected to be low.

ALTERNATIVES:

All alternatives have been provided above.

LEGAL REVIEW BY: Isaac Rosen, City Attorney

APPROVED BY: Robert Nisbet, City Manager

ATTACHMENT:

1. Governor Gavin Newsom's Model Ordinance: Addressing Encampments with Urgency and Dignity

ATTACHMENT 1

Governor Gavin Newsom's Model Ordinance: Addressing Encampments
with Urgency and Dignity



OFFICE OF THE GOVERNOR

Model Ordinance: Addressing Encampments with Urgency and Dignity

After the Supreme Court's decision in *Grants Pass v. Johnson* clarified that officials can take reasonable actions to clear encampments, the Governor signed Executive Order N-1-24, which directed state agencies to develop policies to prioritize addressing encampments on state property while providing reasonable advance notice and partnering with shelter and services providers. That Executive Order also encouraged local governments to adopt similar policies, and to use all available resources and infrastructure, including the historic resources provided by the State, to take urgent action to humanely remove encampments from public spaces. And the Governor directed the California Interagency Council on Homelessness to create guidance, published here, for local governments to follow in creating and implementing those programs.

This model ordinance is intended to provide a starting point that jurisdictions may build from and adjust in creating their own policies. It draws from the state's proven and workable approach — an approach that, between July 2021 and May 2025, has cleared more than 16,000 encampments and over 311,873 cubic yards of debris from sites along the state right of way. These results demonstrate that the policy is both effective and scalable, offering a sound, adoptable framework for jurisdictions to resolve encampments with urgency and dignity.

This model ordinance is not intended to be comprehensive or to impose a one-size-fits-all approach for every city. Tailoring is expected and appropriate to account for local differences and priorities. For example, a jurisdiction may choose to restrict camping at all times in certain sensitive locations, such as near schools; limit camping to no more than one night in the same location; or require a longer notice period before removal. While specific policies may vary, all local approaches should reflect three basic principles embodied in this model:

- No person should face criminal punishment for sleeping outside when they have nowhere else to go. Policies that prohibit individuals from sleeping outside anywhere in the jurisdiction without offering adequate indoor shelter, effectively banishing homeless individuals from the jurisdiction's borders, are both inhumane and impose externalities on neighboring jurisdictions, which must face the costs and challenges of an increased unsheltered homeless population.
- Encampment policies must prioritize shelter and services and ensure that people experiencing homelessness and their belongings are treated with respect.
- Policies must not unduly limit local authority to clear encampments. Officials must be able to enforce common-sense policies to protect the health and safety of their residents and maintain their public spaces. When officials lack appropriate tools, encampments persist, endangering the health and safety of those living in and alongside them.

There is no compassion in abandoning Californians to the dangers and indignities of encampments. Encampments pose a serious public safety risk, often causing fires and exposing encampment residents to increased risk of sexual violence and criminal activity, to property damage and break-ins, and unsanitary conditions affecting both residents and neighbors. And they dampen and deter both commercial and recreational activity through the accumulation of hazardous material and excessive debris, harming downtowns and depriving Californians of their public spaces. Large encampments and those with semi-permanent structures exacerbate and perpetuate these harms. Every local government must have a plan to address them.

Model Ordinance [For Local Customization]

Section XX1. Encampments

Unless authorized by permit or other applicable law, it is unlawful:

- (a) To construct, place, or maintain on public property any semi-permanent structure, including but not limited to hand-built sheds and structures with metal or other heavy roofing and siding materials, for the purpose of sheltering one or more persons.
- (b) To camp on public property, including but not limited to using, placing or maintaining a tent, sleeping bag, blanket, or other materials for the purpose of sleeping, lying, or sheltering one or more persons for more than three consecutive days or nights in the same location. For purposes this section, the same location shall mean within 200 feet of the location in which the person camped on the previous day or night.
- (c) To camp within 200 feet of any posted notice to vacate or other official signage designating a location for encampment clearance or otherwise prohibiting sitting, sleeping, lying, camping, or placing personal property in that location.
- (d) To sit, sleep, lie, or camp on any public street, road, or bike path, or on any sidewalk in a manner that impedes passage within the meaning of the American Disabilities Act.

Section XX2. Enforcement

- (a) Except in exigent circumstances involving an imminent threat to life, safety, health, or infrastructure, each of the following shall be satisfied prior to the enforcement of section XX1:
 - (i) City officials, or any agent acting on their behalf, shall make every reasonable effort to identify and offer shelter at an emergency shelter, navigation center, or other appropriate housing, and to offer supportive services, to persons living in the encampment.
 - (ii) City officials, or any agent acting on their behalf, shall post a notice to vacate in a prominent location at the encampment site at least 48 hours prior to the enforcement action. That notice shall include, at a minimum:
 - (1) The anticipated date and time of the enforcement action

- (2) Information on services, including shelter, that are immediately available to persons living in the encampment
 - (3) Information on how unattended belongings will be handled the day of the enforcement action, including what will be stored, how they can be recovered, and the date by which they must be claimed.
- (iii) No enforcement operations shall begin earlier than the date and time on the notice to vacate. If the enforcement work does not begin within two days of the date written on the notice, a new notice must be posted a minimum of 48 hours before enforcement operations may begin.
- (b) Where exigent circumstances require less than 48 hours' notice prior to enforcement of section XX1:
 - (i) City officials, or any agent acting on their behalf, shall provide as much advance notice of enforcement as reasonably possible under the circumstances; and
 - (ii) As soon as reasonably possible following enforcement action, city officials or any agent acting on their behalf shall post notice at or near the encampment site describing where items taken during the enforcement action are stored, how they can be recovered, and the date by which they must be claimed.
- (c) Personal belongings collected at the encampment site that are not a health or safety hazard shall be collected, tagged, and stored for not less than 60 days following an enforcement action.
 - (i) "Personal belongings" includes:
 - (1) items of apparent value of \$50 or more
 - (2) items of apparent personal value, including, but not limited to: eyeglasses, operational wheelchairs, walkers, crutches, other medical equipment, habitable tents, personal papers (such as photographs, albums, ID's, bank statements, and legal papers), backpacks, containers, and operational bicycles, scooters, and strollers.
 - (ii) Items that constitute a health and safety risk and will not be collected include, but are not limited to:
 - (1) Toxic sharps: needles, scissors, knives.
 - (2) Chemicals: bleach, paint, oils, etc.
 - (3) Items (including bedding and clothing) soiled by infectious materials, including human waste and bodily fluids.

- (4) Moldy, mildewed items.
 - (5) Items that may be infested by rodents and insects: rats, mice, fleas, lice, bed bugs.
 - (6) Items that pose a risk of fire or explosion, combustibles and propane tanks; any item containing fuel or corrosives or other unidentified liquids.
 - (7) Backpacks and closed containers that have been determined by an individual licensed to identify and handle hazardous materials to contain items listed in (1)-(6) above or (iii) below. Such backpacks and closed containers may be discarded where no individual licensed in hazardous materials is present to make a determination.
 - (8) If personal belongings are co-mingled or littered with needles, human waste, or other health risks, the entire pile of belongings may be disposed of. The presence of clothing in a backpack or container shall not be the sole reason to discard the backpack or container.
- (iii) Bulky items such as mattresses and sheds, perishable items such as food, controlled substances, contraband, and trash or debris will not be collected and stored. Contraband and controlled substances should be handled by trained professionals and consistent with applicable law.
- (d) Nothing in this section shall be construed to limit or prohibit city officials from enforcing any other city or state laws, including, but not limited to, laws governing use of controlled substances or weapons, fire codes, and public nuisance laws.

Section XX3. Regulations

- (a) The [relevant department or agency] shall issue regulations or guidelines necessary to aid in the implementation or enforcement of this chapter.

ATTACHMENT 2

“An Ordinance of the City Council of the City of Goleta, California, Amending Chapter 1.02 of Title 1, Chapter 2.02 of Title 2, Chapter 10.04 of Title 10, and Chapter 12.01 of Title 12 of the Goleta Municipal Code Regarding Administrative Citations and Camping and Vehicular Camping on City Property and Finding the Ordinance Categorically Exempt from the California Environmental Quality Act.”

ORDINANCE NO. 25-__

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
GOLETA, CALIFORNIA, AMENDING CHAPTER 1.02 OF
TITLE 1, CHAPTER 2.02 OF TITLE 2, CHAPTER 10.04 OF
TITLE 10, AND CHAPTER 12.01 OF TITLE 12, OF THE
GOLETA MUNICIPAL CODE, REGARDING
ADMINISTRATIVE CITATIONS AND CAMPING AND
VEHICULAR CAMPING ON CITY PROPERTY AND
FINDING THE ORDINANCE CATEGORICALLY EXEMPT
FROM THE CALIFORNIA ENVIRONMENTAL QUALITY
ACT**

WHEREAS, Article XI, Section 7 of the California Constitution confers upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its residents; and

WHEREAS, camping in certain areas within the City can create unsanitary, unhealthy, and dangerous conditions that risk the public health and safety, including but not limited to sanitation issues, fire hazards, pollution, or obstruction of the public right-of-way; and

WHEREAS, the City has a legitimate governmental interest in regulating the use of public and private property and ensuring that such use does not interfere with the public's access to and enjoyment of those properties; and

WHEREAS, prohibiting forms of camping and vehicular camping on designated areas of public property within the City's control is necessary, as that public property is ill-suited to support camping, with a lack of facilities or services necessary to support a form of residential habitation; and

WHEREAS, the City recognizes that services should be offered as a first step for those impacted by the City's authority to adopt regulations designed to promote the public health, safety, and general welfare of its residents, and this Ordinance will require that, absent exigent circumstances, reasonable efforts be made to offer shelter and supportive services in advance of taking enforcement actions contemplated herein; and

WHEREAS, the City created a regulatory framework to authorize owners of parking lots to receive a license to allow overnight vehicular camping within the City, and these parking lots will provide available locations in the City for those needing to sleep in their vehicles; and

WHEREAS, the City has a substantial interest in protecting sensitive environmental areas, including its creeks, waterways, and designated high fire hazard

areas, from pollution, environmental degradation, and the risk of fire often associated with encampments; and

WHEREAS, the unregulated long-term habitation of vehicles on public streets and property can lead to public health and safety concerns, including inadequate sanitation, disposal of greywater and sewage, accumulation of trash, fire hazards, threats to environmentally sensitive areas, and the potential for unsafe or inoperable vehicles to obstruct public rights-of-way; and

WHEREAS, at its October 7, 2025 meeting, the City Council provided its policy directive that administrative citations be forgivable when issued to a person experiencing homelessness who camps on public property or camps in their vehicle in violation of the Goleta Municipal Code, if such person agrees to receive services approved by the Neighborhood Services Department; and

WHEREAS, the City Council seeks to balance the needs of the residents, including those experiencing homelessness with the City's responsibility to maintain safe, clean, and accessible public areas, such as parks, sidewalks, and public buildings for use by the entire community; and

WHEREAS, reasonable enforcement mechanisms are necessary to prevent and prohibit unsafe and unsanitary conditions that run contrary to the public peace, health and safety; and

WHEREAS, the City wishes to make minor amendments to its code enforcement and administrative citation regulations pursuant to its police power authority; and

WHEREAS, all legal prerequisites to the adoption of this Ordinance have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GOLETA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The foregoing recitals are true and correct and incorporated herein by this reference.

SECTION 2.

Section 1.02.100 of Chapter 1.02 of Title 1 of the Goleta Municipal Code is hereby amended to read in its entirety as follows:

§ 1.02.100 Request for Administrative Hearing—Appeal of Administrative Citation.

A. Any recipient of an Administrative Citation may contest the citation by completing a request for administrative hearing form and filing it with the City's Department of Planning and Environmental Review – Code Compliance within 15 days after the issuance date of the Administration Citation.

B. A request for hearing must be accompanied by an advance deposit of the fine assessed by the citation for the initial violation, unless a request of hardship has been approved by the City Manager or designee.

C. A request for hearing shall not postpone or avoid the requirement of a responsible person to abate a violation nor toll the daily fines accruing for a continuing violation until the abatement of the offense is properly verified. In the event the Hearing Officer upholds the citation, the responsible person shall be liable for the total fines accrued from the issuance of the citation to the date the abatement is properly verified unless reduced by the Hearing Officer. Any Administrative Citation fine which has been deposited shall be refunded if it is determined, after a hearing, that there was no violation(s) as charged in the Administrative Citation.

D. A person seeking an administrative hearing can request a hardship waiver, if they are unable to post the advance deposit. The request for hardship must be properly completed and filed with the City's legal office assistant. The form must be signed by the party to be charged under penalty of perjury. The person requesting the waiver bears the burden of proving that such person does not have the financial ability to make the deposit.

E. The request for a hardship waiver will be decided by the City Manager or designee within 10 business days from date the request is received, and that decision is final. The applicant shall be notified by telephone, facsimile, or via mail of the decision on the request. The filing of a request for hardship waiver does not extend the time to file for an administrative hearing or pay the civil fine when due. If the request for hardship waiver is denied, an administrative hearing shall not be scheduled unless the fine deposit is paid within five business days following the City Manager's determination on the request for hardship waiver.

F. Failure to submit a timely and complete request for hearing shall terminate a person's right to contest the citation and result in a failure to exhaust administrative remedies, and the order of the citation shall serve as a final determination and conclusive evidence of the named responsible person's liability for the citation. Where the administrative hearing form is mailed by the appellant, the request shall be deemed filed on the date it is received by the City.

G. The City's legal office assistant shall set a hearing before a City Hearing Officer on a date that is not less than 15 and not more than 60 days from the date that the request for hearing is properly filed in accordance with the provisions of this section. The person requesting the hearing shall be notified by first class mail of the date, time and place set for the hearing at least 10 days prior to the date of the hearing and be given any additional written reports filed concerning the violation that are provided to the Hearing Officer.

SECTION 3. Section 1.02.140 of Chapter 1.02 of Title 1 of the Goleta Municipal Code is hereby amended to read in its entirety as follows:

§ 1.02.140 Collection of Unpaid Fines.

A. City Remedies. The City, at its discretion, may pursue any and all legal, equitable, and administrative remedies for the collection of unpaid civil administrative fines.

1. Remedies Cumulative. Pursuit of one remedy does not preclude the pursuit of any other remedies until the total fines owed by a person under this chapter have been collected.

2. Refusal to Issue Permits. A City department may refuse to accept an application for a City permit or license or to refuse to issue, extend, or renew to any person, who has unpaid delinquent fines, liens, or assessments, any City permit, license, or other City approval pertaining to the property that is the subject of a Notice of Administrative Citation and an unpaid administrative fine.

3. Suspension of Issued Permits. Notwithstanding any other provision of the Code, any permit, license, or any type of land use approval issued by the City to a person who has unpaid administrative fines totaling \$500.00 or more which remain delinquent for 30 days or longer may be suspended by the department which issued the permit or other entitlement. The suspension becomes effective 10 days after the date the notice of the suspension is placed by the issuing department in the United States mail, postage prepaid, addressed to the person, and continues until the administrative delinquency is paid in full. The person may request an appeal or review hearing pursuant to the specific permit, license, or other City approval procedures or ordinance if such a request is filed before the 10-day period ends. Continuing to operate under a suspended permit, license, or approval shall also be grounds for the Planning Commission to revoke the permit, license, or approval.

4. Remedies. The code enforcement officer may, at his or her discretion, also issue an administrative, civil, or criminal citation to any person for a Code violation.

5. Criminal Complaints. The City Attorney shall have the authority to determine whether a criminal complaint should be filed pursuant to this section and Goleta Municipal Code Section 1.01.190.

B. Violations Constitute a Public Nuisance. The City may pursue the remedies described in this section whether or not the City is pursuing any other action to terminate an ongoing Code violation that was the basis for an administrative fine to otherwise abate the violation or to sanction the property owner.

C. Civil Debt Collection. The City may also recover attorneys' fees via a civil debt collection action. The prevailing party in such a civil action may recover its reasonable attorneys' fees if the City elects, at the initiation of that action, to seek recovery of its own attorneys' fees. In no action may an award of attorneys' fees to any prevailing party exceed the amount of reasonable attorneys' fees incurred by the City in the action.

D. Administrative Costs for Nuisances. The City may also recover administrative costs through a lien or special assessment under the authority of Goleta Municipal Code Section 12.13.130, Government Code Section 38773.5, or any other method allowed by law.

E. Civil Penalties. Civil penalties may be collected by any method allowed by statute or law.

SECTION 4. Section 2.02.030 of Chapter 2.02 of Title 2 of the Goleta Municipal Code is hereby amended to read in its entirety as follows:

§ 2.02.030 Liability to City for Enforcement Costs.

A. Any owner or responsible party in an enforcement action shall be liable to the City for enforcement costs incurred by the City in an enforcement action. The City may recover any enforcement costs incurred in the enforcement of any provision of the zoning code, the housing code, building code, electrical code, plumbing code, mechanical code or the uniform code for the abatement of dangerous buildings as provided in this Code. The amount of any enforcement cost shall not exceed the actual cost incurred.

B. The prevailing party in any civil action, administrative proceeding or special procedure to abate, or cause the abatement of, a violation of this code or any public nuisance, or in any appeal or other judicial action arising therefrom, may recover reasonable attorney's fees in those individual actions or proceedings wherein the City elects, at the initiation of that individual action or proceeding, to seek recovery of its own attorney's fees. In no action, administrative proceeding, or special proceeding may an award of attorney's fees to any prevailing party exceed the amount of reasonable attorney's fees incurred by the City in the action or proceeding. Unpaid attorney's fees are a debt that is collectible in any manner allowed by law.

SECTION 5. Section 10.04.010 of Chapter 10.04 of Title 10 of the Goleta Municipal Code, Miscellaneous Rules is hereby repealed and replaced in its entirety as follows:

§ 10.04.010 Parking for More Than 72 Consecutive Hours Prohibited—Removal of Unlawfully Parked Vehicles.

A. No person shall park or leave standing any vehicle up on any street or highway or any public property within the City for a period of more than 72 hours.

B. In addition to the circumstances enumerated in Section 22651 of the California Vehicle Code, any officer described in that section is hereby authorized to, in compliance with applicable law, remove or cause to be removed any unattended vehicle from any street, highway or public property to the nearest garage or other place of safety or to a garage designated or maintained by the City or City contractor when such vehicle has been parked or left standing upon any street or highway for a period of 72 or more consecutive hours.

C. In the event of such removal as authorized herein the officer removing the vehicle, or causing it to be removed, shall give notice as provided in Sections 22852, 22853 and 22854 of the Vehicle Code, and the keeper of any garage in which such vehicle is stored may have a lien upon it for compensation for towage and for storage and safekeeping of the vehicle and may satisfy the lien in compliance with and under the conditions stated in Section 22851 of the Vehicle Code.

D. The provisions of this section shall not relieve any person from the duty to observe other and more restrictive provisions of the Vehicle Code or other ordinances of this City, to the extent applicable.

SECTION 6. Section 10.04.040 of Chapter 10.04 of Title 10 of the Goleta Municipal Code, Miscellaneous Rules is hereby repealed and replaced in its entirety as follows:

§ 10.04.040 Inhabiting a Vehicle on Any Public Street, Highway, Right-of-Way or Any Public Property Within the City—Generally Prohibited.

A. No person shall park any vehicle, recreational vehicle or trailer upon any street, highway, right-of-way or any public property within the City for the purposes of using said vehicle or trailer for habitation.

B. “Habitation” may be evidenced from the presence of two or more of the indicia below, where, based on a totality of the circumstances, it is more likely than not that a vehicle is being used for camping or a more longstanding dwelling use. Indicia of habitation may include, but is not limited to the following factors:

- i. The presence of sleeping materials, such as blankets, pillows, sleeping bags, mattresses.
- ii. The presence of materials over the windows that obscure the view into the vehicle.

iii. The presence of sanitation or toilet devices or facilities, including but not limited to commodes, make-shift toilets and restroom facilities, containers of urine, or the presence of other signs of human waste in or around the vehicle.

iii. The vehicle remains stationary for three or more hours with one or more persons present.

iv. The presence of cooking appliances, portable stoves, utensils, cookware like pots and pans, or devices allowing for refrigeration in a vehicle.

v. The vehicle is inoperable, which may be evidenced by the following non-exclusive list: missing wheels, flat tires, missing parts, severe damage, or an inability to move as designed.

vi. The vehicle has been parked or stored in the same location, or within a 500 foot radius of that location, for a period exceeding 72 consecutive hours.

C. A violation of this section shall not occur when a person is engaged in habitation of a vehicle as permitted by Section 12.01.035 of this Goleta Municipal Code or when engaging in habitation of a vehicle on public property with the permission of the City. Except in exigent circumstances involving a threat to life, safety, health, or infrastructure, City officials, or any agent acting on their behalf, shall make every reasonable effort to identify and offer shelter and supportive services to persons in violation of this section prior to enforcement.

D. The provisions of this section shall not relieve any person from the duty to observe other and more restrictive provisions of the Vehicle Code or other ordinances of this City, to the extent applicable.

SECTION 7. Section 12.01.030 of Title 12, Chapter 12.01 of the Goleta Municipal Code, Offenses - Miscellaneous, is hereby repealed and replaced in its entirety as follows:

**§ 12.01.030 Camping and Open Fires in Certain Areas
Prohibited—Generally—Exceptions.**

A. It is unlawful for any person to camp, whether inside or outside of a vehicle in or on any:

1. Public road.
2. City-owned building or parking lots, except that vehicles may be parked in and used for overnight sleeping in parking lots on City owned property if the following conditions are met:
 - a) The City has entered into a management agreement under which the contracting party agrees to assume

administration and management of a program to oversee such use of City-owned property; and

- b) The management agreement referenced above satisfies all City concerns regarding liability, due process, evictions, fair housing notice and employee safety, and specifically states the location and number of vehicles permitted at that location; and
 - c) All vehicle occupants enter into a written agreement with the contracting party in a form approved by the City and comply with all terms and conditions of that agreement.
3. All other public property, including but not limited to, high fire areas, parks, open space, or creeks;
4. Private property, unless:
- a) Located in a Recreational Vehicle Park as defined by Goleta Municipal Code Chapter 17.72 or as allowed for living purposes not exceeding 14 days in a six-month period as more particularly described in Goleta Municipal Code section 17.38.080; or
 - b) Temporary Overnight Camping License. The activity of using or occupying of a vehicle for living or overnight camping, living or sleeping purposes shall be allowed if such activity occurs within a parking area of real property owned or leased by a property owner who has obtained a temporary overnight camping license from the Neighborhood Services Department pursuant to the requirements defined in Section 12.01.035.
- B. Except in exigent circumstances involving a threat to life, safety, health, or infrastructure, City officials, or any agent acting on their behalf, shall make every reasonable effort to identify and offer shelter and supportive services to persons in violation of this chapter prior to enforcement. Enforcement shall occur in the manner provided in the policies or guidelines, including those issued by the Department of Neighborhood Services pursuant to Section 12.01.050 of this Code.
- C. Fires. No person shall build, maintain or light an open fire on any public property except within those facilities and/or areas provided and designated for that purpose by the City or otherwise

allowed by the City or other applicable law. In addition to all available enforcement methods under the Municipal Code, notwithstanding Section 12.01.030(B) above, such illegal fire shall be immediately abated. Exceptions to this requirement must be approved by the Public Works Director or designee.

SECTION 8. Section 12.01.050 of Title 12, Chapter 12.01 of the Goleta Municipal Code, Offenses - Miscellaneous, is hereby repealed and replaced in its entirety as follows:

§ 12.01.050 Camping in Certain Areas—Enforcement and Authority.

The terms and provisions of Sections 12.01.010 through 12.01.050 shall be implemented and enforced by the Neighborhood Services Department and the Police Chief or by any other peace officer, including city police officers. The Neighborhood Services Department is authorized to issue policies or guidelines, in consultation with the City Attorney's Office, as necessary to implement this Ordinance and its purposes, or to enforce this Ordinance in a manner consistent with state or federal law.

SECTION 9. Section 12.01.060 of Title 12, Chapter 12.01 of the Goleta Municipal Code, Offenses - Miscellaneous, is hereby repealed and replaced in its entirety as follows:

§ 12.01.060 Watercourses—Erecting Buildings or Structures Prohibited.

A. The term “watercourses” means a natural or artificial channel through which water flows, and includes but is not limited to, streams, creeks, arroyos, gulches, washes and the beds thereof, whether containing water or dry.

B. It is unlawful for any person to construct or maintain, or to permit to be constructed or maintained, in or within 150 feet of any watercourse, any building or structure without a permit or license issued by the City.

SECTION 10. Effect of Amendment. To the extent any provision of this Ordinance repeals, amends, or supersedes any previous approvals, such repeal or replacement will not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before, this Ordinance's effective date. Any such repealed or superseded part of previous approvals will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

SECTION 11. No Conflict with Federal or State Law. Nothing in this Ordinance is intended to create any requirement, power, or duty that is in conflict with any federal or state law.

SECTION 12. CEQA. The City of Goleta has determined that the adoption of the proposed ordinance is exempt from review under the California Environmental Quality Act (“CEQA”) (California Public Resources Code § 21000 et seq.), pursuant to State CEQA Guidelines (14 Cal. Code Regs.) Section 15061(b)(3), which applies where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment; Section 15060(c)(2), which applies where an activity will not result in a direct or reasonably foreseeable indirect physical change in the environment; and Sections 15307 and 15308, which apply to actions taken by regulatory agencies to assure the maintenance, restoration, enhancement of natural resources, or protection of the environment.

SECTION 13. Severability. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION 14. Certification. The City Clerk shall certify to the adoption of this Ordinance and, within 15 days after its adoption, shall cause it to be published in accord with California Law.

SECTION 15. Effective Date.

This Ordinance shall take effect thirty days after its passage and adoption pursuant to California Government Code section 36937.

INTRODUCED ON the 4th day of November, 2025.

PASSED, APPROVED AND ADOPTED this __the day of ____, 2025.

PAULA PEROTTE
MAYOR

ATTEST:

APPROVED AS TO FORM:

DEBORAH S. LOPEZ
CITY CLERK

ISAAC ROSEN
CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF SANTA BARBARA) ss.
CITY OF GOLETA)

I, DEBORAH S. LOPEZ, City Clerk of the City of Goleta, California, do hereby certify that the foregoing Ordinance No. 25-__ was introduced on November 4th, 2025, and adopted at a regular meeting of the City Council of the City of Goleta, California, held on the __th of _____, 2025, by the following roll-call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

(SEAL)

DEBORAH S. LOPEZ
CITY CLERK