
6.36.020 DAYTIME ENCAMPMENTS.

(a) Between the hours of 7:00 a.m. and 10:00 p.m., it shall be unlawful to establish or maintain outdoors or in, on, or under any structure not intended for human occupancy, a temporary or permanent place for cooking or sleeping, by setting up or maintaining bedding, sleeping bag, blanket, mattress, tent, hammock, or other sleeping equipment, or by setting up any cooking equipment, with if:

(1) it reasonably appears, based on the intent totality of the circumstances, that a person intends to remain in that location overnight. This subdivision, and/or

(2) the person has occupied the site since before 6:45 a.m. on the date when enforcement action is taken by the Santa Cruz Police Department.

(b) Subdivision (a) shall apply anywhere in the city of Santa Cruz, whether on public or private property, except as hereinafter expressly permitted.

(c) Nothing in subdivision (a) shall be interpreted as prohibiting:

(1) the use of cooking methods and cooking locations otherwise authorized by law where the conditions described in subdivisions (a)(1) or (a)(2) are not fulfilled.

(2) the use of blankets, recreational equipment, or similar items for day time use in parks, beaches, or on private property, where the conditions described in subdivisions (a)(1) or (a)(2) are not fulfilled.

(3) the use of daytime tents in the sand areas of the beach, where the conditions described in subdivisions (a)(1) or (a)(2) are not fulfilled.

(4) the act of sleeping in public places, where the conditions described in subdivisions (a)(1) or (a)(2) are not fulfilled.

(d) Prior to issuing a citation or making an arrest, as appropriate, for a violation of Section 6.36.020(a), the citing or arresting officer shall advise the individual that they may remove their belongings and move to any other area that is open to the public provided, however, that persons cited or arrested in a city park shall be required to vacate the entire park property. If the individual does not then leave the area after receiving both a warning and a reasonable opportunity to gather their belongings and vacate the area, the officer may issue a citation or arrest the individual, as appropriate.