

**COUNTY OF SAN DIEGO  
BOARD OF SUPERVISORS  
TUESDAY, MAY 06, 2025**

**MINUTE ORDER NO. 19**

**SUBJECT: ADOPT AN ORDINANCE AMENDING TITLE 7, DIVISION 3 AND AMENDING TITLE 4, DIVISION 2, CHAPTER 1 OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES, RELATING TO UNAUTHORIZED CAMPING AND PROTECTION OF OPEN SPACE AND PUBLIC WORKS INFRASTRUCTURE (5/6/2025 - First Reading; 5/20/25- Second Reading unless ordinance is modified on second reading) (DISTRICTS: ALL)**

**OVERVIEW**

On March 11, 2025 (13), staff presented options to the Board of Supervisors (Board) to enhance the current County of San Diego (County) Ordinance (County Regulatory Code Section 73.108) to address Unauthorized Camping in the Unincorporated Area. The options included components that address fire risk, adding protections to additional areas, and formalizing encampment abatement practices. Based on direction from the Board, the following enhancements will be included to amend the County's current ordinance relating to Unauthorized Camping and Protection of Open Space and Public Works infrastructure:

- Enhancement A: Add provisions related to fire risk.
- Enhancement B: Add protections in specific areas such as open spaces and Public Works infrastructure.
- Additional Enhancement: Add provision that specifies before enforcement actions occur, sufficient and appropriate shelter beds must be available for all unhoused individuals in the unincorporated area, and appropriate shelter beds must be offered to eligible individuals and refused, except in cases where there is an imminent public safety or public health risk, such as a fire or an outbreak of a contagious disease.

Today's item requests the Board to approve the introduction of an ordinance relating to unauthorized camping and the protection of property owned, leased or managed by the County, including open space and Public Works infrastructure such as culverts, channels, crosswalks, sidewalks, pathways, streets or public rights of way, and airports. If the Board takes action as recommended, then on May 6, 2025, staff recommends the Board adopt the ordinance (second reading). If the proposed ordinance is altered on May 6, 2025, then on that date, a subsequent meeting date will be selected for the ordinance's adoption.

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

On May 6, 2025

1. Approve the introduction of the Ordinance (first reading)  
AN ORDINANCE AMENDING TITLE 7, DIVISION 3 AND AMENDING TITLE 4, DIVISION 2, CHAPTER 1 OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES, RELATING TO UNAUTHORIZED CAMPING AND PROTECTION OF OPEN SPACE AND PUBLIC WORKS INFRASTRUCTURE

If, on May 6, 2025, the Board takes action as recommended in item 1 above, then on May 20, 2025:

2. Approve the adoption of the Ordinance (second reading):

AN ORDINANCE AMENDING TITLE 7, DIVISION 3 AND AMENDING TITLE 4, DIVISION 2, CHAPTER 1 OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES, RELATING TO UNAUTHORIZED CAMPING AND PROTECTION OF OPEN SPACE AND PUBLIC WORKS INFRASTRUCTURE

### **EQUITY IMPACT STATEMENT**

The proposed Ordinance aims to balance public safety and the rights and dignity of individuals experiencing homelessness. The County has and will continue a ‘services first’ approach which means impacted individuals are first contacted and offered to be connected to available resources including sufficient and appropriate shelter beds. The ordinance would also address fire and environmental degradation risks that could worsen existing inequities faced by the unincorporated communities.

### **SUSTAINABILITY IMPACT STATEMENT**

The recommended actions support the County of San Diego’s Sustainability Goal #4 of protect the health and wellbeing of everyone in the region by addressing fire risk, protecting open space, and Public Works facilities from the negative impacts of encampments in the unincorporated area.

### **FISCAL IMPACT**

There is no fiscal impact associated with this item’s recommendation. There will be no change in net General Fund cost and no additional staff years.

### **BUSINESS IMPACT STATEMENT**

N/A

### **ACTION:**

Noting for the record that this item was heard on May 7, 2025; ON MOTION of Supervisor Lawson Remer, seconded by Supervisor Anderson, the Board of Supervisors took the following actions:

1. Amended the proposed ordinance as follows:

Section 4. Section 73.114 ENFORCEMENT of the San Diego County Code of Regulatory Ordinance is amended to read:

- (a) Violations of Section 73.108 are subject to criminal prosecution and other civil and administrative remedies under section 11.116 et seq. Violations are also subject to enforcement under other relevant laws and regulations, including, but not limited to, stay-away orders, public nuisance and other injunctive relief.
- ~~(b) Except as provided in subdivision (c), law enforcement officers may only issue a criminal citation to enforce a violation of section 73.108 to an individual when that individual refuses available shelter and there is sufficient shelter for all unhoused individuals living in the unincorporated area. For purposes of this section, available shelter means the shelter is reasonably available and accessible to the person at the time enforcement is taking place, including transportation to shelter selected by the officer in lieu of enforcement, and taking into consideration any disability or other specific circumstances applicable to that person and known to the officer. Sufficient shelter for all unhoused individuals shall be calculated using the most recent point in time count of the unhoused population in the unincorporated area. The requirement of this section does not apply to individuals who are ineligible for shelter due to criminal convictions or past behavior.~~

(c) Law enforcement officers may only issue a ~~criminal~~ citation to enforce a violation of section 73.108 ~~regardless of the availability of shelter~~ where the violation poses an imminent risk of ~~harm to public health or public safety~~ death, serious injury, or spread of wildfire or communicable disease.

2. Introduced the Ordinance for further Board consideration and adoption on May 20, 2025.

AYES: Anderson, Lawson-Remer, Montgomery Steppe, Desmond

ABSENT: (District 1 Seat Vacant)

State of California)

County of San Diego) §

I hereby certify that the foregoing is a full, true and correct copy of the Original entered in the Minutes of the Board of Supervisors.

ANDREW POTTER

Clerk of the Board of Supervisors



**Signed**

**by** Andrew Potter