

Dear Council Members,

As the Supreme Court has voted in favor of Cities determining their own parking policies, the City of Sebastopol should adopt an ordinance similar to Cotati's which restricts Human Habitation of Vehicles.

The Cotati code has not had any legal issues and is currently in effect.

Given the recent Grants Pass ruling, there is nothing stopping Council and the City from enacting code similar to Cotati's, which follows.

I suggest that you pursue this with your new legal counsel as soon as possible to prevent health and safety issues, specifically fire danger, from people living illegally in their vehicles with flammable materials in close proximity.

Chapter 9.44 HUMAN HABITATION OF VEHICLES

Sections:

[9.44.010 Definitions.](#)

[9.44.020 Use of vehicles or campers for human habitation prohibited.](#)

9.44.010 Definitions.

For the purposes of this chapter, the following definitions shall apply:

A. "Camper" is defined by Section [243](#) of the California Vehicle Code as it exists as of the effective date of the ordinance codified in this chapter, or as it may be amended, and includes but is not limited to, a structure designed to be mounted upon a motor vehicle and to provide facilities for human habitation or camping purposes.

B. To "camp" or "camping" means sleeping, setting up housekeeping and/or cooking.

C. "Vehicle" is defined by Section [670](#) of the California Vehicle Code as it exists as of the effective date of the ordinance codified in this chapter, or as it may be amended, and includes but is not limited to, passenger cars, trucks, motor homes, trailer coaches and trailers. (Ord. 562 § 1(part), 1991).

9.44.020 Use of vehicles or campers for human habitation prohibited.

It is unlawful for any person to occupy or permit the use or occupancy of any vehicle or camper for human habitation, including but not limited to sleeping, eating, camping or resting, either singly or in groups, within the city, on public or private property, except in campgrounds, trailer parks or mobilehome parks maintained pursuant to valid and subsisting authority granted by the city. (Ord. 562 § 1(part), 1991)."

<https://www.codepublishing.com/CA/Cotati/html/Cotati09/Cotati0944.html>

