

**CASCADE CHARTER TOWNSHIP**

**ORDINANCE NO. 2023-3**

**AN ORDINANCE TO REGULATE CAMPING & STORAGE OF  
PERSONAL PROPERTY ON PUBLIC PROPERTY**

At a regular meeting of the Township Board for Cascade Charter Township held at the Cascade Library Wisnter Center on May 24, 2023, beginning at 7:00 p.m., the following Ordinance was offered for adoption by Township Board Member Koessel and was seconded by Township Board Member Noordhoek.

THE CHARTER TOWNSHIP OF CASCADE ORDAINS:

**Section 1. New Chapter 292.** New Chapter 292 is added to the Code of the Charter Township of Cascade, and states as follows:

**Section 292-1. Title**

This article shall be known and referred to as the "Camping and Storage of Personal Property Ordinance of the Charter Township of Cascade."

**Section 292-2. Purpose.**

The purpose of this Chapter is to protect the public health, safety, and welfare by prohibiting camping and storage of personal property on public property, which interferes with the rights of others to use public properties for their intended use.

**Section 292-3. Definitions.**

The following definitions are applicable to this Chapter:

- A. "Available Overnight Shelter" means a public or private shelter, with an available overnight space, open to an individual experiencing homelessness at no charge.
- B. "Camp" means to pitch, use, or occupy camp facilities for the purposes of habitation, as evidenced by the use of camp paraphernalia.
- C. "Camp facilities" include, but are not limited to, tents, huts, and temporary shelters. "Camp facilities" does not include tents, huts, or temporary shelters when used temporarily in a park for recreation or play during daylight hours when the park is open to the public.
- D. "Camp paraphernalia" includes, but is not limited to, tarpaulins, cots, beds, sleeping bag, blankets, mattresses, hammocks, or portable cooking facilities or equipment.
- E. "Park" means any publicly owned area used as a park, trail, playground, athletic field, or other public open space, including parking lots associated with these areas.
- F. "Public Property" means any real property, building, structure, equipment, sign, shelter, vegetation, trail, and public open space, including all associated areas such as parking lots, controlled or owned by the Charter Township of Cascade or any other governmental agency.

- G. "Store" means to put aside or accumulate for use when needed, to put for safekeeping, or to place or leave in a location.
- H. "Street" means any highway, lane, road, street, right-of-way, sidewalk, boulevard, alley, and any other way or place in the Charter Township of Cascade open as a matter of right to public pedestrian and vehicular travel.

**Section 292-4. Unlawful Camping or Storage of Personal Property in Public Places.**

It is unlawful for any person to camp or to store personal property, including camp facilities or camp paraphernalia, in the following areas:

- A. Any park;
- B. Any street; or
- C. Any public property, improved or unimproved.

**Section 292-5. Violations.**

A person found to be in violation of this Chapter, subject to Subsection 6, shall be guilty of a municipal civil infraction and subject to the penalties enumerated in Chapter 40, Article IV, Penalties for Misdemeanors and Municipal Civil Infractions.

**Section 292-6. Homelessness.**

Before issuing a citation under this Chapter, the investigating officer must inquire whether the unlawful camping and storage of personal property is due to homelessness.

- A. If the officer learns that such is the case, the officer must determine, in accordance with relevant department policy, whether there is Available Overnight Shelter to accommodate the subject of the investigation.
- B. If the officer determines that there is Available Overnight Shelter, the officer may:
  - 1. Provide directions to the shelter location.
  - 2. Offer one-time transport to the shelter location.
- C. An individual who refuses to accept Available Overnight Shelter under this Subsection is subject to the penalties enumerated in Chapter 40, Article IV, Penalties for Misdemeanors and Municipal Civil Infractions.

**Section 2. Severability.**

If a court determines that any provision of this Chapter is invalid, the remaining provisions of this Chapter shall remain in full force and effect.

**Section 3. Repealer.**

Any ordinances in conflict with this ordinance are repealed to the extent necessary to give this ordinance full force and effect.

**Section 4. Effective Date.**

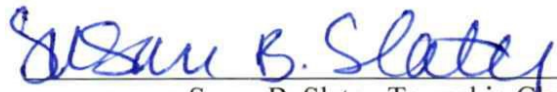
This ordinance takes effect immediately upon publication.

**YEAS:** Board Members Noordhoek, Shipley, Korstange, Koessel, McDonald, Slater, Lesperance

**NAYS:** Board Members None

**ABSENT:** Board Members None

ORDINANCE DECLARED ADOPTED

  
Susan B. Slater, Township Clerk

I HEREBY CERTIFY that the foregoing is a true and complete copy of an ordinance adopted by the Township Board of Cascade Charter Township, County of Kent, Michigan, at a regular meeting on 5/24/23, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Dated: 5/24/23

  
Susan B. Slater, Township Clerk