

ORDINANCE NO. ____ (N.C.S.)

AN ORDINANCE AMENDING ARTICLE XIII OF CHAPTER 16 OF THE SALINAS MUNICIPAL CODE RELATED TO THE STORAGE OF PERSONAL BELONGINGS ON CITY PROPERTY

City Attorney Impartial Analysis

This ordinance amends Article XIII of Chapter 16 of the Salinas Municipal Code by prohibiting the storage of any personal property on City property and by redefining what personal property will be collected and stored as a part of the City's enforcement of the Ordinance by cleaning-up an encampment. This ordinance also reduces the pre-cleanup noticing requirement to twenty-four hours and reduces the length of time personal belongings collected at a cleanup will be stored to sixty (60) days. This ordinance also allows for removal of personal property without prior notice in exigent circumstances involving an imminent threat to life, safety, health, or infrastructure.

WHEREAS, Salinas is a Charter city organized and operating pursuant to Article 7 of the California Constitution; and

WHEREAS, through previous legislative enactments (Ordinance No. 2564, Ordinance No. 2567, Ordinance No. 2599, and Resolution Nos. 20884 and 20908), the City Council declared its intent to prevent the misappropriation of City property for personal use and the proliferation of encampments on public property that have a significant adverse effect on public health, safety, and welfare and impede or entirely obstruct access by emergency responders when responding to emergencies; and

WHEREAS, through its previous legislative enactments, the City Council made clear its intent to prevent the misappropriation of City property for personal use and to promote the public health, safety, and welfare by ensuring that City property remains accessible and usable by all members of the public for the purposes for which such public property is intended and by ensuring that City property remains in a clean, sanitary, and accessible condition; and

WHEREAS, the public areas within the city, including streets, sidewalks, parks, public buildings, and public land, should be readily accessible, free from obstruction, and available to the public at large for use in a safe and healthy manner; and

WHEREAS, the use of these areas for overnight camping purposes interferes with the ability of residents and the public at large to use the areas in the healthy and safe manner for the uses intended; and

WHEREAS, such camping activity can constitute a public health and safety hazard, which adversely impacts other members of the public, neighborhoods, industrial, agricultural, and commercial areas; and

WHEREAS, in addition to the proliferation of camping and encampments on public property in the city of Salinas which has obstructed access by pedestrians and users of City facilities, individuals camping on public property and/or residing in encampments on public property frequently urinate and defecate on City property (and nearby private property) and have been observed using and distributing narcotics and alcohol causing unsafe and unsanitary conditions

to persist around and within the areas of the camps and/or the encampments creating an environment for the spread of disease and bacteria and an environment which prevents Salinas's residents from using and accessing City facilities, including the City libraries and recreation centers; and

WHEREAS, City employees and members of the public at large have reported that overnight camping on City property has specifically interfered with their use of public buildings, public sidewalks, public streets, parking lots, parking garages, and other open spaces, including the public space surrounding the library and the public space in front of City Hall; and

WHEREAS, City employees leaving City Hall have been confronted by overnight campers screaming, yelling, and displaying other aggressive and erratic behavior that has made those employees fear for their safety upon egress of the building; and

WHEREAS, City employees have been confronted by overnight campers subjecting them to unwanted sexual comments; and

WHEREAS, City employees have observed individuals around the City Permit Center and the adjacent parking structure engage in sexual activity, as well as illegal drug use; and

WHEREAS, members of the public as well as City employees have complained about the smell of public places, including the area in front of City Hall and the areas around the City libraries (particularly the John Steinbeck Library) and City Permit Center and adjacent parking structure, as a result of individuals loitering in and around those areas and as a result of overnight camping activity, including urination and defecation by overnight campers; and

WHEREAS, drug paraphernalia has been found at the site of the overnight camp in front of City Hall; and

WHEREAS, it has been reported that public spaces can no longer be used by residents and the public at large for the manner and uses in which they were intended, including specific complaints that outdoor public spaces, including, but not limited to, the space in front of City Hall, the space around the City Permit Center and adjacent parking structure, and the space around the John Steinbeck Library, including the grass areas in front of the John Steinbeck Library, that were once used by residents and the public at large to recreate, eat lunch, and take breaks can no longer be used for those purposes as a result of the litter, urine and feces left by individuals loitering in and around those areas and as a result of the overnight campers in those areas; and

WHEREAS, the lawn areas and other spaces on or around City property, including most-notably the lawn areas in front of City Hall and in front of the John Steinbeck Library are frequently used by persons in such a manner that they have been damaged and or destroyed and in some cases present a danger to the health and safety of the community and of the patrons of those facilities; and

WHEREAS, City employees must regularly clean up and remove human waste from areas used for overnight camping including, but not limited to, the space in front of City Hall, the space surrounding the John Steinbeck Library, recreation centers, public parking lots, and public parking garages; and

WHEREAS, residents and the public at large are prevented from the use of the public areas within and around the city, including streets, sidewalks, parks, public building and public land when those areas are obstructed by a gathering preventing the free passage by use of any street,

sidewalk, alley, public way, ingress to any public building, or place used by members of the public to go from place to place; and

WHEREAS, the abuse or mutilation of trees, plants, and lawn prevents residents and the public at large from the reasonable use and enjoyment of those items while costing the City substantial money and resources for the restoration of those items; and

WHEREAS, urination and defecation outside of urinals, toilets, or commodes located in bathrooms, restrooms, or other structures specifically designated for the purpose of urination and defecation poses a significant health and safety problem to residents and the public at large as well as costing the city substantial money and resources to clean; and

WHEREAS, from 2020-2023, an encampment within the Carr Lake area grew to over one hundred separate encampments causing the degradation of waterways through trash accumulation. The adjacent neighborhoods saw an increase in criminal activity during this same time period including, but not limited to, acts of indecent exposure and gang-related crimes (homicides, drug dealing, human trafficking, and gambling). In November 2023, the City removed approximately two hundred tons of debris from this area. A wooden walkway (commonly known as the “boardwalk”) that runs along East Laurel Drive on Carr Lake’s south end suffered structural damage by unsheltered individuals removing the wooden planks and digging underneath the boardwalk to establish encampments, thereby undermining the structural integrity of this pedestrian walkway; and

WHEREAS, encampments along the Alisal Creek have caused degradation of water quality due to human feces and trash entering the waterway; and

WHEREAS, between 2020-2023, the waterway near Casentini Street and Main Street 2020-2023, became polluted as a result of trash and human waste being deposited into the waterway. The City cleaned out approximately ten tons of debris from this waterway. During this same time period, multiple fires occurred that were caused by individuals living in encampments along this waterway endangering nearby residential structures. Accumulated flammable debris have heightened fire risks within this area; and

WHEREAS, during the period 2020-2025, the number of unsheltered individuals living in encampments in the Circle Drive and Cesar Chavez Park areas has significantly increased and impacted adjacent residential neighborhoods. Criminal activity including drug trafficking and residential theft has increased as a result, in addition to incidents of indecent exposure and evidence of drug use; and

WHEREAS, numerous shopping carts and camping paraphernalia routinely block the dead end of East San Luis Street as a result of the growing unsheltered population establishing encampments in this area; and

WHEREAS, the number of encampments in the CreekBridge area, from Veterans Parkway at East Laurel Drive to the rear of the Safeway grocery store on Constitution Boulevard has grown substantially. Public defecation and disposal of trash by the unsheltered living in these encampments into the waterway have caused degradation of water quality. Drug sales, drug use,

and human trafficking are common within this encampment area. Residential theft and robberies have risen as a result of the growing encampment area; and

WHEREAS, the roadway underpass at Market Street is a focal point for unsheltered encampments leading to significant public health, safety, and quality of life concerns for nearby residents and commuters. The underpass' location along a major roadway creates an intensified risk for residents of the encampment and for drivers as individuals from the encampment frequently walk into the roadway into traffic, endangering themselves and drivers. Fires started within the encampment cause damage to the roadway underpass threatening the structural integrity of the roadway. The proximity of this encampment to residential neighborhoods has lead to increased theft and vandalism, coupled with an increased insecurity among residents of the neighborhood. The visual blight of encampments adjacent to and within the residential neighborhood diminishes the quality of life for residents of the neighborhood; and

WHEREAS, during the period 2020-2023, the number of encampments within the Chinatown area has increased significantly resulting in an equally significant deterioration of the neighborhood due to increased crime; increased threats to public health from the presence of human waste, trash, rodents and vermin, drugs, and toxic waste. Police operations within this area during this time period and to the present have uncovered extensive drug use and possession (including methamphetamine and fentanyl), possession of dangerous weapons (including knives, guns, and a hand grenade), and signs of gang control (where gangs exploit the unsheltered population by imposing "taxes" and coercing unsheltered into drug trafficking and other criminal activities). Local business are impacted by the presence of encampments by the blockage of sidewalks and entryways, which deter customers and visitors; and

WHEREAS, the waterway on the Rico Street and West Lake Street area has been plagued by encampments leading to significant environmental issues. The waterway, vital for local agricultural and natural systems, has suffered contamination due to widespread drug use and the presence of human waste; and

WHEREAS, activities within Sherwood Park have been negatively affected by the presence of encampments, rendering it unsafe for use by the community. Widespread defecation and urination have created unhealthy conditions within the area set up with tables and benches for park users. Drug paraphernalia is present throughout the park posing a threat to the health, safety, and welfare of park users; and

WHEREAS, the City Council finds and determines that it is necessary to maintain public and private lands, streets, sidewalks, alleys, ways, creeks, waterways, parks, playgrounds, recreation areas, plazas, open spaces, lots, parcels and other public and private areas within the city, in a clean, sanitary and accessible condition and to protect the health, safety and welfare of the community, while recognizing that, subject to reasonable conditions, camping and camping facilities associated with special events can be beneficial to the cultural and educational well-being of the city; and

WHEREAS, private property owners have complained to the City about the scope, size, and number of encampments on their property and the negative health and safety consequences associated with those encampments and have regularly requested the City's assistance in cleaning up those encampments; and

WHEREAS, it is necessary and urgent for the immediate preservation of the public peace, health, and safety of the residents of the city and the public at large to enact an emergency measure to address the negative health and safety consequences associated with overnight encampments, including, but not limited to the health and safety consequences created by the accumulation of human waste, the accumulation of garbage, including used needles used for the administration of drugs intravenously, and the safety of city employees from aggressive behavior and unwanted sexual comments; and

WHEREAS, updates to the Salinas Municipal Code are necessary in order to address issues associated with individuals loitering in and around public spaces and also associated with overnight camping within the city and the establishment of encampments on public property and private property; and

WHEREAS, the potential destruction of, damage to, or interference with, infrastructure that is critical to the provision of public services such as law enforcement, fire prevention, transportation, and utilities, including water and waste disposal is a principal threat to the public health, safety, and welfare. Destruction of, damage to, or interference with, critical infrastructure is caused by fire, contamination, restricting access, or other causes. Destruction of, damage to, or interference with, critical infrastructure is often caused by persons whose activities are not permitted or authorized in, on, or near critical infrastructure;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF SALINAS as follows:

SECTION 1. Article XIII of Chapter 16 of the Salinas Municipal Code is hereby amended as follows:

Article XIII. Storage of Personal Property on City Property

Sec. 16-130.010. Purpose.

The public areas within the city, including streets, sidewalks, parks, public buildings, and public land, should be readily accessible and available to residents and the public at large for use in a safe and healthy manner. The use of these areas for the storage of personal property interferes with the ability of residents and the public at large to use the areas in the healthy and safe manner for the uses intended. Such storage and the attendant negative effects can constitute a public health and safety hazard, which adversely impacts other members of the public and neighborhoods, as well as industrial, agricultural, and commercial areas. Nonetheless, individuals who have no access to private spaces, nonetheless need to retain access to a limited amount of personal property in public areas. A purpose of this article is to strike a balance between the need of residents and the public at large to reasonable, safe access to public spaces and the needs of individuals without access to private spaces to retain access to a limited amount of personal property. It is necessary to maintain public and private lands, streets, sidewalks, alleys, ways, creeks, waterways, parks, playgrounds, recreation areas, plazas, open spaces, lots, parcels and other public infrastructure and public and

private areas within the city, in a safe, clean, sanitary and accessible condition. It is necessary to protect the health, safety and welfare of the community. It is necessary for all humans to sleep and rest, and for those individuals without access to private spaces, to do so in public spaces. Nothing in this article is intended to interfere with otherwise lawful and ordinary uses of public or private property.

Sec. 16-130.020. Definitions.

The definitions contained in this subsection shall govern the construction, meaning, and application of words and phrases used in this article.

- (a) "Administrative procedure" means the city's administrative procedure for the removal of personal property.
- (b) "Bulky item" means any item that is too large to fit into a ninety-gallon container with the lid closed, including, but not limited to, a shed, structure, mattress, couch, chair, other furniture or appliance. A container with a volume of no more than ninety gallons used by an individual to hold his or her personal property shall not in itself be considered a bulky item.
- (c) "City property" means any real or personal property owned or controlled by the city and includes, but is not limited to, any publicly-owned park, building, street, sidewalk, way, path, alley, park, parking lot or other public property owned or controlled by the city and located within the city of Salinas.
- (d) "Critical Infrastructure" means real property or a facility, whether privately or publicly owned, as approved by resolution of the City Council, that the City Manager designates as being so vital and integral to the operation or functioning of the city that its damage, incapacity, disruption, or destruction would have a debilitating impact on the public health, safety, or welfare. Critical infrastructure may include, but is not limited to, government buildings, such as fire stations, police stations, libraries; structures such as antennas, bridges, roads, sidewalks, train tracks, drainage systems, surface channels, outfalls, or stormwater facilities; or systems, such as computer networks, public utilities, electrical wires, natural gas pipes, telecommunications facilities, or water sources.
- (e) "Person" means any individual, group, business, company, corporation, joint venture, partnership or other entity or association composed of two or more individuals.
- (f) "Personal belongings" means items (i) items with an apparent value of \$50 or more; (ii) items of apparent personal value, including, but not limited to: eyeglasses; operational wheelchairs, walkers, crutches, or other medical equipment; habitable tents; personal papers (such as photographs, albums, IDs, bank statements, and legal papers); backpacks; containers; and operational bicycles, scooters, and strollers.
- (g) "Personal property" means any and all tangible property, and includes, but is not limited to, goods, materials, merchandise, tents, tarpaulins, bedding, sleeping bags, hammocks, and personal belongings, as defined in this subsection.
- (h) "Store", "stored", "storing" or "storage" means to put personal property aside or accumulate for use when needed, to put for safekeeping, and/or to place or leave in a public area. Moving personal property to another location in a public area or returning personal property to the same block on a daily or regular basis shall be considered storing and shall not be considered to be removing the personal property from a public area. This definition shall not include any

personal property that, pursuant to statute, ordinance, permit, regulation or other authorization by the city or state, is stored with the permission of the city or state on real property that is owned or controlled by the city.

- (i) "Tent" means any tent, as that term is generally understood, and also includes any tarpaulin, cover, structure or shelter, made of any material which is not open on all sides and which hinders an unobstructed view behind or into the area surrounded by the tarpaulins, cover, structure or shelter.
- (j) "Unattended" means no person is present with the personal property who asserts or claims ownership over the personal property. Unattended personal property is considered to be abandoned. Conversely, property is considered "attended" if a person is present with the personal property and the person claims ownership over the personal property.

Sec. 16-130.030. Regulation, collection and storage, and discarding of stored personal property.

- (a) No person shall store any personal property on city property.
- (b) No person shall store any personal property on critical infrastructure; within 25-feet of critical infrastructure; within 25-feet of a vehicular or pedestrian entrance or exit of critical infrastructure; on those portions of a right-of-way that are required by local, state, or federal law to be free of obstruction to first responders, including but not limited to members of law-enforcement, fire-prevention, or emergency medical services agencies; or within a wildfire risk area (as defined in California Code of Regulations, title 24, part 9, section 202). Any violation of this subsection 16-130.030(b) may be abated immediately by the City without prior notice, if the violation poses an imminent threat to public health or safety. Abatement pursuant to this subsection may include, but is not limited to, removal of camp facilities, camp paraphernalia, personal property, garbage, hazardous waste, junk, or debris; and securing the perimeter of the property with fencing, gates, or barricades to prevent further occurrences of the nuisance activity.
- (c) Except as may otherwise be provided in this Article, with pre-removal notice as specified in Section 16-130.040(a), the city may collect and store any unattended personal belongings that are not a health or safety hazard. Any other personal property will be disposed of and not collected and stored.
 - (1) Items that constitute a health or safety hazard and will not be collected and stored include, but are not limited to, (i) toxic sharps: needles, scissors, knives; (ii) chemicals: bleach, paint, oils, etc.; (iii) items (including bedding and clothing) that appear soiled, including, but not limited to, by human waste, dirt, or bodily fluids; (iv) moldy, mildewed items; (v) items that may be infested by rodents or insects: rats, mice, fleas, lice, or bed bugs; and (vi) items that may pose a risk of fire or explosion, combustibles, and propane tanks or any item containing fuel or corrosives or other unidentified liquids.
 - (2) If personal belongings are co-mingled or littered with needles, human waste, or other health risks, the entire pile of personal belongings may be disposed of.
 - (3) Bulky items, perishable items such as food, and trash or debris will be disposed of and will not be collected and stored.

- (c) No person shall store any personal property on city property in such a manner that it does not allow for passage as required by the Americans with Disabilities Act of 1990, Pub. L. No. 101-336, 104 Stat. 328 (1990), as amended from time to time (ADA). Without prior notice, the city may move and may immediately collect and store any personal belongings that are not a health and safety hazard and may immediately discard any other personal property, whether attended or unattended, stored in a public area in such a manner that it does not allow for passage as required by the ADA. Post-removal notice shall be provided as set forth in Section 16-130.040(b).
- (d) No person shall store any personal property on city property within ten feet of any operational and utilizable entrance, exit, driveway or loading dock. Without prior notice, the city may move and may immediately collect and store any personal property, whether attended or unattended, stored in a public area within ten feet of any operational and utilizable entrance, exit, driveway or loading dock. Post-removal notice shall be provided as set forth in Section 16-130.040(b).
- (e) No person shall store personal property on city property that has a clearly posted closure time at any after the posted closure time. Without prior notice, the city may collect and store personal property, whether attended or unattended, stored on city property that has a clearly posted closure time, provided the personal property is removed and impounded after the posted closure time. Post-removal notice shall be provided as set forth in Section 16-130.040(b).
- (f) No person shall store personal property on city property that has been noticed for a cleanup pursuant to Salinas City Code Section 16-140.080. Without additional notice to that notice required by Section 16-140.080, the city may collect and remove personal property, whether attended or unattended, stored on city property that has been noticed for a cleanup, provided the personal property is collected and stored during the time of the noticed enforcement action or within twenty-four hours following any noticed enforcement action. Post-removal notice shall be provided as set forth in Section 16-130.040(b).
- (g) No person shall store any personal property on public property if the personal property, whether attended or unattended, constitutes an immediate threat to the health or safety of the public. Without prior notice, the city may remove and may discard any personal property stored in a public area if the personal property poses an immediate threat to the health or safety of the public.
- (h) No person shall store any personal property in a public area if the personal property, whether attended or unattended, constitutes an evidence of a crime or contraband. Without prior notice, the city may remove and may discard any personal property that constitutes evidence of a crime or contraband, as permissible by law.
- (i) No person shall store any bulky item on city property. Without prior notice, the city may remove and may discard any bulky item, whether attended or unattended, stored in on city property unless the bulky item is designed to be used as a shelter. For any bulky item that is designed to be used as a shelter, but does not constitute a Tent as defined in Section 16-130.020, with pre-removal notice as specified in Section 16-130.040(a), the city may remove and discard the bulky item, whether attended or unattended. If the bulky item violates another subsection herein, even if it is designed to be used as a shelter, the city may collect and store or discard the bulky item pursuant to that subsection.

Sec. 16-130.040. Enforcement Action; Notices.

- (a) Pre-Removal Notice. Except in exigent circumstances involving an imminent threat to life, safety, health, or infrastructure, the City, or an agent acting on its behalf, shall post a notice to vacate and to remove all personal property. Pre-removal notice shall be deemed provided if a written notice is provided to the person who is storing or claims ownership of the personal property, or is posted conspicuously by the City, or any agent acting on their behalf, on or near the personal property at least forty-eight (48) hours prior to the enforcement action by collection and storage of personal belongings and disposal of personal property.. No enforcement actions shall begin earlier than the date and time on the per-removal notice, If the enforcement operations do not begin within forty-eight (48) hours of the date written on the pre-removal notice, a new pre-removal notice must be posted a minimum of twenty-four (24) hours before enforcement actions may begin. The written notice shall contain the following:
- (1) The location from which the personal property will be removed.
 - (2) The date and time the notice was posted.
 - (3) A statement that the personal belongings have been stored in violation of Salinas City Code Section 16-130.030.
 - (4) A statement that the personal property may be impounded if not removed from public areas within twenty-four hours.
 - (5) A statement that moving personal property to another location in a public area shall not be considered removal of personal property from a public area.
 - (6) The address where the personal belongings that have been collected will be stored, including a telephone number and the internet website of the city through which a person may receive information as to collected and stored personal belongings, as well as information as to voluntary storage location(s).
 - (7) A statement that collected and stored personal belongings may be discarded if not claimed within sixty (60) days after collection and storage.
- (b) Post-Removal Notice. Upon removal of stored personal belongings, written notice shall be conspicuously posted in the area from which the personal belongings were removed. The written
- (2) The date and approximate time the personal belongings were removed.
 - (3) A statement that the personal belongings have been stored in violation of Salinas City Code Section 16-130.030.
 - (4) The address where the personal belongings will be located, including a telephone number and internet website of the city through which a person may receive information as to collected and stored personal belongings.
 - (5) A statement that collected and stored personal belongings may be discarded if not claimed within sixty (60) days after collection and storage.
- (c) Where exigent circumstances requiring less than forty-eight (48) hours' notice the City, or any agent acting on their behalf, shall provide as much notice as reasonably possible under the circumstances and, as reasonably possible following enforcement action, shall post post-removal notice at or near the site of the enforcement operation.

Sec. 16-130.050. Storage, disposal, and repossession of collected and stored property.

- (a) Except as specified herein, the city shall move personal belongings that have been collected and stored to a place of storage.
- (b) Except as specified herein, the city shall store personal belongings that have been collected and stored for sixty (60) days, after which time, if not claimed, it will be discarded. The city shall not be required to undertake any search for, or return, any impounded personal belongings stored for longer than sixty (60) days.
- (c) The city shall maintain a record of the date any impounded personal belongings were discarded.
- (d) The owner of personal belongings that have been collected and stored may repossess the personal belongings prior to their disposal upon submitting satisfactory proof of ownership. A person may establish satisfactory proof of ownership by, among other methods, describing the location from and date when the personal belongings were impounded from a public area, and providing a reasonably specific and detailed description of the personal belongings. Valid, government-issued identification is not required to claim impounded personal belongings.

Sec. 16-130.060. Ban on attachments to public and private property.

- (a) Public Property. No person shall erect any barrier against or lay string or join any wires, ropes, chains or otherwise attach any personal property to any public property, including, but not limited to, a building or portion or protrusion thereof, fence, bus shelter, trash can, mail box, pole, bench, news rack, sign, tree, bush, shrub or plant, without the city's prior written consent.
- (b) Private Property. No person shall erect any barrier against or lay string or join any wires, ropes, chains or otherwise attach any personal property to any private property in such a manner as to create an obstruction on or across any street or area where the public may travel.
- (c) Removal. Without prior notice, the city may remove any barrier, string, wires, ropes, chains or other attachment of personal property, whether attended or unattended, to any public property, or to any private property which creates an obstruction to any street or area where the public may travel.

Sec. 16-130.070. Illegal dumping.

Nothing herein precludes the enforcement of any law prohibiting illegal dumping.

Sec. 16-130.080. Unlawful conduct.

Salinas City Code Section 1-01.08 shall not apply to violations of this section except as follows:

- (a) No person shall willfully resist, delay or obstruct a city employee from moving, removing, impounding or discarding personal property stored on city property in violation of Salinas City Code Section 16-130.030.

- (b) No person shall refuse to take down, fold, deconstruct or otherwise put away any tent erected or configured in violation of Salinas City Code Section 16-140.030, or willfully resist, delay or obstruct a city employee from taking down, folding, deconstructing, putting away, moving, removing, impounding or discarding the tent, including by refusing to vacate or retreat from the tent.
- (c) No person shall refuse to remove any barrier, string, wire, rope, chain or other attachment that violates Salinas City Code Section 16-130.060, or willfully resist, delay or obstruct a city employee from deconstructing, taking down, moving, removing, impounding or discarding the barrier, string, wire, rope, chain or other attachment, including by refusing to vacate or retreat from an obscured area created by the attachment.
- (d) No person shall willfully resist, delay or obstruct a city employee from removing or discarding a bulky item stored in violation of Salinas City Code Section 16-130.030, including by refusing to vacate or retreat from within the bulky item or from an obscured area created by the bulky item.
- (f) A violation of Salinas City Code Section 16-130.070 prohibiting illegal dumping.

SECTION 2. All ordinances and parts of ordinances and all resolutions and parts of resolutions in conflict herewith are hereby repealed as of the effective date of this ordinance.

SECTION 3. Publication. The City Clerk shall cause a summary of this ordinance to be published once in a newspaper published and circulated in Salinas within fifteen (15) days after adoption. (Salinas Charter Section 11.9)

SECTION 4. CEQA Compliance. The City Council’s adoption of this ordinance is not a project subject to environmental review under the California Environmental Quality Act (CEQA Guidelines Section 15061(b)(3) because it would not have a significant effect on the environment. Additionally, the City Council’s adoption of this ordinance is exempt because it does not meet the definition of a “project” under CEQA, pursuant to CEQA Guidelines sections 15060(c)(1) and 15378(a), because it has no potential to result in a direct or reasonably foreseeable physical change in the environment.

SECTION 5. 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 any competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The Salinas City Council hereby declares that it would have passed this ordinance and each and every section, subsection, clause, and phrase thereof not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SECTION 6. Effective Date. This ordinance will take effect thirty (30) days from and after its adoption.

PASSED AND ADOPTED this _____ day of _____, 2026, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Dennis Donohue, Mayor

APPROVED AS TO FORM:

Christopher A. Callihan, City Attorney

ATTEST:

Patricia M. Soratos, City Clerk