

**Town of Erie  
Ordinance No. \_\_-2026**

**An Ordinance of the Town Council of the Town of Erie Adding a  
New Section 6-6-17 to the Erie Municipal Code to Regulate  
Unauthorized Camping in the Town**

**Whereas**, the Town Council finds that it is in the best interest of the public health, safety, and welfare to regulate unauthorized camping in the Town.

**Now Therefore be it Ordained by the Town Council of the Town of Erie, Colorado, as follows:**

**Section 1.** The Noncriminal Violations Table in Section 1-4-6A of the Erie Municipal Code is hereby amended by the addition of the following:

6-6-17	Unauthorized camping
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**Section 2.** Chapter 6 of Title 6 of the Erie Municipal Code is hereby amended by the addition of a new Section 6-6-17, to read as follows:

**6-6-17 – Unauthorized camping.**

A. *Definitions.* For purposes of this Section, the following terms shall have the following meanings:

*Camp* or *camping* means the use of property for the purpose of unauthorized overnight or longer occupancy, or to reside temporarily in a place with shelter and conduct activities of daily living, such as eating, sleeping, making preparations to sleep, or to store personal possessions in such place, which shall include the use of a vehicle for overnight occupancy where overnight occupancy or overnight camping is not permitted, but shall exclude picnicking or temporary residence associated with the performance of governmental services.

*Public property* includes without limitation all property owned, leased, controlled, or maintained by the Town or by any other public entity in the Town, regardless of whether such property is vacant or occupied and actively used for any public purpose.

*Shelter* includes without limitation a tent, tarpaulin, lean-to, sleeping bag, bedroll, blanket, or any form of cover or protection from the elements other than clothing.

B. *Unauthorized camping on public property.* It is unlawful to camp on public property without first having obtained written permission from the Town or the public entity responsible for such public property.

C. *Unauthorized camping on private property.* It is unlawful to camp on private property without first having obtained written permission from the property owner or the property owner's agent; and even with such permission, camping may only occur in such locations where camping is permitted by law.

D. *Enforcement.* No law enforcement officer shall issue a citation, make an arrest, or otherwise enforce this Section unless:

1. The law enforcement officer has issued the person in a camp a written order to move from the camp and take their property with them by the date and time specified in the written order, and a warning that if the person fails to comply the person may be cited or arrested for violation of this Section;

2. Another shelter option is available for the person ordered to move from the camp and the person has been offered placement in the shelter; and

3. The person refuses to go to the offered shelter and the person refuses or fails to move from the camp location by the date and time specified in the written order.

4. Notwithstanding the foregoing, if a law enforcement officer determines that a camp or shelter constitutes an immediate and serious danger to the public health, safety, or welfare, or when a camp or shelter is located in, upon, or adjacent to a municipal storm sewer system or any body of water, and the person maintaining such camp or shelter fails to remove the camp or shelter immediately after being ordered in writing by a law enforcement officer, such person may be issued a citation and the camp or shelter and any associated personal property may be immediately removed.

E. *Proof of written permission.* Failure to provide proof of written permission upon request by a law enforcement officer shall be *prima facie* evidence that permission was not obtained.

F. *Violation and penalty.* It is unlawful to violate any provision of this Section. Violations of this Section shall be subject to the noncriminal penalties set forth in Chapter 4 of Title 1 of this Code shall apply.

**Section 3. Severability.** If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Town Council hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one, or part, or parts be declared unconstitutional or invalid.

**Section 4.** Safety. The Town Council finds that the adoption of this Ordinance is necessary for the protection of the public health, safety and welfare.

**Section 5.** Effective Date. This Ordinance shall take effect 10 days after publication following adoption.

**Introduced, Read, Passed and Ordered Published this \_\_\_\_ day of \_\_\_\_\_, 2026.**

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Andrew J. Moore, Mayor

**Attest:**

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Debbie Stamp, Town Clerk