

Sec. 62-4. - No camping.

(a) *Definitions.*

- (1) *Camp* or *camping* means to pitch or occupy a tent or other temporary shelter for sleeping or other habitation purposes.
- (2) *Camp facilities* means tarpaulins, costs, beds, sleeping bags, boxes or cartons, hammocks, make-shift shelters, cardboard, and portable stoves or other cooking paraphernalia.
- (3) *Motor vehicle* means any self-propelled vehicle not operated upon rails or guideway, but not including any bicycle, motorized scooter, electric personal assistive mobility device, or moped.
- (4) *Public place* means the definition provided in section 1-2 of the Code of Ordinances. For purposes of this section, it also includes a beach within city limits.
- (5) *Safe zone* means a public shelter provided for habitation by the city.

(b) *Prohibited.* No person shall camp in a public place in Key West. Camping may include the use of camp facilities. There [The] mere act of a person sleeping in a public place is not alone sufficient to constitute a violation of this section, unless there is indicia of camping, shelter or any barrier between an individual and the elements used for the purpose of sleeping or establishing a habitat. A written or verbal warning shall be issued for any first time offender of this section provided that compliance is

achieved within a reasonable amount of time. Second or subsequent violations are subject to arrest pursuant to F.S. § 901.15.

(c) *Personal property.* In the event a person is arrested under this section, the arresting officer shall use best efforts to identify and preserve the personal property of the person.

(d) *Penalty.* A violation of this section shall be punishable in accordance with section 1-15 of the Code of Ordinances.

(Ord. No. 04-13, § 1, 6-15-2004; Ord. No. 12-10, § 1, 6-5-2012)

Sec. 1-15. - General penalty.

- (a) Except as provided in subsection (c) hereof, whenever in this Code of Ordinances section 1-15 is referred to as providing a penalty for violation, the violation shall be punishable by a fine of not more than \$500.00 or a term of imprisonment not to exceed 60 days or both a fine and term of imprisonment.
- (b) All such violations may be enforced by notice to appear in the county court as provided by F.S. § 901.28 or for a threat to public health, safety and welfare by arrest as provided in F.S. § 901.15(1), except where prohibited by law.
- (c) Through section 86-11 hereof, a violation of a city zoning or land development regulation is deemed a civil infraction, unless such a specific regulation provides for criminal penalties. The special master of the city, under his or her authority to impose administrative fines and non-criminal penalties, may hear cases of alleged violations of the zoning or land development regulations.

(Code 1986, § 1.13(a); Ord. No. 98-17, § 1, 6-2-1998; Ord. No. 03-07, § 1, 2-19-2003)

**State Law reference—** General penalty, F.S. § 162.22.