

1 prevent the use of public property in a manner that interferes with the rights of
2 others to use the areas for their intended purposes.

3 **§ 9-25-3 DEFINITIONS.**

4 **CAMP.** To occupy an area for the purpose of establishing or maintaining a
5 permanent or temporary place to live, or to occupy an area for 24 hours or
6 more.

7 **CAMP FACILITIES.** Tents, huts and any other temporary structures or
8 shelters.

9 **CAMP PARAPHERNALIA.** Tarpaulins, cots, beds, sleeping bags,
10 hammocks, carts/shopping carts, cooking facilities and similar equipment.

11 **ENCAMPMENT.** An area where an individual or individuals have erected
12 one or more tent or structures or placed personal items on public property for
13 24 hours or more. An area will not be deemed an encampment merely because
14 any individuals are present on public property or because individuals have
15 temporarily placed personal items on public property.

16 **PERSONAL PROPERTY.** An item that is reasonably recognizable as
17 belonging to a person.

18 **§ 9-25-4 UNLAWFUL CAMPING.**

19 Except as otherwise authorized by ordinance or by rules issued by the
20 Department of Parks and Recreation, it shall be unlawful for any person to
21 camp, or maintain an encampment, in any publicly owned area, including any
22 street, sidewalk, right of way, park, or open space. It shall further be unlawful
23 for any person to refuse to remove an encampment from public land after
24 receiving a notice instructing them to remove the encampment, or to set up an
25 encampment after being ordered to remove one from a particular location. A
26 person does not violate this ordinance if the person is merely sitting, sleeping
27 or lying on public property on a temporary basis.

28 **§ 9-25-5 UNLAWFUL STORAGE OF PERSONAL PROPERTY.**

29 It shall be unlawful for any person to maintain personal property, including
30 camp facilities or camp paraphernalia, on public property after that person has
31 received a notice instructing them to remove the items.

32 **§ 9-25-6 PROMULGATION OF RULES.**

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1 The Mayor may promulgate rules necessary for the prevention, abatement
2 and removal of encampments from public property within the City.

3 **§ 9-25-7 PENALTY FOR VIOLATIONS.**

4 Any person who violates § 9-25-4 or 9-25-5 shall be deemed guilty of a petty
5 misdemeanor and, upon conviction thereof, shall be subject to the penalty
6 provisions set forth in § 1-1-99 of this code of ordinances.

7 **SECTION 2. SEVERABILITY CLAUSE.** If any section, paragraph, sentence,
8 clause, word or phrase of this ordinance is for any reason held to be invalid or
9 unenforceable by any court of competent jurisdiction, such decision shall not
10 affect the validity of the remaining provisions of this ordinance. The Council
11 hereby declares that it would have passed this ordinance and each section,
12 paragraph, sentence, clause, word or phrase thereof irrespective of any
13 provision being declared unconstitutional or otherwise invalid.

14 **SECTION 3. COMPILATION.** SECTION 1 of this Ordinance is to be compiled
15 as a new Article 25 in Chapter 9 of the Revised Ordinances of Albuquerque,
16 New Mexico, 1994, Chapter 9, titled “The Public Camping Ordinance.”

17 **SECTION 4. EFFECTIVE DATE.** This ordinance shall take effect five days
18 after publication by title and general summary.

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1 PASSED AND ADOPTED THIS 16th DAY OF December, 2024
2 BY A VOTE OF: 5 FOR 4 AGAINST.

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4 For: Bassan, Champine, Grout, Lewis, Sanchez
5 Against: Baca, Fiebelkorn, Peña, Rogers

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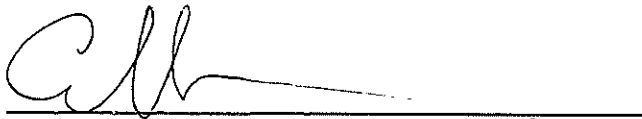
8 _____
9 Dan Lewis, President
10 City Council

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14 APPROVED THIS _____ DAY OF _____, 20____

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18 Bill No. O-24-58

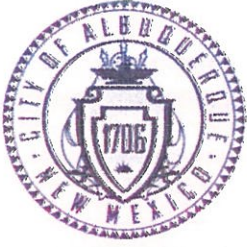
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21 _____
22 Timothy M. Keller, Mayor
23 City of Albuquerque

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26 ATTEST:

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29 Ethan Watson, City Clerk

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City of Albuquerque

Office of the City Clerk

Timothy M. Keller, Mayor

Ethan Watson, City Clerk

Interoffice Memorandum

January 6, 2025

To: CITY COUNCIL

From: Ashley Santistevan, Records Center Manager

Subject: BILL NO. O-24-58; ENACTMENT NO. O-2024-049

I hereby certify that on December 5, 2024, the Office of the City Clerk received Bill No. O-24-58 as signed by the president of the City Council, Dan Lewis. Enactment No. O-2024-049 was passed at the December 16, 2024 City Council meeting. Mayor Keller did not sign the approved Ordinance within the 10 days allowed for his signature and did not exercise his veto power. Pursuant to the Albuquerque City Charter Article XI, Section 3, this Ordinance is in full effect beginning December 26, 2024 without Mayor's approval or signature. This memorandum shall be placed in the permanent file for Bill No. O-24-58.

Sincerely,

Ethan Watson
City Clerk