



## **STAFF REPORT**

**To:** Honorable Mayor and Members of Town Council

**Through:** David L. Corliss, Town Manager

**From:** Mark Marlowe, P.E., Director of Castle Rock Water  
David Van Dellen, P.E., Assistant Director

**Title:** **An Ordinance Amending Chapter 12.12 of the Town of Castle Rock Municipal Code Pertaining to Camping and Waste Within Public Storm Drainage Systems, Stream Riparian Zones and Floodplains, and Providing Penalties for the Violation Thereof** *[Entire Town of Castle Rock]*

---

### **Executive Summary**

This memo is to request Town Council adoption of an ordinance (***Attachment A***) amending Chapter 12.12 of the Town of Castle Rock Municipal Code pertaining to camping and waste within public storm drainage systems, stream riparian zones and floodplains, and providing penalties for the violation thereof. The Town has experienced an influx of unauthorized camping and temporary shelters within these water areas over the past several years resulting in significant safety concerns, including but not limited to, threats of water contamination, potential for flood risk. Public storm drainage systems, riparian zones and floodplains are subject to dangerous conditions with respect to fast moving water, inundation, flooding and storm drainage which can present an immediate threat to the health and safety of anyone camping or sleeping in these areas. Additionally, with the Town becoming more and more dependent on surface water sources for drinking water supply, it is imperative that our waterways remain free of contaminants, such as human excrement, discarded materials and other foreign substances that inherently come with people camping and sleeping within close proximity of floodplains and storm drainage systems. Finally, with the potential for flash flooding and snow melt runoff in the State of Colorado, there is a potential for loss of life and/or significant bodily injury to individuals occupying public storm drainage systems. Peoples' possessions, camping equipment and other items, can block storm drains, pipes and inlets causing additional risk of flooding and damage to public and private property or public infrastructure. This ordinance will allow for the Town to regulate and protect the Town's water sources and the health and safety of residents and visitors.

## **Notification and Outreach Efforts**

The Town of Castle Rock utilizes patrol officers who interact with people experiencing homelessness within our community and help provide them with resources available to them. These officers have conducted outreach to individuals attempting to utilize Town of Castle Rock open spaces for temporary shelter and encampments informing them of the inherent dangers, environmental risks and prohibitions associated with these activities. Currently, the Town has a policy regarding the removal of abandoned camps, however, the current code provisions do not address efforts to protect against contamination of the Town's surface water supplies and safety concerns related to unauthorized access to public storm drainage systems. This ordinance will allow for the Town to incorporate additional tools to streamline the process when encountering unauthorized activities that put individuals at risk for their health and safety, threaten the Town's water resources or have the potential to contribute to flooding and the resulting damage to property and infrastructure. Upon approval and passing of the proposed ordinance, proper signage will be placed in restricted areas, as well as patrol officers notifying individuals of the Town's efforts to regulate protect the surface water supplies.

## **History of Past Town Council, Boards & Commissions, or Other Discussions**

Castle Rock Water staff presented this item to the Castle Rock Water Commission at their meeting held on May 24, 2023, and the Castle Rock Water Commission voted unanimously 7 to 0 to recommend Town Council approval of the Ordinance as presented.

## **Discussion**

The Town is prized for its vast open spaces and preservation of riparian corridors along our streams and waterways. These open spaces are vital to the Town not only for recreation and wildlife refuge, but vital water supplies as well. Over the past several years, the Town has experienced an increase in the level of unauthorized camping along these sensitive areas and within the Town's storm drains which are designed to convey high volumes of runoff during snow and rain events. Unauthorized camping activities may result in refuse accumulation and human waste. There is also a potential for discarding of paraphilia associated illicit drug use. As part of the abandoned campsites policy, the Town has contracted with a remediation company who is qualified to handle hazardous materials and store personal items which have been removed from Town open spaces.

It is important to note that unauthorized camping in public storm drainage systems not only threatens the quality of the Town's water sources, but also poses an extreme threat to the life and safety of the unauthorized campers. Heavy snow melt run off and the amount of rain that may be produced in severe summer storms may result in flooding that may result in drowning. By regulating the unauthorized use of public storm drainage systems, the Town is protecting against the loss of life and/or significant bodily injury.

This ordinance will allow for the Town to better regulate unauthorized camping occurring within and along these sensitive water areas and expeditiously stop such unauthorized uses. This will ensure protection of the public health and safety especially for individuals inappropriately using these areas. It will also help keep items from encampments or camping from damaging or blocking stormwater drainage inlets, pipes and drains leading to flooding and damage of property

and infrastructure. In addition, this ordinance provides the Town the means to levy fines to individuals who disobey the rules and put their own health and safety and that of the Town's citizens at risk.

### **Budget Impact**

The Town of Castle Rock hires out contracting services to remove abandoned temporary shelters and encampments following an extensive notification process deeming the site abandoned, allowing individuals to remove personal property and, the process for claiming person property from storage. The cost of these services over the past year has totaled \$23,500 not including staff time.

### **Staff Recommendation**

Staff recommends approval of Ordinance 2023-xxx amending Chapter 12.12 of the Town of Castle Rock Municipal Code pertaining to camping and waste within public storm drainage systems, stream riparian zones and floodplains, and providing penalties for the violation thereof.

### **Proposed Motion**

*"I move to approve the Ordinance as introduced by title."*

### **Alternative Motions**

*"I move to approve the ordinance as introduced by title, with the following conditions: (list conditions)."*

*"I move to continue this item to the Town Council meeting on \_\_\_\_\_ date to allow additional time to (list information needed)."*

### **Attachments**

Attachment A: Ordinance