

# **An ordinance creating section 111 (Camping Within Public Stream/Public Stream Riparian Zone Prohibited) pertaining to camping within public stream riparian zones, and providing penalties for the violation thereof**

**June 14, 2018**

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**Water Resources Engineering Division and Stormwater  
Enterprise Manager**



# Public Safety



- The City of Colorado Springs has experienced an increase in camping upon property adjacent to waterways within the City limits.
- There exists a significant concern regarding the potential for sudden flooding that threatens the safety and wellbeing of individuals camping within these areas.

# Public Safety



- Fort Collins Flood (1997)
  - 10 – 14.5 inches of rainfall in 30-hour period
  - 54 reported injuries
  - 5 deaths
- Colorado Front Range Flood (2013)
  - Flooding affected 15 counties – Primarily El Paso and Boulder
  - 6 missing
  - 8 deaths
- May 15th two people were trapped on a drop structure in the middle of Sand Creek, resulting in a high water rescue.

# Trash and Debris



- Part 1.a.1.b, of the City's Municipally Separate Storm Sewer System (MS4) Permit requires:
  - “Trash and debris shall be periodically removed from municipally-owned, open-channel drainageways.”

# Trash and Debris



- **2018 Creek Cleanup year-to-date**
  - Number of cleanup events: 33
  - Number of volunteers: 1346
  - Value of Volunteer Hours: \$108,159
  - Pounds/Tons of Litter Removed: 28,820 pounds/14.41 tons
- **2017 Creek Cleanup**
  - Number of Cleanup Events: 82
  - Number of Volunteers: 1,150
  - Hours of Volunteerism: 3,450
  - Value of Volunteer Hours: \$83,283
  - Pounds/Tons of Litter Removed: 36,200 pounds/18.1 tons

# Trash and Debris



- **Creek Week**
  - Number of Volunteers: 2,592
  - Hours of Volunteerism: 5,184
  - Value of Volunteer Hours: \$156,385.00
  - Pounds/Tons of Litter Removed: 59,180 pounds/30 tons
  - Basin-wide
  - Of the 2959 bags of trash, 2068 came from within City limits

# Water Quality



- Additionally, based on observation by City staff and information provided by the United States Geological Survey and the Colorado Department of Health and the Environment's Water Quality Control Commission, there are potential impacts to water quality within the City limits due to these unauthorized encampments.

# Recommendation



- City staff wishes to address the situation with an ordinance making it unlawful for unauthorized persons to camp within a stream, streambank or a stream riparian zone that extends one hundred (100) feet away from the edge of the streambank.



# Similar Policies



- USDA Forest Service - *“National Best Management Practices for Water Quality Management on National Forest System Lands”*
  - **Aquatic Management Zone (AMZ):** An administratively designated zone adjacent to stream channels and other waterbodies. The AMZ is delineated for applying special management controls aimed at maintaining and improving water quality or other water- and riparian-dependent values, including groundwater-dependent ecosystems.
  - The Rocky Mountain Region has named the setback the Water Influence Zone (WIZ)
  - The **minimum horizontal width is one hundred (100) feet.**
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# Similar Policies



- Regulation 41 of the El Paso County Board of Health
- Chapter 8, *On-site Wastewater Treatment Systems (OWTS) Regulations*, most recently amended May 23, 2018, effective July 7, 2018
  - Distance from soil treatment area to on-site well
  - **Greater than or equal to one hundred (100) feet**

# Similar Policies



- Ada County, Idaho
  - Prohibits camping within 200 feet horizontally landward from the ordinary highwater mark of the Boise River (Ada County Code Sec 2-2-9 E, adopted July 21, 2015 & amended February 14, 2017 )
    - Each day camping is a separate offense and is considered a misdemeanor punishable under Idaho Code section 18-113, which makes it subject to a \$1,000 fine or up to 6 months in jail.