

Camping on Public Property: 14-50

A person using public property or right-of-way for living accommodations

Does the person have a tent, lean-to, hut, shack or shelter;  
**OR**  
personal bedding, cardboard or mats?

Yes

At least one of the following **MUST** be present:

- Numerous personal belongings
- Cooking Activities
- Building or Maintaining a fire
- Digging or earth breaking
- Sleeping with no place to live

Yes

Is the subject intoxicated OR are you having trouble identifying them

Yes

Subject may be arrested

No

Do they have three (3) or more prior violations?

Yes

No

Check for shelter space and offer ride

Yes

If no shelter space is available, document and release subject

If shelter is accepted, transport to shelter and document

If shelter is refused, subject may be arrested

Sleeping in or on The Right-of-Way: 14-51

It shall be unlawful in the City Of Tampa for any person to sleep in or on any part of the city right-of-way (defined in Chapter 22-5), which shall include any public sidewalk.

Is the subject sleeping ?  
(Laying down, resting or reclining alone is not enough, i.e. Eyes closed, snoring, unresponsive to verbal communication, etc.)

Yes

Does the subject have legally existing, available accomodation?

Yes

They will not be charged if they agree to travel to their accomodation (transportation by officer is not required).

Subject refuses to travel to their accomodation

When An Arrest Can Be Made:

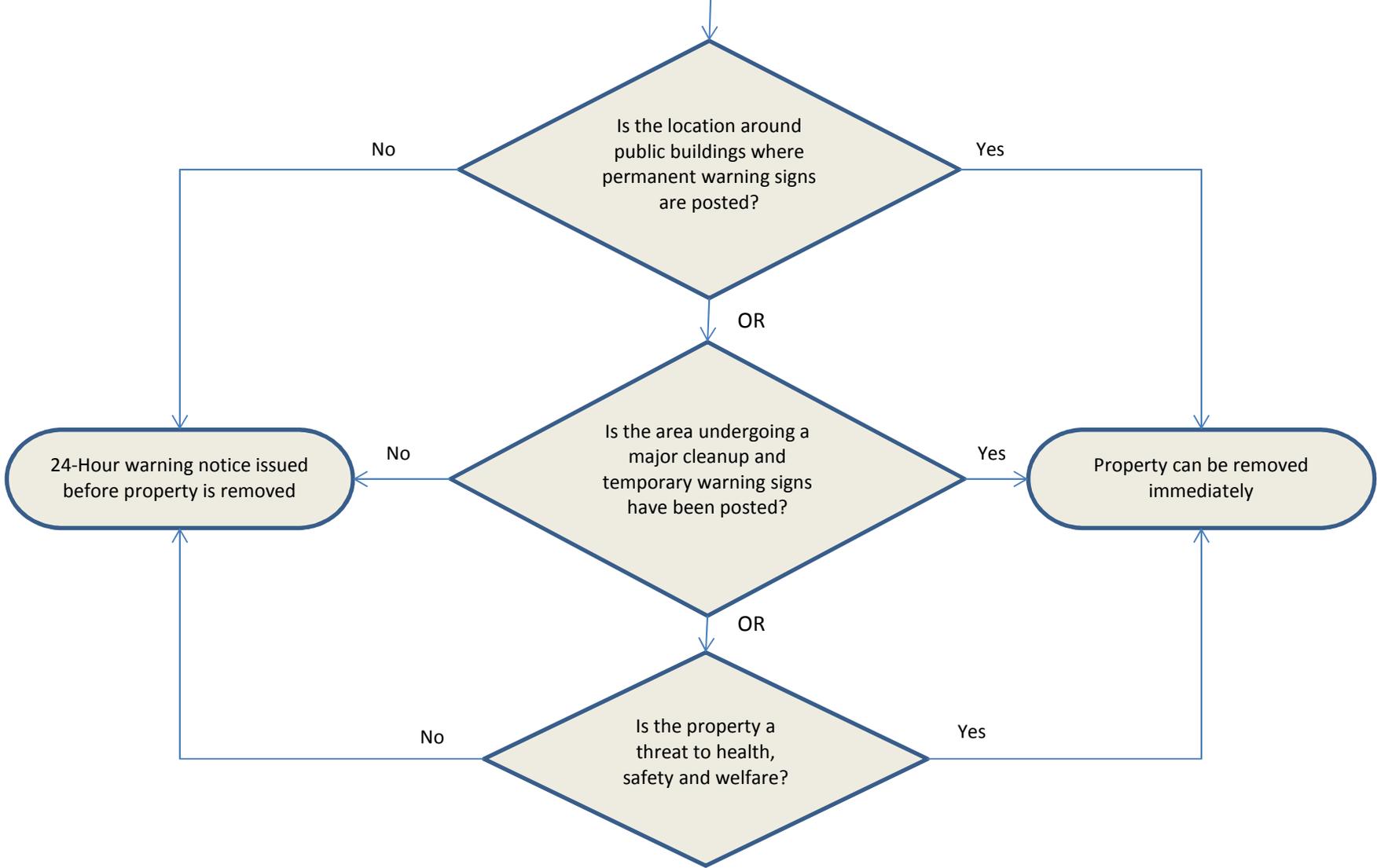
When a violator has accomodation but refuses to travel there  
**OR**  
When a violator does not have accomodation and refuses when shelter bed space is available.

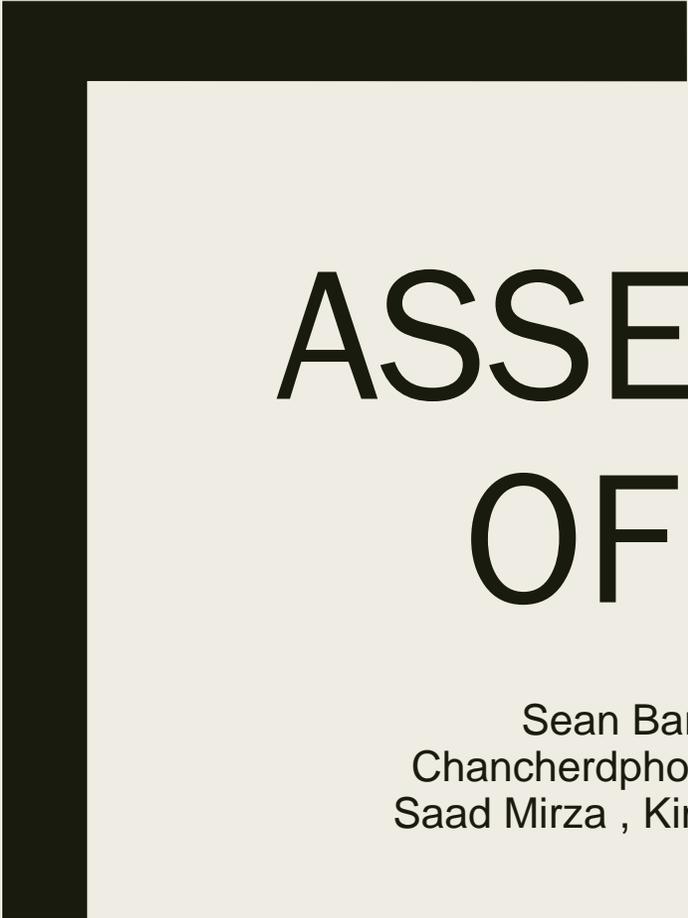
No

Ask them if they want to be transported to a shelter. If they do, verify bed space and transport.

Shelter Bed Space is Refused

Outdoor Storage on Public Property: 14-53  
It shall be illegal for any person in the City of Tampa to store on any public property outside of a legally constructed, fully enclosed shelter.

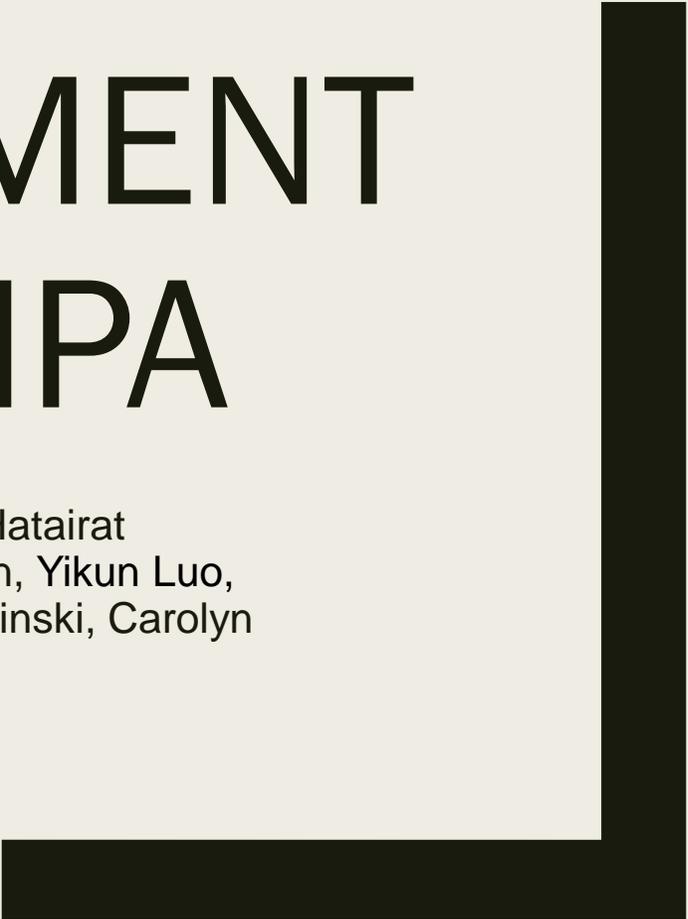




# ASSET ASSESSMENT OF WEST TAMPA

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*URP 6232 - Fall 2016*



# Purpose of the Project

- To understand the perceptions and experiences of those who live and work in the West Tampa community, especially with the redevelopment taking place in the area.
- The West Tampa CDC is interested in how the redevelopment will affect individuals, families and the community.

# Methods

- Urban and Regional Planning graduate course – Fall 2016
- Partner – West Tampa CDC: Michael Randolph, Dr. Fisher
- 4 Focus Groups of Local Stakeholders:
  - Business
  - Seniors
  - Youth
  - Workforce/Unemployed
- 90 minute guided discussions

# Limitations

- Recruitment of participants (convenience)
- Limited participation of community members
  - *Business Stakeholders (6)*
  - *Senior Stakeholders (4)*
  - *Youth Stakeholders (10)*
  - *Workforce/Unemployed Stakeholders (0)*

# Core Questions

## 1. Tell us what you like most about the neighborhoods of West Tampa?

- Location
- Public transportation
- Variety of stores
- Schools
- Parks or recreation areas
- Opportunities for employment
- Other services or things you really like about the WT community

# Core Questions

## 2. How has the West Tampa community changed in the last 5 years?

- How have you benefitted from these changes
- How have the changes affected the quality of life in WT?

## 3. Over the next 5 years...

- Do you think the cost of housing will increase because of these changes?
- Do you think the businesses in the area will remain or leave because of these changes?
- Do you think these changes will make you stay or leave WT?

## 4. If you could send a message to City of Tampa elected officials, what would you tell them to do to maintain or improve the quality of life in the WT community?

# Adjusted Core Questions - Youth

## Over the next 5 years...

- *Do you see the type of community you'd want to live in here?*
- *Do you see the types of appropriate housing for your future?*
- *Do you see the types of career opportunities you'd like to pursue in West Tampa?*
- *Do you think these changes will make your family stay or leave WT?*

## As the WT community continues to redevelop, how might your future be affected?

- *Do you participate in afterschool activities? Which ones?*
- *Are you involved in your community? How?*
- *Do you feel safe in your community?*
- *Do you want to go to college? What type of degree are you interested in ?*

# Results

## Business Stakeholders

### Location

- Close to downtown and TIA
  - Tightknit family neighborhoods
  - No sidewalks, no continuous path of travel for people to get to the businesses.
  - Barbers are losing customers due to loss of North Boulevard Homes
- 

*“Tampa is like rated last in the top fifty metropolitan areas in walkability for pedestrians”*

*“Mass transit needs to be improved greatly so that if we do have new industry come in here they will need the ability to get to work, either a safe path to travel or safe transit.”*

# Results

## Business Stakeholders

### Schools

- Current school education will not get youth well paying jobs
  - Parents need to learn about manufacturing and realize there are jobs in manufacturing in the West Gulf Coast center of Florida
- 
- *“Studies show only 25% of kids in Florida high schools will get a four year degree, but will have \$60-\$80 thousand in student loans which they can’t pay back”.*
  - *“There’s apprenticeship programs out there and incredible grants for them...manufacturers would love to put people in apprenticeship programs”.*

# Results

## Business Stakeholders

### Job opportunities

- After NAFTA schools decided manufacturing went away so they don't need to support it leading to a lack of skilled labor
- Small manufacturers cannot get employees because they've been forced far away from the people.

- 
- *“You go to 3 years of apprenticeship program and you come out of there a class-c certified machinist and with actual certification you're going to be making \$35-40 thousand a year and you have zero on your student loans”.*

# Results

## Business Stakeholders

### Businesses

- Offer business owners grants and some subsidies to help them survive transition
  - Small business is an important part in the community
- 
- *“...businesses that are losing money now don’t have the resources to market to those customers that are coming in, you’re too busy trying to make a dollar”.*
  - *“We're building the housing first and then there is no place to work or get to or walk to. We need to build the businesses first, the retail space, the commercial space, get those infrastructures built first to support the housing”.*

# Results

## Business Stakeholders

### Impact of Changes in the Last 5 years

- Planners closed North Boulevard Homes and relocated people
- Bus 7 has been re-routed
- Traffic congestion and ineffective mass transit
- Some new construction has been built attracting new residents to the area

# Results

## Business Stakeholders

### Future Development

- Keep the West Tampa feeling of community and home after the process of redevelopment

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*“I think as a business owner in the community, you have a really good chance of developing new customers. I think with new development that is coming it needs to be in the same design as West Tampa was originally designed for...it needs to be kept to that West Tampa feel, to where people can get out and walk to their community barber shop or go and play dominos”*

*“I’m concerned that they have 5-8 years in order to get their business going...look at the west and central part, they still aren’t up and running, and you’re tearing something else down to create another kind of atmosphere...That could be 10-15 years down the road, what happens to their income after that”*

# Results

## Business Stakeholders

### Message to Your Elected City Official

- *“...zoning can be an issue. You can’t work and live in the same place, why not? You should be able to do that in West Tampa because that is the way people grew up. They had a storefront and then they lived upstairs, and we need to be able to go back to that”.*
- *“...if you drive on Beach or if you drive on Union Street between Howard and Armenia, you see something you don’t see anyplace else, and that is no trash. The fact is we have a real trash issue. It doesn’t matter what you say or what you do, if there’s trash blown all over the place people are going to form a certain opinion. Trash doesn’t cost a lot to pick up, but there aren’t many containers and there are a lot of issues like that.”*
- *“West Tampa should remain affordable for a home, for businesses, for everything. It’s home. It’s like you got that home feeling”.*
- *“I wish they would have did a little bit more planning for the businesses in the area when they know they are taking a big chunk of their livelihood away. I wish they would’ve incorporated some of that into their plans as it does hurt your business.”*

# Results

## Senior Stakeholders

### Location

- West Tampa Seniors enjoy a central location and a sociable community

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*“As far as the location, it’s perfect because it’s five minutes to downtown, ten minutes to the airport.”*

*“So when we walk around the neighborhood people say high to ya, and talk with you.”*

# Results

## Senior Stakeholders

### Transportation

- Seniors want access to multi-modal transportation options including improved transit and accessible sidewalks with better lighting & traffic calming
- 

*“[West Tampa is] grossly underserved.”*

*“...we need more transportation, mass transit...”*

*“A walkable city [for a] geriatric community...we need the community to work for us.”*

# Results

## Senior Stakeholders

### Stores & Businesses

- Seniors want more variety and higher quality businesses in West Tampa with better parking

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*“...we need eateries, we need service industries, we need the mom and pops...You know book stores, antique shops, stuff like that.”*

*“We also need better quality businesses...[No more] low standard, low quality, high prices.”*

# Results

## Senior Stakeholders

### Parks & Recreation

- West Tampa Seniors treasure MacFarlane Park, historic structures & rooted businesses and would like more of them

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*“We have a gem in MacFarlane Park.”*

*“We do need more [parks].”*

*“Rick’s on the River is ... a major part of this community too.”*

*“Sonny (Sunny Beauty Supply) knows his business.”*

# Results

## Senior Stakeholders

### Employment

- Seniors think people in West Tampa want to work but struggle with barriers

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*“I think transportation is one barrier to employment.”*

*“...a lot of the folks that live here don't have high school diplomas, they don't have the skill sets necessary to get a good job...[or] have criminal records...”*

# Results

## Senior Stakeholders

### Impact of Changes in the Last 5 Years

- Seniors see some progress in West Tampa
- 

*“I’d say there’s less crime.”*

*“And there’s construction, renovation.”*

*“West Tampa has been focused on bricks and mortar, has not been really focused on residents.”*

# Results

## Senior Stakeholders

### Cost of Housing

- Seniors see a change in the makeup of the community

*“Oh it’s [price] going up and whether it’s positive or negative depends on who you are.”*

### Change in Local Businesses

- Seniors believe the changes will encourage business

*“And because were doing all this development crime is going to go down. And that’s going to be another reason why businesses want to come to West Tampa.”*

# Results

## Senior Stakeholders

### Staying or Moving

- Seniors are optimistic about staying in West Tampa

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*“Well I wouldn’t want to live anyplace else.”*

*“I love West Tampa.”*

# Results

## Senior Stakeholders

### Future impact - Safety

- West Tampa safety is increasing, but there is room to improve
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*“Well, you have to know where you are, and what time of day it is.”*

*“Lighting is really important.”*

*“You get a lot of domestic stuff.”*

# Results

## Senior Stakeholders

### Future Impact - Access to Healthcare

- For seniors who have transportation, access to healthcare is abundant. Local options are limited

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*“We do have the West Tampa Family Health Center...we could use more that deal with senior citizens”.*

*“Ten minutes [drive] and you got every specialist you need...”*

# Results

## Senior Stakeholders

### Future Impact - Livability

- Seniors are looking for more services tailored to their needs

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*“For example recreation center they can go to, specialized stores they can go to like pharmacy and things of that nature.”*

# Results

## Senior Stakeholders

### Message to Your Elected City Official

*“I would get to the walkability thing”.*

*“Invest in the people and not the buildings”.*

# Results

## Youth Stakeholders

### Parks

- Several youth spoke about how they like going to the parks, but a lot of other youth don't go anymore

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*“...but now at the parks it's just like younger kids and they feel like it's lame or it's not cool to come around to the parks and just have fun.”*

*“Yeah but like most of them is still respectful and they'll like come around to speak and it's all happening like at the baseball field they'll just come over there just to speak or something. But now it's like nobody really.”*

# Results

## Youth Stakeholders

### Violence

The participants often commented about the violence seen in their community

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*“... it’s tearing away all the relationships but at the same time it’s making everybody else better because if you get rid of the violence and that way you could actually like do better and do better things in the community. But if you still have all the violence still in the community right around the corner from the recreation park where kids hang out everyday and then say somebody crossfires. It happens and one of the kids dies.”*

*“Less violence, more activities.”*

# Results

## Youth Stakeholders

### Desire for More Community Activities

- Several of the youth participants spoke about how they liked community activities and wish there were more activities planned in West Tampa

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*“Like just get out friends to come or like just start having fundraisers.”*

*“What would motivate me is like to get more parks and stuff, information, having field trips and stuff, and like come and rebuild the memories and stuff.”*

*“Before school starts they do like a lip-syncing contest. They give like a \$100 card to support yourself.”*

*“I feel like for some people, not everybody, that’s athletic enough some people can do both but like for me I like art and sports so some people should start like something for art...”*

# Results

## Youth Stakeholders

### Future Goals

- Participants spoke about their goals in life, and how West Tampa doesn't offer resources to obtain those goals

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*“I wanna become a physical therapist. So I don't wanna just be in Tampa I wanna like go places and actually explore and learn from other doctors and stuff...”*

*“Yeah just to visit. I just wanna do better instead of staying in just the hood all your life. Wanna get out, go to college, come back, yeah.”*

# Results

## Youth Stakeholders

### Role Models/ Support Systems

- The participants discussed how important role models are for them, and how a support system is crucial to them while growing up in West Tampa

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*“It’d help to get the kids who actually like changed or turn their life around and was doing the same thing they was doing. Like for me I could say like if I would’ve never changed I’d probably be doing the same thing as them but like it’s just like having somebody your age talk to you and actually guide you and tell you that you don’t have to be doing what you’re doing and actually choose the positive way to go out.”*

*“So we need some positive male role models in the community.”*

*“I think we need more active intellectual leaders here. Like the actual workers, like we have a few workers but there’s like a few during the summer but they don’t actually try, they’re just here to get paid.”*

# Results

## Youth Stakeholders

### Other Youth

- Participants spoke of how there are now less children out and about in the community
- 

*“Like when we were younger probably like 12 and 7 we used to come here all the time they used to have more people like our age like 15 year olds helping out, selling stuff like around the gym area and actually getting active in the community and so but now it’s like nobody our age like come around.”*

# Results

## Youth Stakeholders

### Impact of Development

#### Housing Destruction

- Participants expressed concerns about how the redevelopment is causing the removal of the projects

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*“They’re taking out a lot of the kids our age. Like even if they weren’t over here they’d just be in the projects and stuff.”*

*“No cause some of those were my friends.”*

*“I think they shouldn’t tear down, they should like make progress and rebuild.”*

# Results

## Youth Stakeholders

### Message to Your Elected City Official

- Re-unite the community
- Leaders should come into and engage with the community
- “Help us, don’t look past us”
- “We are the future”
- Want their voice heard

# Results

## Youth Stakeholders

### Miscellaneous - Involvement

- Participants gave recommendations on how to get the community more involved in the development process and how to get them to attend meetings

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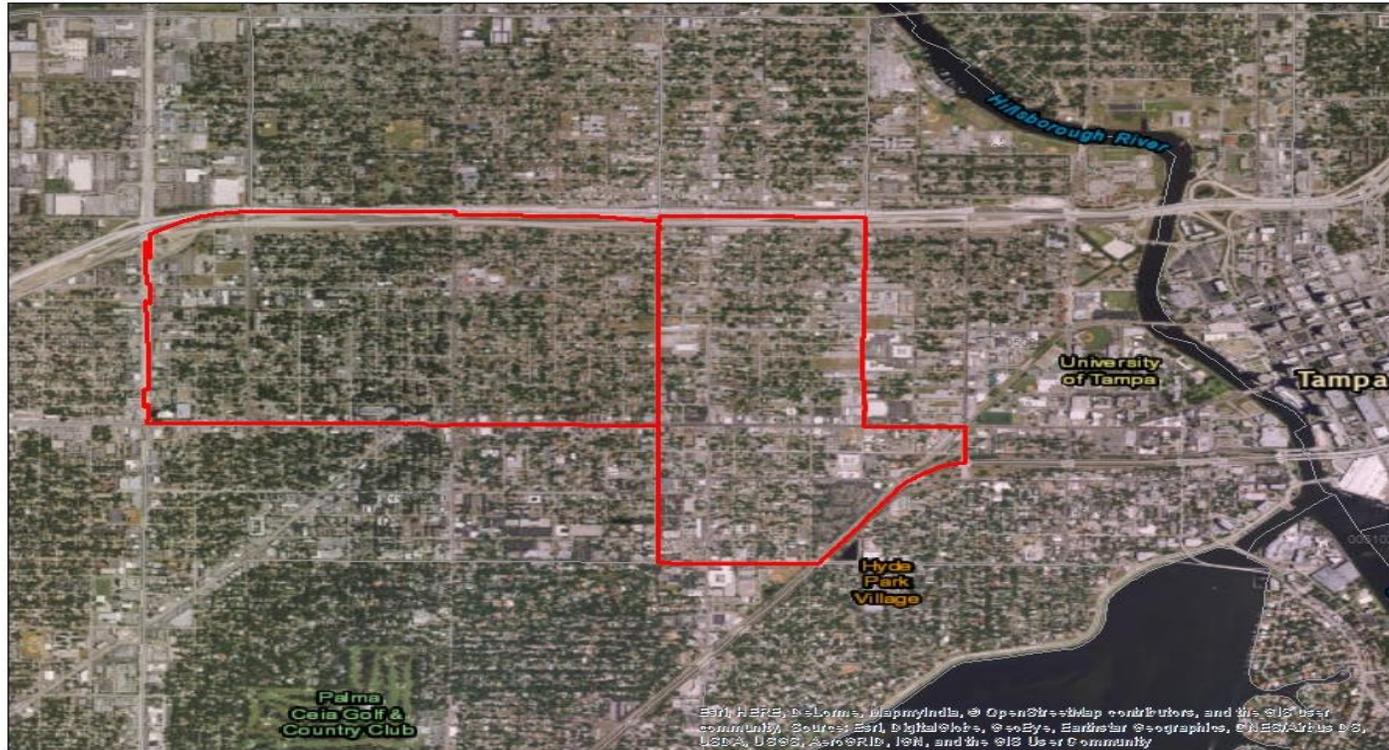
*“I think that we should put out like big signs”*

*“I’m not gonna lie, but if you put a sign that says there’s food up in there a lotta people come.”*

*“You can get a lot of people involved by saying things like free back to school stuff like that, free like winter coats.”*

*“So you’re verbally talking to people, walking up telling people, your friends people you network with.”*

# Thank you



**Sec. 14-46. Solicitation regulation.**

- (a) It shall be unlawful for any person in the City of Tampa to solicit donations or payment, or to exhibit oneself for such purpose, by:
- (1) Any act or language constituting an express or implied threat of injury to any person or of damage to or loss of any property owned by or in lawful possession of the solicited person;
  - (2) Endeavoring to maintain contact with the solicited person and continuing to verbally demand, ask or beg for, or to solicit, donations or payment from any person after the solicited person has made a negative response to an initial demand or solicitation; or
  - (3) Any act intended to impede the passage or free movement of the solicited person. Passage or free movement applies to persons on foot or bicycles, in wheelchairs or operating motor vehicles or persons attempting to enter or exit motor vehicles.
- (b) It shall be unlawful in the City of Tampa for any person to solicit donations or payment when either the solicitor or the person being solicited is located in, on, or at any of the following locations or premises thereof:
- (1) Downtown/Ybor Area Prohibited Zone;
  - (2) Bus, trolley stop, or transit stop;
  - (3) Sidewalk cafe; or
  - (4) Area within fifteen (15) feet (in any direction) of an automatic teller machine or entrance to a financial institution.

This section does not apply to solicitation that only involves holding a sign.

- (c) The following words and phrases, when used in this section, shall have the following meanings:
- (1) *Solicit* means attempts in person to obtain charitable contributions, or attempts to sell any good or service, for the benefit of the solicitor or on behalf of an individual or organization.
  - (2) *"Downtown/Ybor Area Prohibited Zone"* means that land area bounded on the north by West Palm Avenue (to the northern edge of pavement), bounded on the west by North Boulevard (to the western edge of pavement) until North Boulevard crosses the Hillsborough River, then by the Hillsborough River (to the water's edge), bounded on the south by Garrison Channel (to the water's edge), and bounded by the east by Ybor Channel (to the water's edge) as far north as E. Harbor Street (the northern edge of pavement) then west until the eastern edge of pavement of N. 14<sup>th</sup> Street, then north until the southern edge of pavement of Adamo Dr., then east until the eastern edge of 26<sup>th</sup> Street bounded on the east by 26<sup>th</sup> Street (to the eastern edge of pavement) (see graphic map attached as Exhibit "A.") [A copy of Exhibit A can be found in the city offices.]
- (d) This section shall not apply to persons operating under franchises, concessions, or pursuant to temporary license agreements or concessions for special events, or business operations conducted entirely within an enclosed building or in a permanent structure for which a building permit is required, or operating on private property.
- (e) Violations of this section shall be punishable as provided in Tampa Code [section 1-6](#)

(Ord. No. 2013-95, § 1, 7-18-13)

*Editor's note—*

Ord. No. 2013-95, § 1, adopted July 18, 2013, amended section 14-46 in its entirety to read as herein set out. Former § 14-46, pertained to threatening, intimidating or harassing behavior for purposes of solicitation, and derived from Ord. No. 93-110, § 1, 8-5-93.

### **Sec. 14-50. Camping prohibited; exemptions.**

- (a) It shall be unlawful in the City of Tampa to engage in camping on all public property including rights-of-way, except as may be specifically authorized by the appropriate governmental authority.
- (b) The following words and phrases, when used in this section, shall have the following meanings:
  - (1) *Camping* means using property for living accommodation purposes by the erection, use or occupation of any tent, hut, lean-to, shack or temporary shelter for sleeping purposes or the laying down of bedding, such as a mat, blanket, sleeping bag or similar material for the purpose of sleeping.
  - (2) *Officer* means sworn law enforcement officer.
- (c) Being in a tent, hut, lean-to, shack or in a temporary shelter or being asleep atop or covered by materials in a public place may be evidence of camping, but is not alone sufficient to constitute a violation of this section. One (1) or more of the following shall also exist to determine whether the camping was for living accommodation purposes:
  - (1) Numerous items of personal belongings are present;
  - (2) The person is engaged in cooking activities;
  - (3) The person has built or is maintaining a fire;
  - (4) The person has engaged in digging or earth breaking activities;
  - (5) The person is asleep and he or she has no other permanent place to live.
- (d) Except as provided for in subsection (e), whenever an officer has probable cause to believe that a violation of this section has occurred, he or she shall advise the person of the violation and afford the person an opportunity to be transported by an officer to a public shelter. The officer shall advise the person that all of his or her personal property which is not taken to the public shelter, except that which is of no apparent utility or which is in an unsanitary condition, shall be inventoried and stored by the city police department for a maximum of sixty (60) days, until reclaimed. If the person elects to be transported to a public shelter, the officer shall make available such transportation as may be available for such purpose and the person making such election shall not be charged with a violation of this section. If the person refuses to be transported to a public shelter, then such person may be charged with a violation of this section.
- (e) Subsection (d) shall not apply to any person who cannot be properly identified, or is intoxicated by alcohol or drugs or who, within the past year, was previously charged with a violation of this section three (3) times or who elected to be transported to a public shelter three (3) times. For purposes of this subsection, proper identification shall include, but not be limited to, a driver's license, a government or employment identity card with photograph or other form of identification, which would satisfy a reasonable law enforcement officer as to the identity of the person.
- (f) Any personal property that was inventoried and stored by the city police department for a person transported to a shelter under the provisions of this section which has not been reclaimed within sixty (60) days of the date the personal property was inventoried and stored shall be deemed abandoned and disposed of according to F.S. ch. 705.

- (g) Violations of this section shall be punishable as provided in Tampa Code [section 1-6](#)  
(Ord. No. 2013-96, § 1, 7-18-2013)

#### **Sec. 14-51. Sleeping in or on the rights-of-way.**

- (a) It shall be unlawful in the City of Tampa for any person to sleep in or on any part of the city right-of-way, which shall include any public sidewalk.
- (b) The following words and phrases, when used in this section, shall have the following meanings:
- (1) *Right-of-way* means as defined in [chapter 22](#) of the City of Tampa Code.
  - (2) *Officer* means sworn law enforcement officer.
- (c) A sworn law enforcement officer observing a violation of subsection (a) of this section shall inquire of any person violating this section if the person has a legally existing available accommodation, which can include shelter space, either owned or available for use by the individual.
- (1) If the person has such available accommodation and agrees to travel, begins to travel immediately, and continues to travel until reaching such accommodation, the person shall not be charged with a violation of this section.
  - (2) If the person does not have available accommodations or refuses to travel, and shelter space is available at a shelter within the city or within three (3) miles of the borders of the city and such shelter space is known to be available by a sworn law enforcement officer observing a violation of subsection (a), the officer shall advise the person of the violation and may afford the person the opportunity to be transported to the shelter with any personal items requested to be removed by the individual, provided the shelter will accept the person. The person shall not be charged with a violation of this section if the person agrees to be transported to the shelter. If the shelter space is outside the borders of the city, public or other transportation shall be made available to the individual at the shelter space so that the individual can travel to locations within the city which are necessary to the individual.
- (d) If the officer is not aware of available shelter space within the city or within three (3) miles of the borders of the city or if the officer does not provide the opportunity for transportation to the shelter, the person shall not be charged with a violation of this section.
- (e) It shall not be a violation of this section for a passenger to be asleep while in the right-of-way if he or she is legally being transported by another in the part of the right-of-way intended for transport.
- (f) Violations of this section shall be punishable as provided in Tampa Code [section 1-6](#)  
(Ord. No. 2013-96, § 2, 7-18-2013)

#### **Sec. 14-52. Prohibition on public urination or defecation.**

- (a) It shall be unlawful for any person in the City of Tampa to urinate or defecate in or on any public place unless such urination or defecation:
- (1) Is made into receptacle that has been provided for that purpose;
  - (2) That receptacle stores or disposes of the wastes in a sanitary manner; and
  - (3) That receptacle is enclosed from the view of the general public.
- (b) It shall be unlawful for any person to dump, throw, discard, place, deposit, spill, leak or otherwise dispose of urine or feces in or on any public place in the City of Tampa unless such disposal:

- (1) Is made into a receptacle that has been provided for that purpose;
  - (2) That receptacle stores or disposes of the wastes in a sanitary manner; and
  - (3) That receptacle is enclosed from the view of the general public.
- (c) This section shall not apply to children under six (6) years old, or to persons with impairments who lack the physical or mental ability to control their bodily functions; except that such a person's parent, guardian, or custodian shall be responsible for the immediate cleanup and sanitary disposal of any waste expelled by the child or person with impairment. Failure of the parent, guardian, or custodian of the child or person with impairment to immediately cleanup and dispose of any waste in a sanitary manner shall constitute a violation of this section.
- (d) For purposes of this section, a person with impairment does not include intoxicated individuals or individuals who are impaired due to the taking of illegal substances or substances not legally prescribed to them.
- (e) Violations of this section shall be punishable as provided in Tampa Code [section 1-6](#)  
(Ord. No. 2013-96, § 3, 7-18-2013)

### **Sec. 14-53. Outdoor storage on public property.**

- (a) Purpose and findings.
- (1) The city has a compelling interest in promoting the health and safety of citizens and visitors by regulating potentially hazardous conditions on private and public property including public rights-of-way.
  - (2) Personal property stored on public property, including public rights-of-way may pose a health, safety, or security threat to pedestrians.
  - (3) Unattended, abandoned, or disabled refrigerators and freezers pose a grave danger to the lives of children and warrant immediate removal.
  - (4) The city has an interest in ensuring that pedestrians have unobstructed access to public rights-of-way.
  - (5) The city has a compelling interest in complying with requirements of the Americans with Disabilities Act which include minimum unobstructed sidewalk access for those with disabilities.
  - (6) The city is willing to assist, on a limited basis, in providing storage facilities to those who do not have a location to store personal property.
- (b) It shall be unlawful for any person in the City of Tampa to store on any public property outside of a legally constructed fully enclosed structure:
- (1) Any materials, equipment, furnishings, furniture, appliances, construction materials or any items which are not designed to be used outdoors; or
  - (2) Any item of personal property including clothing or bedding.
- (c) Removal required on public property.
- (1) If an individual fails to remove any item, as described in subsection (b) of this section, which is unlawfully stored on public property within twenty-four (24) hours after having been served with written notice, as described in subsection (d) of this section, which requires such removal, the city may cause the removal of such unlawfully stored items.
  - (2) In the event a code enforcement officer or sworn law enforcement officer determines the unlawfully stored items located on public property are a threat to the health, safety, or welfare of the public, a code enforcement officer or sworn law enforcement

officer may immediately remove such unlawfully stored items. A threat to the health, safety, or welfare of the public shall include, but not be limited to, a fire hazard, an explosive hazard, noxious odors, or an infestation of vermin, including rodents, lice, roaches and fleas, to which the public would be exposed due to the unlawful storage. If items are removed without prior notice, a written notice shall be posted at the location which identifies the location to which the items have been removed.

- (3) Moving the unlawfully stored items to another location on public property shall not be considered to be removing the item from public property.
  - (4) If an item, as described in subsection (b) of this section, is unlawfully stored on public property which public property is posted with a sign stating that unattended items may be removed immediately, then no additional notice shall be required and the item may be removed immediately. Such signs may only be placed in the right-of-way under the following conditions:
    - a. In the interest of security and safety, temporary signs warning of immediate removal of items from public property may be posted in public rights-of-way at least thirty-six (36) hours in advance of special events as described in [chapter 28](#) of this Code, including, but not limited to, parades and festivals which are likely to draw large crowds to the city.
    - b. In the interest of security and safety, permanent signs warning of the immediate removal of items from public property may be posted in public rights-of-way around public buildings which are likely targets for the placement of explosive devices by terrorists or dissidents.
    - c. In the event the city determines the need for an area-wide clean-up, the city may post notice of the clean-up in the area to be cleaned at least thirty-six (36) hours in advance of the cleaning. Any items left when the clean-up commences may be immediately removed and stored according to the procedures set forth in this section.
  - (5) The city may dispose of the items thirty (30) days after removal from the public property or after seven (7) days if the items are deemed to be a threat to the health, safety, or welfare of the public pursuant to this subsection. If the owner of the items wishes to retrieve the items, adequate proof of ownership and payment to the city of reasonable charges for storage and removal of the items are required. If the owner demonstrates he or she does not have the ability to pay the reasonable charges, such charges will not be required to retrieve the items. The removal and disposal of such items may be accomplished either by a code enforcement officer or sworn law enforcement officer or by private contract.
- (d) Notice.
- (1) The written notice required by this section shall be deemed to have been served if:
    - a. A copy is personally delivered to the party to be notified;
    - b. A copy is left at the party's usual place of abode with some person of the family above fifteen (15) years of age and informing such person of the contents thereof;
    - c. A copy is mailed by either registered or certified United States mail with return receipt requested;
    - d. If the name of such party or the place of residence or post office address cannot be ascertained after diligent search and inquiry or in the event a notice sent by either registered or certified mail shall be returned undelivered, a copy

of such notice is posted in a conspicuous place on the property upon which the items described in this section are or were located;

- e. A copy is attached to the item, if the item is located on public property; or
  - f. A copy is personally delivered to the person with custody of the items stored on public property which items may belong to someone else, and a copy is attached to the item.
- (2) The notice required by this section shall contain the following:
- a. A complete description of the item to be removed (such description may refer to an attached photograph);
  - b. The location of the property;
  - c. The section of the Code in violation;
  - d. The location to which the item will be removed;
  - e. The date and time by which the item must be removed from the private or public property; and
  - f. The date by which the item must be claimed from the location where they are being stored.
- (e) Definitions. For the purposes of this section:
- Occupant* means any person in apparent control or possession of the property upon which an item is located.

*Officer* means sworn law enforcement officer.

*Public property* includes, but is not limited to, public rights-of-way.

*Reasonable charges* means actual costs and that the city shall take into consideration the owner's ability to pay the charges.

*Store* or stored, when referring to an item on public or private property, shall be broadly interpreted to include any action to place, store, park, display, locate, or set an item upon the property.

- (f) Violations of this section shall be punishable as provided in Tampa Code [section 1-6](#). Before enforcement, whenever a sworn law enforcement officer has probable cause to believe that a violation of this section has occurred, he or she shall advise the person of the violation and afford the person an opportunity remove the items from public property, as well as advise the person of an alternative location, within the City of Tampa, for storage of the property. If the person elects to remove the items from public property, the person making such election shall not be charged with a violation of this section. If the person refuses to remove the items from public property, then such person may be charged with a violation of this section.
- (g) Abandoned and lost property is regulated and may be removed pursuant to F.S. § 705.101 et seq.

(Ord. No. 2013-96, § 4, 7-18-2013)