

ORDINANCE NO. 2017-04

AN ORDINANCE RELATING TO CAMPING ON PUBLIC PROPERTY AND STORAGE OF PERSONAL PROPERTY ON PUBLIC PROPERTY AND ADDING SECTION 9.18 TO THE WALLA WALLA MUNICIPAL MUNICIPAL CODE

WHEREAS, camping on public property, such as sidewalks, streets, alleys and planting strips is a public health and safety concern due to vehicle and bike traffic; and

WHEREAS, camping without adequate sanitation services, such as sewer, water and garbage presents a public health and safety concern due by increasing the spread of disease and potential for citizens to contract illnesses; and

WHEREAS, public property should be available to all the public and the placement of camping gear, tents, sleeping bags or other personal property does not allow for public use of public property; and

WHEREAS, camping should only occur in designated campgrounds with proper facilities; and

WHEREAS, the City Council finds that the regulatory requirements established by this ordinance are necessary for the preservation of the public peace, health and safety; and

WHEREAS, the Walla Walla City Council has considered this matter during a regularly and duly called public meeting of said Council, has given careful review and consideration to the matter, and finds that the best interests of the City of Walla Walla and good government of the City of Walla Walla will be served by passage of this ordinance; and

NOW THEREFORE, the City Council of the City of Walla Walla do ordain as follows:

Section 1: The Walla Walla City Council finds that the following described problems have been experienced in the City:

- A. Establishment of campsites in areas that are unsafe for campers and interfere with other uses;
- B. Garbage, junk, litter and debris left at abandoned campsites that must be cleaned up by City workers and/or property owners;
- C. Syringes, drug paraphernalia, weapons, and other dangerous materials left by some campers that endanger public health and safety of persons who encounter it;
- D. Property damage caused by some campers;
- E. Threatening and abusive behavior by some campers that endangers persons and property in their vicinity;
- F. Obstruction of public property, sidewalks, and other rights of way by camping facilities, paraphernalia, and storage of property.
- G. Interference with ingress and egress to businesses and other private property by campers, camping facilities, paraphernalia, and storage of property;
- H. Theft and possession of stolen property by some campers;

- I. Urination, defecation, and human waste left at some campsites and in near proximity to them that endangers public health and safety of persons who encounter it;
- J. Some campers rummaging through garbage receptacles and leaving garbage, junk, litter and debris in the areas surrounding the receptacles that must be cleaned up by City workers and/or property owners;
- K. Interference with customers of businesses in the vicinity of campsites, and damage to business opportunities;
- L. Visual blight and odor emanating from some campsites;
- M. Interference with electrical and other public facilities by some campers;
- N. Indecent and unwholesome conduct by some campers;
- O. Breaking and entering of businesses and other buildings in the vicinity of some campsites;
- P. Open flames and fires at some campsites that endanger nearby persons and property; and
- Q. Damage to downtown revitalization and tourism development.

Section 2: Chapter 9.18: Unlawful Camping and Storage of Personal Property, is hereby added to the Walla Walla Municipal Code as follows to address the problems identified in section 1:

Chapter 9.18 Unlawful Camping and Storage of Personal Property

Sections:

- 9.18.010 Definitions
- 9.18.020 Unlawful camping
- 9.18.030 Storage of personal property in public places
- 9.18.040 Erecting camping facilities or camping paraphernalia on public property
- 9.18.050 Camping in parks prohibited
- 9.18.060 Camping on public property prohibited
- 9.18.070 Parked recreational vehicles
- 9.18.100 Penalty for violations

9.18.010 Definitions

- A. "Camping" or "camp" means to pitch or occupy camp facilities, and/or to use camping paraphernalia.
- B. "Camping facilities" includes, but is not limited to, tents, huts, or temporary shelters made of any material.
- C. "Camping paraphernalia" includes, but is not limited to, tarpaulins, cots, beds, sleeping bags, hammocks, and/or outdoor cooking facilities such as camp stoves.
- D. "City" means the City of Walla Walla.
- E. "Planting strip" means the area between a sidewalk or trail and a street.
- F. "Public property" means all property owned, operated, or controlled by the City.
- G. "Recreational vehicle" means a travel trailer, motor home, truck camper, or camping trailer that is primarily designed and used as temporary living quarters, is either self-propelled or mounted on or drawn by another vehicle, and is transient.

H. “Store” means to put aside or accumulate for use when needed, to put for safekeeping, to place or leave in a location unattended.

I. “Street” means any highway, lane, road, street, right-of-way, boulevard, alley and every way or place in the city open to the public for vehicular travel.

J. “Trail” means any pathway or trail in the city, owned, operated or maintained by the city, that is open to the public for walking, biking or other non-vehicular travel.

9.18.020 Unlawful camping.

A. It shall be unlawful for any person to camp, occupy camp facilities, or use camp paraphernalia in the following areas:

1. Any street or sidewalk;
2. Any parking lot or other public property, improved or unimproved;
3. Any planting strip, street median, parkway, trail, or other public right-of-way; or
4. Any park.

B. The provisions of this section do not apply to camping areas designated in accordance with section 9.18.050 or section 9.18.060 of this chapter.

9.18.030 Storage of personal property in public places.

A. It shall be unlawful for any person to store personal property, including, but not limited to, camp facilities and camp paraphernalia, in the following areas:

1. Any street or sidewalk;
2. Any parking lot or other public property, improved or unimproved;
3. Any planting strip, street median, parkway, trail, or other public right-of-way; or
4. Any park.

B. The provisions of this section do not apply to camping areas designated in accordance with section 9.18.050 or section 9.18.060 of this chapter.

9.18.040 Erecting camping facilities or camping paraphernalia on public property.

A. It shall be unlawful to erect, install, place, leave, or set up any type of permanent or temporary camping paraphernalia or camping facilities or structure of any material(s) intended for camping, in or upon public property without a permit or other authorization from the city.

B. In addition to other remedies provided by law, including, but not limited to the penalty provision of this chapter, such an obstruction is hereby declared to be a public nuisance. The city may abate any such nuisance as provided in chapter 8.05 of the Walla Walla Municipal Code.

C. The provisions of this section do not apply to camping areas designated in accordance with section 9.18.050 or section 9.18.060 of this chapter.

9.18.050 Camping in parks prohibited. Camping in public parks is prohibited except in areas expressly designated by the City Manager as camping areas and during times designated by the City Manager. The City Manager is authorized to promulgate rules and regulations regarding the use of designated camping areas.

9.18.060 Camping on public property prohibited. Camping on public property is prohibited except in areas expressly designated by the City Manager as camping areas and during times designated by the City Manager. The City Manager is authorized to promulgate rules and regulations regarding the use of designated camping areas.

9.18.070 Parked recreational vehicles.

A. All recreational vehicles parked on city streets shall abide by the parking rules and regulations of the city, including, but not limited to, chapter 10.13 of the Walla Walla Municipal Code.

B. Recreational vehicles shall not be used for residential purposes in any parking lot or other public property, improved or unimproved, except as provided in subsection C herein.

C. The City Manager is authorized to designate areas on public property where recreational vehicles may be used for temporary residential purposes; provided that such areas have adequate facilities to accommodate such vehicles. The City Manager is authorized to promulgate rules and regulations regarding the use of areas designated for temporary residential use by recreational vehicles.

D. In addition to other remedies provided by law, including, but not limited to the penalty provision of this chapter, use of a recreational vehicle in violation of this section is hereby declared to be a public nuisance. The city may abate any such nuisance as provided in chapter 8.05 of the Walla Walla Municipal Code.

9.18.100 Penalty. Any person violating any of the provisions of this chapter shall, upon conviction of such violation, be found guilty of a misdemeanor punishable in accordance with chapter 1.24 of the Walla Walla Municipal Code.

Section 3: Severability. If any section, sentence, clause or phrase of this ordinance should be held to be unconstitutional, unlawful or invalid by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

PASSED by the City Council of the City of Walla Walla, Washington, this 22nd day of February, 2017.

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney

SUMMARY OF ORDINANCE 2017-04

AN ORDINANCE RELATING TO CAMPING ON PUBLIC PROPERTY AND STORAGE OF PERSONAL PROPERTY ON PUBLIC PROPERTY AND ADDING SECTION 9.18 TO THE WALLA WALLA MUNICIPAL MUNICIPAL CODE

The Walla Walla City Council passed Municipal Ordinance 2017-04 at its February 22, 2017 regular meeting which provides in summary adds chapter 9.18 to the Walla Walla Municipal Code as follows:

Chapter 9.18 Unlawful Camping and Storage of Personal Property

Sections:

- 9.18.010 Definitions
- 9.18.020 Unlawful camping
- 9.18.030 Storage of personal property in public places
- 9.18.040 Erecting camping facilities or camping paraphernalia on public property
- 9.18.050 Camping in parks prohibited
- 9.18.060 Camping on public property prohibited
- 9.18.070 Parked recreational vehicles
- 9.18.100 Penalty for violations

9.18.010 Definitions

- A. "Camping" or "camp" means to pitch or occupy camp facilities, and/or to use camping paraphernalia.
- B. "Camping facilities" includes, but is not limited to, tents, huts, or temporary shelters made of any material.
- C. "Camping paraphernalia" includes, but is not limited to, tarpaulins, cots, beds, sleeping bags, hammocks, and/or outdoor cooking facilities such as camp stoves.
- D. "City" means the City of Walla Walla.
- E. "Planting strip" means the area between a sidewalk or trail and a street.
- F. "Public property" means all property owned, operated, or controlled by the City.
- G. "Recreational vehicle" means a travel trailer, motor home, truck camper, or camping trailer that is primarily designed and used as temporary living quarters, is either self-propelled or mounted on or drawn by another vehicle, and is transient.
- H. "Store" means to put aside or accumulate for use when needed, to put for safekeeping, to place or leave in a location unattended.
- I. "Street" means any highway, lane, road, street, right-of-way, boulevard, alley and every way or place in the city open open to the public for vehicular travel.
- J. "Trail" means any pathway or trail in the city, owned, operated or maintained by the city, that is open to the public for walking, biking or other non-vehicular travel.

9.18.020 Unlawful camping.

- A. It shall be unlawful for any person to camp, occupy camp facilities, or use camp paraphernalia in the following areas:
 - 1. Any street or sidewalk;

2. Any parking lot or other public property, improved or unimproved;
 3. Any planting strip, street median, parkway, trail, or other public right-of-way; or
 4. Any park.
- B. The provisions of this section do not apply to camping areas designated in accordance with section 9.18.050 or section 9.18.060 of this chapter.

9.18.030 Storage of personal property in public places.

- A. It shall be unlawful for any person to store personal property, including, but not limited to, camp facilities and camp paraphernalia, in the following areas:
1. Any street or sidewalk;
 2. Any parking lot or other public property, improved or unimproved;
 3. Any planting strip, street median, parkway, trail, or other public right-of-way; or
 4. Any park.
- B. The provisions of this section do not apply to camping areas designated in accordance with section 9.18.050 or section 9.18.060 of this chapter.

9.18.040 Erecting camping facilities or camping paraphernalia on public property.

- A. It shall be unlawful to erect, install, place, leave, or set up any type of permanent or temporary camping paraphernalia or camping facilities or structure of any material(s) intended for camping, in or upon public property without a permit or other authorization from the city.
- B. In addition to other remedies provided by law, including, but not limited to the penalty provision of this chapter, such an obstruction is hereby declared to be a public nuisance. The city may abate any such nuisance as provided in chapter 8.05 of the Walla Walla Municipal Code.
- C. The provisions of this section do not apply to camping areas designated in accordance with section 9.18.050 or section 9.18.060 of this chapter.

9.18.050 Camping in parks prohibited. Camping in public parks is prohibited except in areas expressly designated by the City Manager as camping areas and during times designated by the City Manager. The City Manager is authorized to promulgate rules and regulations regarding the use of designated camping areas.

9.18.060 Camping on public property prohibited. Camping on public property is prohibited except in areas expressly designated by the City Manager as camping areas and during times designated by the City Manager. The City Manager is authorized to promulgate rules and regulations regarding the use of designated camping areas.

9.18.070 Parked recreational vehicles.

- A. All recreational vehicles parked on city streets shall abide by the parking rules and regulations of the city, including, but not limited to, chapter 10.13 of the Walla Walla Municipal Code.

B. Recreational vehicles shall not be used for residential purposes in any parking lot or other public property, improved or unimproved, except as provided in subsection C herein.

C. The City Manager is authorized to designate areas on public property where recreational vehicles may be used for temporary residential purposes; provided that such areas have adequate facilities to accommodate such vehicles. The City Manager is authorized to promulgate rules and regulations regarding the use of areas designated for temporary residential use by recreational vehicles.

D. In addition to other remedies provided by law, including, but not limited to the penalty provision of this chapter, use of a recreational vehicle in violation of this section is hereby declared to be a public nuisance. The city may abate any such nuisance as provided in chapter 8.05 of the Walla Walla Municipal Code.

9.18.100 Penalty. Any person violating any of the provisions of this chapter shall, upon conviction of such violation, be found guilty of a misdemeanor punishable in accordance with chapter 1.24 of the Walla Walla Municipal Code.

The full text of Municipal Ordinance 2017-04 will be mailed upon request made to the Walla Walla City Clerk at Walla Walla City Hall, 15 N. Third Ave., Walla Walla, WA 99362.

Summary approved as to form

City Attorney