

Chapter 9.66

CAMPING IN PUBLIC PLACES

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9.66.010 Findings.

People camping on public property and on public rights-of-way create a public health and safety hazard due to the lack of proper electrical and/or sanitary facilities for these people. People without proper sanitary facilities have openly urinated, defecated, and littered on public property and on the public rights-of-way. Use of public property for camping purposes or storage of personal property interferes with the rights of others to use the areas for which they were intended. (Ord. 1838 § 2 (Exh. A), 2018)

9.66.020 Purpose.

It is the purpose of this chapter to prevent harm to the health or safety of the public and to promote the public health, safety and general welfare by making public streets and other areas readily accessible to the public and to prevent use of public property for camping purposes or storage of personal property which interferes with the rights of others to use the areas for which they were intended. (Ord. 1838 § 2 (Exh. A), 2018)

9.66.030 Definitions.

The following definitions are applicable in this chapter unless the context otherwise requires:

“Camp” or “camping” means to pitch, create, use, or occupy camp facilities for the purposes of sleeping or habitation as evidenced by the use of camp paraphernalia and as defined in WMC 2.20.080(1).

“Camp facilities” include, but are not limited to, tents, huts, temporary shelters, or vehicles.

“Camp paraphernalia” includes, but is not limited to, tarpaulins, cots, beds, sleeping bags, blankets, mattresses, hammocks, or non-city designated cooking facilities and similar equipment.

“Park” means the same as defined in WMC 2.20.010.

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

“Street” means any highway, lane, road, street, right-of-way, boulevard, alley, and every way or place in the city of Washougal that is publicly owned or maintained for public vehicular travel.

“Vehicle” means the same as defined in RCW 46.04.670. (Ord. 1838 § 2 (Exh. A), 2018)

9.66.040 Unlawful camping.

(1) During all hours in any park and during the hours of 6:30 a.m. to 9:30 p.m. in the following areas, it shall be unlawful for any person to camp, occupy camp facilities for purposes of habitation, or use camp paraphernalia, except as otherwise provided by ordinance or as permitted pursuant to WMC 9.66.070:

- (a) On city-owned or city-maintained property, including, without limitation, City Hall, city public works buildings, police station, fire station, utility facilities, city library and surrounding grounds;

(b) Any street; or

(c) Any publicly owned or maintained parking lot or other publicly owned or maintained area, improved or unimproved.

(2) During all hours in any park and during the hours of 6:30 a.m. to 9:30 p.m. in the following areas, it shall be unlawful for any person to occupy a vehicle for the purpose of camping while that vehicle is parked, except as otherwise provided by ordinance or as permitted pursuant to WMC 9.66.070:

(a) Any street; or

(b) Any publicly owned or maintained parking lot or other publicly owned or maintained area, improved or unimproved. (Ord. 1838 § 2 (Exh. A), 2018)

9.66.050 Unlawful storage of personal property in public places.

During all hours in any park and during the hours of 6:30 a.m. to 9:30 p.m. in the following areas, it shall be unlawful for any person to store personal property, including camp facilities (other than vehicles) and camp paraphernalia, except as otherwise provided by ordinance or as permitted pursuant to WMC 9.66.070:

(1) On city-owned or city-maintained property, including, without limitation, City Hall, city public works buildings, police station, fire station, utility facilities, city library and surrounding grounds;

(2) Any street; or

(3) Any publicly owned or maintained parking lot or publicly owned or maintained area, improved or unimproved. (Ord. 1838 § 2 (Exh. A), 2018)

9.66.060 Penalty for violations.

Violation of any of the provisions of this chapter is a misdemeanor. Any person violating any of the provisions of this chapter shall, upon conviction of such violation, be punished by a fine of not more than \$1,000 or by imprisonment not to exceed 90 days, or by both such fine and imprisonment. (Ord. 1838 § 2 (Exh. A), 2018)

9.66.070 Permit.

(1) The city manager, or his/her designee, is authorized to permit persons to camp, occupy camp facilities, use camp paraphernalia, or store personal property in parks, streets, or any publicly owned parking lot or publicly owned area, improved or unimproved, in the city of Washougal.

(2) Upon receipt of an application for any permit under this chapter, the city manager, or his/her designee, shall send a copy of the application to the city departments of police, parks, public works, community development, and fire. Each of these departments shall inspect the application and each such department shall report to the city manager, or his/her designee, within 10 working days after the filing of the application. Such reports shall mention any problems which the proposed activity is expected to pose for the public. It shall make any necessary recommendations for protecting the public peace, health, safety, life, property, and welfare in the event a permit is, or was, issued.

(3) The city manager, or his/her designee, is authorized to promulgate other rules and regulations regarding the implementation and enforcement of this chapter.

(4) The city manager, or his/her designee, may approve a permit as provided under this section when, from a consideration of the application, reports from other city departments, and from such other information as may otherwise be obtained, he or she finds that:

(a) Adequate sanitary facilities are provided and accessible at or near the proposed camp site;

(b) Adequate trash receptacles and trash collection are provided; and

(c) The camping activity will not unreasonably disturb or interfere with the safety, peace, comfort and repose of private property owners or of the public.

- (5) No permit shall be issued for a period of time in excess of 14 calendar days in any one calendar year.
- (6) The city manager, or his/her designee, is authorized to revoke a permit that has been issued if he or she finds lack of compliance with any requirement of subsection (4) of this section, or of any rule or regulation promulgated under subsection (3) of this section, or of any ordinance or statute.
- (7) Any person who is denied a permit, or had his/her permit revoked, may appeal the denial/revocation to a hearings examiner appointed by the city manager or his/her designee. Notice of appeal must be in writing and filed with the city clerk within seven working days from the date of the denial. (Ord. 1875 § 1 (Exh. A), 2019; Ord. 1838 § 2 (Exh. A), 2018)

9.66.080 Public duty created.

- (1) It is expressly the purpose of this chapter to provide for and promote the health, safety and welfare of the general public and not to create or otherwise establish or designate any particular class or group of persons or individual who will or should be especially protected or benefited by the terms of this chapter.
- (2) Nothing contained in this chapter is intended nor shall be construed to create or form the basis of any liability on the part of the city, or its officers, employees or agents, for any injury or damage resulting from any action or inaction on the part of the city related in any manner to the enforcement of this chapter by its officers, employees or agents. (Ord. 1838 § 2 (Exh. A), 2018)