

City of College Place, Washington
ORDINANCE NO. 24-007

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF COLLEGE PLACE, WASHINGTON AMENDING COLLEGE PLACE MUNICIPAL CODE TITLE 9, ENACTING CHAPTER 9.30 TO REGULATE CAMPING AND STORAGE OF PERSONAL PROPERTY ON CITY PROPERTY AND RIGHT OF WAYS.

Whereas, the City of College Place (City) is a non-charter code city governed by the rules and regulations of Chapter 35A Revised Code of Washington (RCW); and

Whereas, RCW 35A.11.020 allows the city to adopt and enforce ordinances pertaining to local affairs; and

Whereas, Article XI, § 11 of the Washington state Constitution allows the city to make and enforce within its limits all such local police, sanitary and other regulations as are not in conflict with general laws; and

Now therefore, the City Council of the City of College Place does hereby Ordain as follows:

Section 1: Ordinance No. 24-007 adding a new chapter to Title 9 of the College Place Municipal Code to regulate camping and storage of personal property on city right of ways as shown in Exhibit A, which is fully incorporated herein.

Section 2: Clerical Corrections. The City Clerk and the codifiers of this ordinance are authorized to make necessary clerical corrections to this ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 3: Severability. If any section, subsection, paragraph, sentence, clause, or phrase of this legislation or ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this legislation or ordinance. The City of College Place, Washington hereby declares that it would have passed this law, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional; and

Section 4: Effective Date. This ordinance shall take effect and be in full force five days after its passage and publication as provided by law.

PASSED by the City Council of the City of College Place, Washington, this 11th day of June, 2024.

DocuSigned by:

Norma L. Hernández

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Norma L. Hernández, Mayor

Attest:

DocuSigned by:

Sherri St. Clair

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Sherri St. Clair, City Clerk

Approved as to form:

DocuSigned by:

Rea L. Culwell

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Rea Culwell, City Attorney

9.30 – Regulation of camping and storage of personal property on city right of ways

9.30.010 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, large containers, 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 College Place.
- E. “Public property” means all property owned, operated, or controlled by the city.
- F. “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.
- G. “Sidewalk” or “Sidewalks” means that property between the curb lines or the lateral lines of a street and the adjacent property, set aside and intended for the use of pedestrians.
- H. “Store” means to put aside or accumulate for use when needed, to put for safekeeping, to place or leave in a location unattended whether secured or unsecured.
- I. “Street” means any highway, lane, road, roadway, street, right-of-way, alley and every way or place in the city open to the public for vehicular travel.
- J. “Trail” means any pathway, trail or other pedestrian lane, owned, operated or maintained by the city, that is open to the public for walking, biking or other nonvehicular travel.

9.30.020 Unlawful camping

- A. It shall be unlawful for any person to camp, occupy camp facilities, or use camp paraphernalia at any time in the following areas:
 - 1. Any street, roadway, alley, or public right-of-way used or designed for use by motor vehicles;
 - 2. Any multi-use pathway or trail;
 - 3. Any parking lot or area or other public property, improved or unimproved, used or designed for use by motor vehicles, including areas designated for temporary storage of non-motorized cycles;

4. Any planting strip, street median, street median strip, street median island, traffic island, roundabout island, pedestrian refuge island or median, or other area or device that is used or designed to separate streets or roadways from sidewalks, control intersections, or otherwise calm or direct the travel of motor vehicles and/or provide refuge or safe passage for pedestrians;
 5. Within 200 feet of:
 - a. College Avenue;
 - b. Rose Street;
 - c. Property and/or right of way owned or used as a railway; or
 - d. Any indoor, outdoor, or combination indoor/outdoor facility which is open to public use including but not limited to athletic fields and sports venues, fellowship halls, wedding venues and amphitheaters.
 6. On any sidewalk or sidewalk area except as permitted pursuant to 9.30.070.
 7. On any city property, including but not limited to city parks.
- B. It is unlawful for camp facilities or camp paraphernalia to unreasonably obstruct or interfere with otherwise lawful use of a street, park activity, trail, sidewalk or sidewalk area.
- C. In addition to other remedies provided by law, including, but not limited to, the penalty provisions of this chapter, any violation of this section is hereby declared to be a public nuisance. The city may abate any such nuisance as provided in Chapter 8.24.

9.30.030 Exception to unlawful camping

- A. It shall not be a violation of section 9.30.020(6) if shelter accommodations, city designated camping areas pursuant to Section 9.30.070, or other housing is not otherwise available.
1. Space and accommodations shall be considered otherwise available under this subsection unless they are actually unavailable for reason(s) other than choice or conduct of the person camping, occupying camp facilities, or using camp paraphernalia on sidewalks.

9.30.040 Unlawful storage of personal property

- A. It shall be unlawful for any person to store personal property, including, but not limited to, camp facilities and camping paraphernalia, in the following areas:
1. Any street, roadway, alley, or public right-of-way used or designed for use by motor vehicles;
 2. Any multi-use pathway or trail;

3. Any parking lot or area or other public property, improved or unimproved, used or designed for use by motor vehicles, including areas designated for temporary storage of non-motorized cycles;
 4. Any planting strip, street median, street median strip, street median island, traffic island, roundabout island, pedestrian refuge island or median, or other area or device that is used or designed to separate streets or roadways from sidewalks, control intersections, or otherwise calm or direct the travel of motor vehicles and/or provide refuge or safe passage for pedestrians;
 5. Within 200 feet of:
 - a. College Avenue;
 - b. Rose Street;
 - c. Property and/or right of way owned or used as a railway; or
 - d. Any indoor, outdoor, or combination indoor/outdoor facility which is open to public use including but not limited to athletic fields and sports venues, fellowship halls, wedding venues and amphitheaters.
 6. On any sidewalk or sidewalk area except as permitted pursuant to 9.30.070.
 7. On any city property, including but not limited to city parks.
- B. It is unlawful for camp facilities or camp paraphernalia to unreasonably obstruct or interfere with otherwise lawful use of a street, park activity, trail, sidewalk or sidewalk area.
- C. In addition to other remedies provided by law, including, but not limited to, the penalty provisions of this chapter, any violation of this section is hereby declared to be a public nuisance. The city may abate any such nuisance as provided in Chapter 8.24.

9.30.050 Exception to unlawful storage of personal property

- A. It shall not be a violation of section 9.30.040(6) if storage space is not available at a camping area designated in accordance with Section 9.30.070 or reasonably available at some other location.
1. Storage space shall be considered reasonably available under this subsection unless it is actually unavailable for reason(s) other than choice or conduct of the person storing personal property.

9.30.060 Parked recreational vehicles.

- A. All recreational vehicles parked on city streets shall abide by the parking rules and regulations of the city.
- B. Recreational vehicles shall not be used for residential purposes in any public parking lot or area or other public property, improved or unimproved, except as provided in subsection C of this section.
- C. The city administrator or mayor, in consultation with the police chief, chief of the fire department, and director of public works, is authorized to designate areas on public property where recreational vehicles may be used for temporary residential purposes; provided, that such areas have adequate health and safety facilities to accommodate such vehicles. The city administrator, in consultation with the city attorney, 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 8.24.

9.30.070 City designated Camping/RV Areas

The city administrator or mayor in consultation with the chief of police, chief of fire department and director of public works may designate areas where camping, storage of personal property, and/or residential use of recreational vehicles is allowed. The city administrator, in consultation with the city attorney, is authorized to promulgate rules and regulations regarding the use of designated camping areas.

9.30.080 Conditions for remaining in camping areas.

It is a condition for entering and remaining in areas designated in accordance with this chapter, that persons comply with rules and regulations promulgated by the city administrator.

9.30.090 Penalty.

Any person violating any of the provisions of this chapter, upon conviction of such violation, is guilty of a misdemeanor punishable in accordance with this Code. Any person violating any of the provisions of this chapter, upon conviction of a second or subsequent offense within 12 calendar months is guilty of a gross misdemeanor punishable in accordance with this Code.