

CITY OF NORTH BONNEVILLE

ORDINANCE NO. 997 – OVERNIGHT CAMPING

AN ORDINANCE OF THE CITY OF NORTH BONNEVILLE, WASHINGTON, ADOPTING CHAPTER 12.10 OF THE NORTH BONNEVILLE MUNICIPAL CODE (“NBMC”) REGARDING OVERNIGHT CAMPING IN PUBLIC STREETS, RIGHT OF WAYS, MUNICIPAL PARKING LOTS AND OTHER PUBLIC PLACES AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

Whereas, pursuant to chapter 35A.11 RCW, the City is duly authorized to regulate parking and camping in public areas as an exercise of the City’s police power for the health, safety and welfare of its residents; and

Whereas, the Council has deemed it necessary and desirable to regulate overnight camping in public streets, right of ways, municipal parking lots and other public places to protect the public health, safety and welfare of the residents of the City; and

Whereas, the Council now deems it necessary to clarify the specific restrictions on camping in public areas and any exceptions to those restrictions;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORTH BONNEVILLE, WASHINGTON, DOES FURTHER ORDAIN AS FOLLOWS:

Section 1. Adopting Chapter 12.10, Overnight Camping

Chapter 12.08 NBMC “Overnight Camping,” is hereby adopted and added as follows:

“OVERNIGHT CAMPING

Sections:

12.10.010 Overnight camping prohibited.

12.10.020 Camping defined

12.10.030 Infractions; Penalties.

12.10.010 Overnight camping prohibited.

Overnight camping, as defined in section 12.10.015 below, in all public streets, right of ways, municipal parking lots and other public places within the City shall be prohibited.

12.10.020 Camping defined.

“Camping” means the use of any public street, right of way, municipal parking lot or other public place for living accommodation purposes, including but not limited to any of the following:

1. Erecting any tent, tarpaulin, shelter, or other structure that would permit one to sleep overnight; or

2. Using a recreational vehicle for the purpose of sleeping overnight unless a temporary parking permit is applied for and granted pursuant to chapter 12.08 NBMC.

12.10.030 Infractions; Penalties.

A. Any person violating the provisions of this chapter shall receive a civil infraction pursuant to chapter 1.08 NBMC, and may have their vehicle, trailer, camper or other camping facilities towed or removed as permitted by law. Persons wishing to challenge a civil infraction for violation of this chapter may appeal such determination pursuant to chapter 1.08 NBMC.

B. Any person violating the provisions of this chapter shall be subject to: (i) a fine in accordance with Sections 7.01.020(A) for each infraction, and (ii) for any vehicles, trailers, campers or camping facilities which have been towed or removed, costs of towing or removal plus actual administrative costs of not less than \$50.”

Section 2. Severability.

If any section, sentence, clause or phrase of this Ordinance shall be held to be invalid or unconstitutional 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.

Section 3. Effective Date and Publication.

This Ordinance shall be effective five days after publication of the Ordinance, or a summary thereof consisting of its title, in the official newspaper of the City.

PASSED BY THE CITY COUNCIL ON SEPTEMBER 27th, 2011.

Don Stevens, Mayor

ATTEST:

John Spencer, City Clerk