

ORDINANCE NO. 1549

CITY OF LACEY

AN ORDINANCE OF THE CITY OF LACEY, WASHINGTON, RELATED TO CAMPING, ADOPTING A NEW CHAPTER 8.10 OF THE LACEY MUNICIPAL CODE AND APPROVING A SUMMARY FOR PUBLICATION.

WHEREAS, increasingly, persons are camping in public areas in cities and towns across the country that are not designated as, nor intended or designed for camping; and

WHEREAS, the allowance of camping in areas neither intended nor designed for camping presents health and safety concerns for the public; and

WHEREAS, currently there is limited regulation of this type of camping in the City of Lacey; and

WHEREAS, the City Council finds the regulation of camping to be in the public interest.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, as follows:

Section 1. There is hereby added to the Lacey Municipal Code a new Chapter 8.10, to read as follows:

**8.10.010 Unlawful camping.**

It shall be unlawful for any person to camp in the following areas, except as authorized pursuant to the park rules and regulations approved under LMC 2.44.060 or as otherwise provided by ordinance:

- A. Any park;
- B. Any street;
- C. Any publicly owned parking lot or publicly owned area, improved or unimproved.

#### **8.10.020 Storage of personal property in public places.**

It shall be unlawful for any person to store personal property, including camp facilities and camp paraphernalia, in the following areas, except as authorized pursuant to the park rules and regulations approved under LMC 2.44.060 or as otherwise provided by ordinance:

- A. Any park;
- B. Any street; or
- C. Any publicly owned parking lot or publicly owned area, improved or unimproved.

#### **8.10.030 Definitions.**

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

- A. "Camp" means to pitch, use, or occupy camp facilities for the purposes of habitation, as evidenced by the use of camp paraphernalia.
- B. "Camp facilities" include, but are not limited to, tents, huts, temporary shelters, or vehicles if said vehicle is being used as a temporary living quarters.
- C. "Camp paraphernalia" includes, but is not limited to, tarpaulins, cots, beds, sleeping bags, blankets, mattresses, hammocks or cooking facilities or equipment.
- D. "Park" means and includes any and all city parks, public squares, park drives, parkways, boulevards, bathing beaches, and play and recreation grounds that have been established as parks.
- E. "Store" means to put aside or accumulate for use when needed, to put for safekeeping, to place or leave in a location.
- F. "Street" means any highway, lane, road, street, right-of-way, boulevard, alley, and every way or place in Lacey open as a matter of right to public vehicular travel.

#### **8.10.040 Penalty for violations.**

Violation of any of the provisions of this chapter is a misdemeanor, and 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 one thousand dollars or by imprisonment not to exceed ninety days, or by both such fine and imprisonment.

#### **8.10.050 Enforcement.**

Prior to issuing any citation pursuant to this chapter, the investigating officer shall inquire whether the camping is due to homelessness. If the officer learns that such is the case, the

officer shall determine, in accordance with relevant department policy, whether adequate shelter space is available to accommodate the subject of the investigation.

- A. If the officer determines that all such shelter space is full, the officer shall not issue a citation.
- B. If the officer determines adequate shelter space to be available, the officer may, within his or her discretion, issue a citation pursuant to LMC 8.10.040 and/or:
  - 1. Provide directions to the shelter location.
  - 2. Offer one-time transport to the shelter location.

Section 2. SEVERABILITY. If any section, sentence, clause or phrase of this ordinance should be held to be 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.

Section 3. CORRECTIONS. The City Clerk and the codifiers of this ordinance are authorized to make corrections to this ordinance including, but not limited to, the corrections of scrivener's/clerical errors, references, ordinance numbering, section/subsection number and any references thereto.

Section 4. The Summary attached hereto is hereby approved for publication.

PASSED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, this 13<sup>th</sup> day of June, 2019.


CITY COUNCIL

BY:   
Mayor

Attest:

  
City Clerk

Approved as to form:

  
City Attorney

SUMMARY FOR PUBLICATION  
ORDINANCE NO. 1549  
CITY OF LACEY

The City Council of the City of Lacey, Washington passed on June 13, 2019, Ordinance No. 1549, entitled "AN ORDINANCE OF THE CITY OF LACEY, WASHINGTON, RELATED TO CAMPING, ADOPTING A NEW CHAPTER 8.10 OF THE LACEY MUNICIPAL CODE AND APPROVING A SUMMARY FOR PUBLICATION."

The main points of the Ordinance are described as follows:

1. The Ordinance adopts a new chapter 8.10 of the Lacey Municipal Code related to camping on public property.
2. The Ordinance approves this Summary for Publication.

A copy of the full text of this Ordinance will be mailed without charge to any person requesting the same from the City of Lacey.

Published: June 17, 2019.