

**CITY OF SNOHOMISH
Snohomish, Washington**

ORDINANCE 2219

**AN ORDINANCE OF THE CITY OF SNOHOMISH, WASHINGTON
ADOPTING A NEW CHAPTER 9.98 TO THE SNOHOMISH MUNICIPAL
CODE ENTITLED “CAMPING;” AND AMENDING SMC 13.04.250
“VIOLATION–PENALTIES” RELATING TO CAMPING IN PARKS; AND
PROVIDING FOR EFFECTIVE DATE AND SEVERABILITY**

WHEREAS, people camping on public property, on public rights-of-way or under bridges of public rights-of-way create a public health and safety hazard because of the lack of proper electrical and/or sanitary facilities for these people. People without proper sanitary facilities have openly urinated, defecated, littered, and caused fires on and under public property and on the public rights-of-way. Use of public property for camping purposes or storage of personal property interferes with the health and safety of the public rights of others to use the areas for which they were intended; and

WHEREAS, it is the purpose of this ordinance 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 accessible to the public and to prevent use of public property for camping or storage of personal property which interferes with the rights of others to use the areas for which they were intended;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SNOHOMISH,
WASHINGTON, DO ORDAIN AS FOLLOWS:**

Section 1. A new Snohomish Municipal Code Chapter 9.98 entitled “CAMPING” is adopted to read as follows:

Chapter 9.98

CAMPING

Sections

- 9.98.010 Unlawful Camping
- 9.98.020 Storage of Personal Property in Public Places
- 9.98.030 Definitions
- 9.98.040 Penalty for Violations
- 9.98.050 No Specific Duty Created

9.98.010 Unlawful Camping. It is unlawful for any person to engage in camping, occupy camp facilities, use camp paraphernalia, or build a fire in any of the following areas: in any park or playfield owned by the City, or on any sidewalk, street, alley, lane, public right-of-way, or under any bridge or viaduct, or in any other public place to which

the general public has access, except in park areas explicitly provided in SMC Section 13.04.140 in conjunction with a Special Use Permit approved by the City of Snohomish or some other ordinance.

9.98.020 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: in any park or playfield owned by the City, or on any sidewalk, street, alley, lane, public right-of-way, or under any bridge or viaduct, or in any other public place to which the general public has access, except in park areas explicitly provided in SMC Section 13.04.140 in conjunction with a Special Use Permit approved by the City of Snohomish or some other ordinance.

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

- A. “Camp” or “Camping” means to pitch, create, erect, use, or occupy camp facilities, or to use camp paraphernalia or both for the purposes of habitation, or in such a way as will permit remaining overnight, or parking a trailer, camper, or other vehicle for the purpose of remaining overnight.
- B. “Camp facilities” include, but are not limited to, tents, tarps, huts, temporary shelters, or vehicles if the vehicle is used as temporary living quarters.
- C. “Camp paraphernalia” includes, but is not limited to tarpaulins, tarps, cots, beds, sleeping bags, hammocks, or cooking facilities, camp fires and similar equipment.
- D. “Store” means to put aside or accumulate for use when needed, to put for safekeeping, to place or leave in a location.
- E. “Park” means the same as defined in SMC section 13.04.030.

9.98.040 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 one thousand dollars (\$1,000) or by imprisonment not to exceed ninety (90) days, or by both such fine and imprisonment.

9.98.050 No Specific Duty Created.

- A. It is expressly the purpose of this ordinance 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 ordinance.
- B. Nothing contained in this ordinance 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 ordinance by its officers, employees, or agents.

Section 2. SMC Section 13.04.250 entitled “Violation – Penalty” is amended to read as follows:

13.04.250 Violation – Penalty. Violation of this chapter of the Snohomish Municipal Code shall be a civil infraction pursuant to SMC 1.01.080 and Chapter 1.14 SMC, except as otherwise provided therein, and except that violation of SMC 13.04.140 “Camping.” violation of SMC 13.04.200, and violation of SMC 13.04.225 shall be a misdemeanor and punishable 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. (Ord. 1132, 1971; Ord. 1387, 1978; Ord. 1927, 1999; Ord. 2155, 2008; Ord. 2168. 2009)

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

Section 4. Effective date. This ordinance shall go into effect 5 days following adoption and publication.

ADOPTED by the City Council and **APPROVED** by the Mayor this 19th day of July, 2011.

CITY OF SNOHOMISH

By _____
Karen Guzak, Mayor

ATTEST:

By _____
Torchie Corey, City Clerk

Approved as to form:

By _____
Grant K. Weed