

ORDINANCE NO. 2023-

AN ORDINANCE amending Yakima Municipal Code Chapter 6.91 to add an alternative to immediate criminal sanctions and bring the code in line with the current practice of the Yakima Police Department.

BE IT ORDAINED BY THE CITY OF YAKIMA:

Section 1. The following chapter, 6.91, of the City of Yakima Municipal Code is hereby amended to read as follows:

Chapter 6.91 UNLAWFUL CAMPING AND STORAGE OF PERSONAL PROPERTY

Sections:

- 6.91.010 Unlawful camping.
- 6.91.020 Storage of personal property in public places.
- 6.91.030 Erecting camping facilities or camping paraphernalia on public property.
- 6.91.040 Definitions.
- 6.91.050 Permits.
- 6.91.060 Camping in parks prohibited.
- 6.91.070 Camping on private property.
- 6.91.080 Parked recreational vehicles.
- 6.91.090 Penalty.

6.91.010 Unlawful camping.

(1) It shall be unlawful for any person to camp, occupy camp facilities, or use camp paraphernalia in the following areas, except as otherwise provided by ordinance or rule:

(1a) Any street, alley or sidewalk;

(2b) Any parking lot or other property or lot owned by the city of Yakima, improved or unimproved; or

(3c) Any right-of-way, planting strip, easement, median, parkway or trail. ~~(Ord. 2016-012 § 1 (part), 2016).~~

(2) Verification is required prior to enforcement of this section.

6.91.020 Storage of personal property in public places.

(1) It shall be unlawful for any person to store personal property, including, but not limited to, camp facilities and camp paraphernalia, in the following areas, except as otherwise provided by ordinance or rule:

(1a) Any street, alley or sidewalk;

(2b) Any parking lot or other property or lot owned by the city of Yakima, improved or unimproved; or

(3c) Any right-of-way, planting strip, easement, median, parkway or trail.

(2) Verification is required prior to enforcement of this section. (Ord. 2016-012 § 1 (part), 2016).

6.91.030 Erecting camping facilities or camping paraphernalia on public property.

(1) It shall be unlawful to erect, install, place, leave, or set up any type of permanent or temporary camping paraphernalia or camping facilities or structure of any material(s) intended for camping, in or upon public property without a permit or other authorization from the city.

(a) Verification is required prior to enforcement of this sub-section.

(2) In addition to other remedies provided by law, including, but not limited to, the penalty provision of this chapter, such an obstruction is hereby declared to be a public nuisance. The code enforcement officer or his or her designee may summarily abate any such obstruction, or the obstruction may be abated as prescribed in Chapter 6.56 YMC.

(3) The provisions of this section do not apply to those items specifically provided for in other sections of this chapter.

(4) The code enforcement officer may promulgate policies to carry out this section. (Ord. 2016-012 § 1 (part), 2016).

6.91.040 Definitions.

(1) "Camping" or "camp" means to pitch or occupy camp facilities, and/or to use camp paraphernalia.

(2) "Camping facilities" includes, but is not limited to, tents, huts, or temporary shelters made of any material.

(3) "Camping paraphernalia" includes, but is not limited to, tarpaulins, cots, beds, sleeping bags, hammocks, and/or outdoor cooking facilities such as camp stoves.

(4) "City" means the city of Yakima.

(5) "Parking" means the standing of a vehicle, whether occupied or not, other than temporarily for purposes of loading or unloading property or passengers.

(6) "Public property" means all property owned, operated, or controlled by the city, including, but not limited to, parking lots, trails, sidewalks, easements, rights-of-way, planting strips, medians, greenways, alleys, or streets.

(7) "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.

(8) "Store" means to put aside or accumulate for use when needed, to put for safekeeping, to place or leave in a location unattended.

(9) “Street” means any highway, lane, road, street, right-of-way, boulevard, alley and every way or place in the city open as a matter of right to public vehicular travel.

(10) “Trail” means any pathway or trail in the city, owned, operated or maintained by the city, open as a matter of right to the public for walking, biking or other non-vehicular travel. (Ord. 2016-012 § 1 (part), 2016).

(11) “Verification” means confirmation that alternative forms of shelter are available in the City. Alternative forms of shelter include non-profit shelters, government-run shelters, faith-based shelters where practice of such faith or religion is not a mandatory condition to receiving services, or any location that is not cost prohibitive to the individual facing criminal penalties.

6.91.050 Permits.

Permits for camping may be obtained through Chapter 5.98 or Chapter 9.70 YMC. (Ord. 2016-012 § 1 (part), 2016).

6.91.060 Camping in parks prohibited.

(1) Pursuant to YMC 13.20.030, camping in public parks is prohibited.

(2) Verification is required prior to enforcement of this section.
(Ord. 2016-012 § 1 (part), 2016).

6.91.070 Camping on private property.

(1) Camping is prohibited on private property without the owner’s express consent.

(2) Camping is prohibited on private property if there are no sanitation facilities provided by the property owner or lawful tenant. Sanitation facilities can include access to the indoor facilities of the primary residence.

(3) Camping is prohibited on private property for more than seven consecutive days. ~~(Ord. 2016-012 § 1 (part), 2016).~~

(4) Verification is required prior to enforcement of this section.

6.91.080 Parked recreational vehicles.

(1) The provisions of this chapter shall not apply to recreational vehicles parked on any residential street for a period of not greater than twenty-four hours.

(2) Recreational vehicles may not be used as accessory dwellings unless otherwise specifically permitted by the city.

(3) All recreational vehicles parked on city streets shall abide by the parking rules and regulations of the city, including, but not limited to, Chapter 9.50 YMC.

(4) For vehicles used as a primary residence, verification is required prior to enforcement of this section.
(Ord. 2016-012 § 1 (part), 2016).

6.91.090 Penalty.

Any person violating any of the provisions of this chapter ~~is guilty of a misdemeanor, shall, upon conviction of such violation, be found guilty of a misdemeanor and may be sentenced at the discretion of the court punished by~~ a fine of not more than one thousand dollars or by imprisonment of up to ninety days, or by both such fine and imprisonment. ~~(Ord. 2016-012 § 1 (part), 2016).~~

Section 2. This ordinance shall be in full force and effect 30 days after its passage, approval, and publication as provided by law and by the City Charter.

PASSED BY THE CITY COUNCIL, signed and approved this 21st day of February, 2023.

Janice Deccio, Mayor

ATTEST:

Sonya Claar Tee, City Clerk

Publication Date:

Effective Date: