

CITY OF GRANITE FALLS

ORDINANCE NO. 893-2015

AN ORDINANCE OF THE CITY OF GRANITE FALLS, WASHINGTON RELATING TO CAMPING WITHIN THE CITY BY ENACTING A NEW CHAPTER 9.97 GRANITE FALLS MUNICIPAL CODE ENTITLED "CAMPING" PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, people camping on public property, on public right of ways or under bridges of public right of ways 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 right of ways. 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 GRANITE FALLS, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. A new Chapter 9.97 Granite Falls Municipal Code entitled "Camping" is hereby enacted reading as follows:

9.97.010 Unlawful camping.

9.97.020 Storage of personal property in public places

9.97.030 Definitions.

9.97.040 Penalty for violations.

9.97.050 No specific duty created.

9.97.010 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.

9.97.020 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.

9.97.030 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 purpose of, 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 GFMC section 9.96.010.

9.97.040 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 (\$1000) or by imprisonment not to exceed ninety (90) days, or by both such fine and imprisonment.

9.97.050 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 If any section of this Ordinance, or if any part of Chapter 10.20 adopted hereby is declared unlawful or unenforceable, the remainder of this Ordinance and said Chapter shall remain in full force and effect.

Section 3. This ordinance shall be effective five (5) days after publication.

Said Ordinance was passed in open session by the City Council of the City of Granite Falls on the 6th day of May, 2015 and signed in authentication of its passage this 11th day of May 2015.


Joshua Golston Mayor

ATTEST:

Darla Reese
Darla Reese, CMC, City Clerk

Approved as to form:

Frank Weed for
Thomas H. Graafstra, City Attorney

Date of Publication: May 9, 2015

Effective Date: May 14, 2015