

AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, AMENDING OLYMPIA MUNICIPAL CODE CHAPTER 12.74 PROHIBITING CAMPING AND CONSTRUCTING CAMP FACILITIES ON CITY PROPERTY, CITY PARKLETS, AND TO INCLUDE CITY RIGHT-OF-WAY

WHEREAS, persons have erected or constructed camp facilities or temporary structures upon City right-of-way adjacent to or within City streets, alleys, and sidewalks for the purpose of habitation; and

WHEREAS, such structures upon City right-of-way create a hazardous condition that endangers persons inhabiting such camp facilities due to motorists who are driving while distracted, or who are impaired and under the influence of alcohol or drugs, or who may fall asleep while driving, all of which may result in their vehicle colliding with camp facilities constructed or erected within the City's right-of-way and injuring or killing persons occupying such camps; and

WHEREAS, OMC Chapter 12.74 should be amended to prohibit camping or constructing camp facilities on City Property, City Parklets, and City Right-of-way;

NOW, THEREFORE, THE OLYMPIA CITY COUNCIL ORDAINS AS FOLLOWS:

Section 1. Amendment of OMC 12.74. Olympia Municipal Code Chapter 12,74, City Property and City Parklets, is hereby amended to read as follows:

Chapter 12.74

CITY PROPERTY, ~~AND~~ CITY PARKLETS, AND CITY RIGHT-OF-WAY

12.74.000 Chapter Contents

Sections:

12.74.010 Camping and Constructing Camp Facilities on City Property, ~~and~~ City Parklets, and City Right-of-Way Prohibited.

12.74.020 Definitions.

12.74.030 Penalties.

12.74.010 Camping and Constructing Camp Facilities on City Property, ~~and~~ City Parklets, and City Right-of-Way Prohibited

A. It shall be unlawful at all times to camp or construct camp facilities at or on the grounds of all City Property, ~~and~~ City Parklets, and City right-of-way.

B. No person shall be cited under this section unless the person engages in conduct prohibited by this section after having been notified by a law enforcement officer that the conduct violates this section.

C. The City Manager is authorized to allow persons to temporarily camp on City property in connection with an emergency that has been declared by the City Council.

12.74.020 Definitions

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

A. "Camp" means use of camp paraphernalia for the purpose of temporary or permanent habitation or construction or use of camp facilities.

B. "Camp facilities" include, but are not limited to, tents, huts, lean-tos, tarpaulins, canvas, cardboard, corrugated tin, or other temporary shelters.

C. "Camp paraphernalia" are items that can be used for the purposes of habitation and include, but are not limited to, tarpaulins, cots, beds, sleeping bags, blankets, bedrolls, mattresses, hammocks, tables, chairs or cooking facilities or equipment.

D. "City Property" means property owned by the City whether or not the property has a structure. City Property includes any buildings on the property and adjacent grounds to those buildings owned by the City. City Property includes, but is not limited to, parks, parking lots, and plazas in the City of Olympia, Washington.

E. "Parklet" means a City parking space or parking spaces that the City has authorized through a permit to be used to create small park-like settings which are open to the general public and can include features such as tables and chairs, benches, planters and landscaping.

F. "Right-of-Way" means the area adjacent to or within any City street, median, alley or public sidewalk, including but not limited to the area adjacent to a City street or alley, whether or not used for vehicle parking.

12.74.030 Penalties

Any violation of the provisions of this Chapter is a misdemeanor punishable as defined in OMC 9.64.010.

Section 2. Corrections. The City Clerk and codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 3. Severability. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or application of the provisions to other persons or circumstances shall remain unaffected.

Section 4. Ratification. Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

Section 5. Effective Date. This Ordinance shall take effect after passage and publication, as provided by law, on November 15, 2024.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

Mark Barber
CITY ATTORNEY

PASSED:

APPROVED:

PUBLISHED: