ORDINANCE NO. 3516

AN ORDINANCE of the City Council of the City of Kent, Washington, enacting a new chapter, Chapter 8.09, entitled “Camping,” prohibiting camping in certain public areas.

WHEREAS, the City is experiencing an increasing number of individuals camping, without authorization, in parks and on public places in the City of Kent; and

WHEREAS, such activity creates a health, sanitation, and public safety issue for the citizens of the City of Kent; and

WHEREAS, it is in the general health, safety, and welfare of the citizens in the City of Kent to prohibit unauthorized camping in parks and on other public places within the City of Kent; NOW THEREFORE,

THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. A new chapter, Chapter 8.09, entitled “Camping,” shall be added to Title 8 of the Kent City Code as follows:

Camping
CHAPTER 8.09 CAMPING

Sec. 8.09.010. Unlawful camping in public places. Except as permitted by permit pursuant to KCC 8.09.040 below or as otherwise provided by ordinance, it shall be unlawful for any person to camp in any park or other public place.

Sec. 8.09.020. Unlawful storage of personal property in public places. Except as permitted by permit pursuant to KCC 8.09.040 below or as otherwise provided by ordinance, it shall be unlawful for any person to store personal property, including camp facilities and camp paraphernalia, in any park or other public place.

Sec. 8.09.030. Definitions. The following definitions are applicable in this chapter unless the context otherwise requires:

A. **Camp** means to pitch or occupy camp facilities, to use camp paraphernalia.
B. **Camp facilities** include, but are not limited to, motor vehicles, trailers, tents, huts, or temporary shelters.
C. **Camp paraphernalia** includes, but is not limited to, tarpaulins, cots, beds, sleeping bags, hammocks, or non-city designated cooking facilities and similar equipment.
D. **Director** means any director of a City of Kent department having authority over public areas or any other person authorized by the Mayor to exercise such authority or his or her designee.
E. **Park** means and includes all city parks, public squares, park drives, parkways, boulevards, golf courses, park museums, zoos, bathing beaches, and play and recreation grounds under the jurisdiction of the City of Kent Parks and Recreation Department.
F. **Public place** means and includes streets, ways, boulevards, sidewalks, planting (parking) strips, squares, triangles, rights-of-way, publicly owned parking lot or publicly owned area, improved or unimproved, and other public places appropriated to the public for public use, including buildings, structures and appurtenances situated thereon.
G.  *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, is transient, is not occupied as a primary residence, and is not immobilized or permanently affixed to a mobile home lot.

H.  *Store* means to put aside or accumulate for use when needed, to put for safekeeping, to place or leave in a location.

I.  *Street* means any highway, avenue, lane, road, street, drive, place, boulevard, alley, right-of-way, and every way or place in the City of Kent open as a matter of right to public vehicular travel.

**Sec. 8.09.040. Parked recreational vehicles exempt.**  The provisions of this chapter shall not prohibit recreational vehicles from being parked within or on any park or other public place, subject to the parking provisions of chapter 9.38 and other applicable provisions of the Kent City Code, if said recreational vehicle is not at that time being used as temporary living quarters or otherwise inhabited. A recreational vehicle may only be inhabited within or on any park or other public place pursuant to Section 8.09.040 above.

**Sec. 8.09.050. Permit.**

A.  The director is authorized, by permit, to allow persons to camp, occupy camp facilities, use camp paraphernalia, or store personal property within or any park or other public place that may be designated by the City for such use in the City of Kent.

B.  The director shall approve a permit as provided under this section when, from a consideration of the application and from such other information as may otherwise be obtained, the director finds that:

1.  Adequate sanitary facilities are provided and accessible at or near the campsite;

2.  Adequate trash receptacles and trash collection is to be provided;

3.  The camping activity will not unreasonably disturb or interfere with the peace, comfort, and repose of private property owners; and
4. The camping activity is not reasonably likely to cause injury to persons or property, to provoke disorderly conduct, or create a disturbance.

C. The director is authorized to promulgate rules and regulations regarding the implementation and enforcement of this chapter.

D. No permit shall be issued for a period of time in excess of seven (7) calendar days.

E. Any person denied a permit may appeal the denial to the hearing examiner pursuant to Ch. 2.32. The decision of the hearing examiner shall be final unless appealed to the superior court pursuant to said chapter.

Sec. 8.09.060. Penalty for violations. Violation of any of the provisions of this chapter is a misdemeanor and shall be punishable as follows:

A. First offense. Any person who violates any of the provisions of this chapter shall be guilty of a misdemeanor, punishable 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.

B. Second offense. Any person who violates any of the provisions of this chapter a second time within a five-year period shall be guilty of a misdemeanor, punishable 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. One hundred dollars ($100) of the fine and one (1) day of imprisonment shall not be suspended or deferred.

C. Third or subsequent offense. Any person who violates any of the provisions of this chapter a third or more times within a five-year period shall be guilty of a misdemeanor, punishable 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. Five hundred dollars ($500) of the fine and five (5) days imprisonment shall not be suspended or deferred.

SECTION 2. – Severability. If any one or more section, subsections, or sentences of this Ordinance are held to be unconstitutional or invalid, such decision shall
not affect the validity of the remaining portion of this ordinance and the same shall remain in full force and effect.

**SECTION 3.** - **Effective Date.** This ordinance shall take effect and be in force thirty (30) days from and after its passage, approval and publication as provided by law.

![Signature](image)

JIM WHITE, MAYOR

ATTEST:

![Signature](image)

BRENDA JACOBER, CITY CLERK

APPROVED AS TO FORM:

![Signature](image)

ROGER LUBOVICH, CITY ATTORNEY


APPROVED: 5 day of July, 2000.


I hereby certify that this is a true copy of Ordinance No. 3516 passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

![Signature](image)

BRENDA JACOBER, CITY CLERK