

Chapter 8.60

UNAUTHORIZED CAMPING AND PARKING

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8.60.010 Definitions.

For purposes of this chapter, the following definitions apply:

- (1) "Camp" or "Camping" means (a) erecting a tent or shelter or arranging bedding, or (2) sleeping within a Vehicle.
- (2) "Park" or "Parking" means placing, positioning, or leaving a Vehicle, whether occupied or not.
- (3) "County Property" means any real property within Lewis County (a) owned by Lewis County, (b) over, under, upon, and/or through which Lewis County has a right of way or easement for a road, roadway, street, alley, avenue, way, boulevard, or similar pathway for conveyance, and/or (c) consisting of the thirty (30) foot wide strip running parallel to a roadway whose width commences at the asphalt, concrete, or other established edge of a roadway surface and extends away from the roadway thirty (30) feet.
- (4) "Vehicle" means a car, truck, van, Camper, Motorhome, Recreational vehicle, or every other device designed to be capable of being moved upon a public highway and in, upon, or by which any person or property is or may be transported or drawn upon a public highway. Non-motorized, wheeled forms of transportation shall not be considered vehicles for purposes of this chapter. [Ord. 1338 §1, 2022]
- (5) "Camper" means a trailer, vehicle accessory, or structure designed to be towed or carried by, connected to, or mounted upon a vehicle that provides accommodations for human habitation or for temporary outdoor or recreational lodging but does not include motorhomes.
- (6) "Motorhome" means a motor vehicle originally used, designed, reconstructed, or permanently altered to provide accommodations for human habitation, which includes sleeping quarters and cooking or sewage disposal, that are enclosed within a solid body shell with the vehicle, but does not include a camper or like unit constructed separately and towed by or affixed to a motor vehicle.

(6) "Recreational vehicle" means (1) a Camper, (2) a Motorhome, or (3) any other vehicular-type unit primarily designed to be used for recreational activities, camping, travel, or seasonal use that either has its own motive power or is mounted on or towed by another vehicle.

8.60.020 Unauthorized Camping on County Property prohibited.

It shall be unlawful on any County Property for any person to Camp, sleep, place or use camping equipment, or use other items or materials for the purpose of sleeping, Camping, or permanent or temporary habitation, except in areas specifically designated and posted for those purposes and done pursuant to any applicable ordinances, rules, regulations, and/or laws.

Permanent or temporary habitation may be shown by the presence of items commonly used for cooking, sleeping, or sanitation, the storage or accumulation of personal property, or any other conditions or factors that demonstrate the location, Vehicle, or equipment is being used or may be used as a dwelling or accommodation.

The Lewis County Director of Public Health and Social Services or the Director's designee will immediately notify the Lewis County Sheriff's Office when the Salvation Army Centralia shelter or any other publicly funded shelters in Lewis County reach five (5) beds or less availability. If all of said shelters reach full capacity, from that point in time until a bed becomes available at one of said shelters, this section 8.60.020 shall be suspended and enforcement shall cease.

Before issuing a citation or effectuating an arrest for a violation of this section, a law enforcement officer shall first orally notify the person engaged in the prohibited conduct that the person is in violation, resources are available at a shelter located within Lewis County, and the person is to leave County Property. If the person leaves County Property within a reasonable period of time under the circumstances and does not return to County Property, no citation shall be issued or arrest made.

It shall be a defense to prosecution for unlawful Camping under this section that when the offense occurred no bed was available at a shelter located within Lewis County.

Lewis County's Encampment Removal and Cleanup Policy adopted by the Board of County Commissioners as Lewis County Resolution 22-354 shall govern personal property removal from County Property.

8.60.030 Unauthorized Parking on County Property prohibited.

It shall be unlawful for any person to Park on any County Property, except in areas specifically designated, designed, or constructed for this purpose and pursuant to any applicable ordinances, rules, regulations, and/or laws.

Notwithstanding any other provision of this Section 8.60.030, it shall not be unlawful to Park on County Property:

1. if the Vehicle experienced an emergency rendering it inoperable, no one slept inside it after the emergency, and it was removed from County Property by someone other than law enforcement personnel or their agent within twenty-four (24) hours after the emergency and not returned to any County Property;
 2. which is owned by the person and outside of any County right of way, provided the Vehicle is also at least ten (10) feet from the roadway surface edge; or
 3. if the Vehicle is at least ten (10) feet from the roadway surface edge, outside of any County right of way, and the person has permission to Park from the owner of the real property upon which it is parked. [[ALTERNATIVE: and the person also has proper written authorization from an owner of the real property to Park thereon, which notice must be placed and remain on or inside the Vehicle so as to be clearly legible and visible to law enforcement from outside the Vehicle. If said notice is not clearly legible and visible to law enforcement at the time of the violation, it shall be deemed to not comply with this paragraph.]]
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8.60.040 Removal of vehicle.

Any Vehicle parked, placed, or left in violation of this Chapter shall be deemed to constitute an obstruction to traffic and/or to jeopardize public safety and it may be removed to a place of safety pursuant to RCW Chapter 46.55. The cost of removal and storage under this section shall be a lien upon said Vehicle until paid.

8.60.050 Violation is misdemeanor.

Violation of the provisions of this chapter shall be a misdemeanor punishable consistent with RCW 9A.20.021(3).

Each calendar day that a violation under this Chapter occurs or exists shall be a separate violation.

8.60.060 Severability.

Should any section, paragraph, sentence, clause or phrase of this chapter, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this chapter be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this chapter or its application to other persons or circumstances.

8.60.070 Effective date.

The effective date of the ordinance codified in this chapter shall be the _____ day of August 2023.

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