

**ORDINANCE NO. 2023-19**

**AN ORDINANCE OF THE CITY OF RICHLAND, WASHINGTON,  
AMENDING RICHLAND MUNICIPAL CODE SECTION 8.10.070  
RELATED TO PUBLIC CAMPING ENFORCEMENT.**

**WHEREAS**, the City has need, from time to time, to update the Richland Municipal Code to add clarity; and

**WHEREAS**, on July 5, 2022, Richland City Council approved Ordinance No. 2022-22 to regulate public camping on public property and in city rights-of-way; and

**WHEREAS**, camping on public property, including City Hall and other city facilities, John Dam Plaza, parks, public rights-of-way, and other public property is a public health and safety concern due to interference with other intended uses, such as daily operations of the City, events at John Dam Plaza, park recreational activities, pedestrian, bicycle and vehicular traffic, and other public uses; and

**WHEREAS**, camping without adequate sanitation services, such as sewer, water, and garbage, presents a public health and safety concern due to increased risk of spread of disease and potential for citizens contracting illnesses; and

**WHEREAS**, public property is intended for, and should be, available to the public for its intended purposes, including daily City operations, park recreational use, pedestrian, bicycle and vehicular transportation, and other public areas; and

**WHEREAS**, three (3) additional high visibility locations in the City's inventory – 505 Swift Boulevard, 515 George Washington Way, and Fire Station No. 71 – require addition to the codified list of properties where unauthorized encampments are always prohibited, regardless of the availability of beds or shelter space.

**NOW, THEREFORE, BE IT ORDAINED** by the City of Richland as follows:

Section 1. Richland Municipal Code Section 8.10.070, entitled Enforcement suspended, as first enacted by Ordinance No. 2022-22, is hereby amended as follows:

**8.10.070 Enforcement suspended.**

A. Except as otherwise provided in this section, enforcement of criminal provisions of this chapter shall be suspended any time there is no space or beds available through the voucher program operated by Benton County department of human services, to the extent such available space or beds are required by law. In such circumstances, all provisions of this chapter shall continue to apply to camping, storage of personal property, including camp facilities and camp paraphernalia, and unauthorized encampments at the following:

1. The real property containing:

- a. Richland City Hall (Benton County PID No. 1-11982020629019);
- b. John Dam Plaza (Benton County PID No. 1-11983020625000);
- c. Howard Amon Park (Benton County PID No. 1-11984012586008; 1-11981020636002);
- d. Leslie Groves Park (Benton County PID No. 1-35084020923000; 1-35081020922000; 1-36081000000000);
- e. Riverfront Trail (Benton County PID No. 1-11981020624001);
- f. Columbia Playfields (Benton County PID No. 1-10981020600036);
- g. George Prout Memorial Pool (Benton County PID No. 1-10981020600005);
- h. Columbia Point Marina (Benton County PID No. 1-13983020018002);
- i. Richland Public Library (Benton County PID No. 1-11982020629012);
- j. Richland Police Department (Benton County PID No. 1-11981020623003); and
- k. Richland City Shops (Benton County PID No. 1-16984020002002);
- [l. 505 Swift Boulevard \(Benton County PID No. 1-11981020623004\);](#)
- [m. 515 George Washington Way \(Benton County PID No. 1-11984020557004\);](#)
- [n. Richland Fire Station No. 71 \(Benton County PID No. 1-11981020635006\).](#)

2. Park facilities, including but not limited to all buildings, structures, equipment, signs, shelters, swimming pools, water recreation facilities, playgrounds, bathrooms, courts or designated sports fields available for reservation, or any other fixture or improvement and the real property within 30 feet of such facilities. Unless constructed as a part of such park facility, natural vegetation shall not be considered to be a “park facility” for purposes of this section;

3. Public rights-of-way and city-owned real property marked “No Trespassing”; and

4. Publicly owned stormwater drainage facilities.

B. Enforcement of the criminal provisions of this chapter may also be temporarily suspended by law enforcement or the city manager or designee for the purpose of allowing an individual actively engaged in the process of exiting homelessness to continue working towards exiting homelessness; provided, that such suspension shall not authorize any individual to be located at any of the locations identified in subsection (A) of this section. Such suspension may only occur during the period while an individual is actively engaged in the process of exiting homelessness. Nothing in this section shall guarantee or create rights to have enforcement of this chapter waived or

suspended for any individual found to be violating the terms of this chapter. This section shall not preclude enforcement of this chapter against a person actively engaged in exiting homelessness where the violation results in a significant risk of harm to any person or impedes pedestrian or vehicular traffic, or where the person violates any other federal, state, or local law. Further, nothing in this section shall preclude the city from requiring an individual to move from any location identified in subsection (A) of this section to other available public property. Failure to work toward exiting homelessness and/or failure to follow other park and city regulations will result in immediate enforcement of this chapter subject to shelter bed availability (through the voucher program) as required by law.

The city manager may adopt such rules and procedures necessary to identify individuals actively engaged in exiting homelessness and to notify the Richland police department of such individuals.

C. Nothing in this chapter shall preclude enforcement of any other federal, state, or local laws, including enforcement of Chapter 9.22 RMC.

Section 2. This Ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

Section 3. Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, that decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

Section 4. The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including but not limited to the correction of scrivener's errors/clerical errors, section numbering, references, or similar mistakes of form.

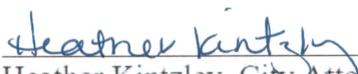
**PASSED** by the City Council of the City of Richland, Washington, at a regular meeting on the 5<sup>th</sup> day of September, 2023.

  
\_\_\_\_\_  
Mayor

Attest:

  
\_\_\_\_\_  
Jennifer Rogers, City Clerk

Approved as to Form:

  
\_\_\_\_\_  
Heather Kintzley, City Attorney

First Reading: August 15, 2023

Second Reading: September 5, 2023

Date Published: September 10, 2023