

CITY OF BUCKLEY, WASHINGTON

ORDINANCE NO. 14- 08

AN ORDINANCE OF THE CITY OF BUCKLEY, PIERCE COUNTY, WASHINGTON, AMENDING SECTION 11.48 OF THE BUCKLEY MUNICIPAL CODE ENTITLED "TRAILERS".

WHEREAS, the City Council established policies and procedures for the use of trailer coaches through adoption of Ordinance #726 in 1966;

WHEREAS, significant changes have taken place in the last 42 years since adoption of these requirements; and

WHEREAS, the City Council has determined that the existing standards and procedures surrounding "trailer camps" are not adequate and on December 7, 2007 imposed a moratorium upon the development of RV Parks (trailer camps) until such time that new regulations could be developed and adopted; and

WHEREAS, the City Council is consolidating all taxes, rates and fees for the city under a comprehensive taxes, rates and fees schedule adopted by resolution and is modifying language in the Municipal Code to reference adoption by resolution; and

WHEREAS, the City Council desires to amend this Chapter of the Municipal Code to reflect these changes;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BUCKLEY, PIERCE COUNTY, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Section 11.48 of the Buckley Municipal Code entitled "Trailers" is hereby amended to read as follows:

11.48.010 Chapter purpose.

This chapter and the enforcement thereof is deemed expedient to maintain the peace, good government and welfare of the city and its trade, commerce and manufacture, and is necessary as a sanitary measure and for the proper safeguarding of the public health, safety and morals.

11.48.020 Definitions.

Words used in this chapter are defined as follows:

- (1) "Person" means person, firm, corporation, partnership or association.
- (2) "Police chief" means the police chief of the city of Buckley.
- (3) "Trailer camp" or "trailer park" means any site, lot, field or tract of ground upon which two or more trailer coaches are placed, and includes any building, structure, tent, vehicle, or enclosure used or intended for use as a part of the equipment of such camp.
- (4) "Trailer coach" means any vehicle or structure, including but not limited to campers, trailers and motor homes, used or maintained for use as a conveyance upon highways or city streets, so designed and constructed as to permit occupancy thereof as a temporary dwelling or sleeping place for one or more persons and having no other foundation than wheels or jacks. This definition does not apply to equipment owned and operated by the armed forces of the United States.

11.48.030 Parking – Permit.

It is unlawful for any person in possession of a trailer coach:

(1) To allow the trailer coach to stand upon any public property, including roads, alleys, parks and public parking lots within the city limits for more than eight hours in any three-day period;

(2) To use or allow the use of the trailer coach for living and/or sleeping quarters upon any private property within the city limits except in a trailer camp duly licensed as such in accordance with applicable regulations of the state, county and city; provided, however, that a trailer coach may be lawfully parked for use and occupancy on private property for a period not to exceed 14 consecutive days, and not to exceed 28 days in one calendar year, if the person in possession of the trailer coach obtains written permission from the owner of the private property prior to occupancy and if the person obtains a permit from the chief of police within one day of such occupancy.

(3) The parking fee for a trailer coach permit shall be established by resolution of the city council.

11.48.040 Property owners not to allow parking without permit.

It is unlawful for the owner, person in possession or having control of any private property situated within the city limits to permit a trailer coach, when at any time used for commercial, living and/or sleeping quarters, to be parked on such private property, unless and until the person in possession of such trailer coach shall have exhibited to such owner, person in possession or having control of such private property a written permit therefore, signed by the chief of police.

11.48.050 Removal of wheels.

Any removal or partial removal of wheels of a trailer coach, except for temporary purposes of repair, or other action to attach a trailer coach to the ground by means of posts, piers, foundation or skirting shall subject the trailer coach to the requirements of the city building code as well as this chapter.

11.48.055 Violation - Penalty.

Any person violating the provisions of this chapter shall be deemed to have committed a civil infraction and shall be subject to a penalty as provided in Chapter 1.04 BMC.

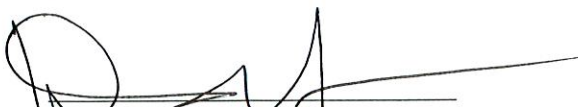
Section 2. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 3. Effective Date. A summary of this Ordinance consisting of its title shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

Passed by the City Council on the 13th day of May, 2008.

RE: 
Mayor Pat Johnson

Attest:


Dave Schmidt, City Administrator

APPROVED AS TO FORM:


Susan Sampson, City Attorney

PUBLISHED: May 21, 2008

EFFECTIVE: May 26, 2008