

11.05.231 Human habitation of vehicles.

A. Definitions.

1. “Human habitation” shall mean the use of a vehicle for dwelling or residential purposes. Evidence of human habitation includes, but is not limited to, any combination of two or more of the following activities: sleeping; setting up any bedding, sleeping bags, bedroll, pillow or other sleeping materials in such a manner as to be used for sleeping; engaging in housekeeping or cooking activities; storing cookware, cooking equipment; or bodily fluids in a vehicle; storing personal possessions in such a manner that some or all of the vehicle’s windows are obscured; using sanitation, plumbing and/or electrical systems or equipment in a manner inconsistent with any provision of the Tacoma Municipal Code, or any other activity where it reasonably appears, in light of all the circumstances, that a person or persons is using the vehicle as a living accommodation. For purposes of this section, “human habitation” means the use of a vehicle as a dwelling place and does not include temporary use of a vehicle for alleviation of sickness or because of physical inability to operate the vehicle.
2. “Vehicle” shall include, but not be limited to, automobiles, motorcycles, trucks, buses, motorized recreational vehicles, campers, boats, travel trailers, boat trailers, utility trailers, or other similar devices.
3. “Recreational Vehicle” (“RV”) means a vehicular-type unit primarily designed for recreational camping or travel use that has its own motive power or is mounted on or towed by another vehicle. The units include travel trailers, fifth wheel trailers, folding camping trailers, truck campers, and motor homes.

B. It is unlawful ~~for any person to use a~~ for any vehicle to be used for human habitation purposes for a period exceeding seventy-two (72) hours~~seven days~~, ~~in either one or multiple locations~~, on a public street or public right-of-way anywhere in the City of Tacoma, unless a permit has been issued in accordance with subsections D and E herein. It shall be unlawful for a vehicle to be moved any distance less than one-half (1/2) of one (1) mile from the position it occupied at the start of the seventy-two (72) hour period in order to avoid the time limit regulation of this section. Proof that any vehicle was found stopped, parked, or standing in or along any public street or public right-of-way and was unattended by any person but was in violation of this subsection, together with proof that the defendant was at the time of such violation the registered owner of such vehicle, shall constitute in evidence a prima facie presumption that the registered owner of such vehicle was the person who parked or placed such a vehicle at the point where and for the time during which such violation occurred.

C. Recreational vehicle parks in compliance with Chapter 2.16 of the Tacoma Municipal Code and state law are exempt from the provisions of this section.

D. A recreational vehicle may be used for human habitation if an appropriate permit, such as a special events, special use, or temporary use permit, has been obtained from the City that authorizes a recreational vehicle to be parked and used for human habitation.

E. Recreational vehicles ("RVs") may be permitted to be used for human habitation for a maximum of 14 days per calendar year at a specific location when the resident of the property adjacent to which the RV will be parked has first obtained a permit from the City.

1. Permits are valid only for the dates authorized on the permit and only for the location indicated on the permit. A permit must be displayed in a manner that it is clearly visible from the outside of the recreational vehicle.

2. The owner, operator, and occupants of the RV must comply with all conditions printed on the permit. Conditions include: (a) the vehicle must be legally parked, (b) all waste and sewage generated within the RV must be disposed of in a safe and legal manner, (c) operation of a generator while the RV is parked is prohibited, (d) the use of extension cords and other hookups is prohibited, (e) the erection of awnings and setting up furniture or similar items outside the RV is prohibited.

3. The violation of any condition printed on the permit is a violation, and the owner or operator of the RV may be cited, as provided in this section. A permit may be summarily revoked by a police officer, road compliance officer, code enforcement officer, tax and license compliance officer, or parking enforcement officer when (a) a condition printed on the permit or other Municipal Code provision has been violated by the vehicle owner, operator, or occupant or (b) the Municipal Code is violated in relation to the parking or occupancy of the vehicle or (c) the permit was obtained by fraud or misrepresentation.

4. The resident obtaining the permit must present proof of residency at the address at the time of application for the permit.

5. Fees. The cost of a permit is \$10 payable to the City of Tacoma ~~Finance Department~~.

F. Emergency Action. Any vehicle being used for human habitation which is resulting in the discharge of human waste or sewage in any location or manner except into an approved public or private sewage disposal system constructed and maintained in accordance with the Tacoma Municipal Code may be summarily removed and impounded notwithstanding any provision of this chapter.

G. Violations.

1. ~~Any~~ violation of this section is a Class 3 class 1 civil infraction, ~~and the owner, operator, or person in charge of any vehicle found to be in violation of this section shall be assessed a monetary penalty of not more than fifty (\$50.00) not to exceed \$250 dollars,~~ not including statutory assessments.

2. Any violation in any street, park, alley, public parking lot, or other public way which constitutes an obstruction to traffic, or presents a threat to public safety, may subject the vehicle to immediate impoundment in accordance with the provisions contained in RCW Chapter 46.55. If the vehicle is inoperable and cannot be moved under its own power from where it is located, the vehicle may be subject to enforcement and impoundment pursuant to TMC 8.23.050.

3. Penalties for a violation of this section shall be in addition to any other remedy provided by local or state law and nothing in this chapter should be construed to limit the authority of the City to enforce pursuant to any other provision of local or state law.