

# CITY OF ORTING

## WASHINGTON

### ORDINANCE NO. 2024-1133

**AN ORDINANCE OF THE CITY OF ORTING, WASHINGTON, RELATING TO THE CITY'S REGULATIONS FOR THE PARKING AND TEMPORARY OCCUPATION OF RECREATIONAL VEHICLES WITHIN THE CITY; AMENDING ORTING MUNICIPAL CODE (OMC) CHAPTER 10-14, OMC 13-2-19, OMC 13-4-2, AND OMC 13-5-3.K.1.a; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE**

---

**WHEREAS**, the City of Orting, Washington is fully planning under the state Growth Management Act (GMA); and

**WHEREAS**, in 1973 the City of Orting adopted regulations prohibiting the parking and occupation of a mobile home, or factory-built homes anywhere in the city outside of an approved mobile home park; and

**WHEREAS**, the City of Orting amended sections of Titles 10, 13, and 14 of the Orting Municipal Code (OMC) relevant to the parking and occupation of recreational vehicles (RVs) through Ordinance 2019-1053; and

**WHEREAS**, there are conflicting regulations within various code sections of the Orting Municipal Code regarding temporary occupation and parking of RVs; and

**WHEREAS**, the City of Orting desires to clarify and amend the regulations pertaining to the occupation and parking of RVs; and

**WHEREAS**, the City Council intends by this ordinance to allow very short-term occupancy of RVs on lots in the residential zoning districts; and

**WHEREAS**, the Planning Commission held a public hearing and considered this Ordinance on September 5, 2024; and

**WHEREAS**, a 60-day notice of intent to adopt the proposed amendments in this Ordinance was provided to Department of Commerce on August 6, 2024; and

**WHEREAS**, on October 30th, 2024 the City Council held a public hearing on the proposed code amendments in this Ordinance; and

**WHEREAS**, the City Council has determined that the proposed code amendments in this Ordinance are consistent with the goals and policies of the City’s comprehensive plan, and will serve the public health, safety and general welfare;

**NOW, THEREFORE**, the City Council of the City of Orting, Washington, do ordain as follows:

Section 1. Amendment: Orting Municipal Code (OMC) Chapter 10-14, OMC 13-2-19 (definition of “Recreational Vehicle” only), OMC 13-4-2, and OMC 13-5-3.K.1.a, and are hereby amended as set forth in **Attachment A**, attached hereto.

Section 2. Corrections by City Clerk or Code Reviser. Upon approval of the City Attorney, the City Clerk and the code reviser are authorized to make necessary corrections to this Ordinance, including the correction of clerical errors; references to other local, state, or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.

Section 3. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 4. Transmittal to State. Pursuant to RCW 36.70A.106, a complete and accurate copy of this Ordinance shall be transmitted to the Department of Commerce within ten (10) days of adoption.

Section 5. Effective Date. This Ordinance shall take effect and be in force five (5) days after its approval, passage and publication as required by law.

**ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 30th day of October, 2024.**

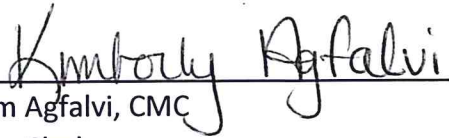
CITY OF ORTING



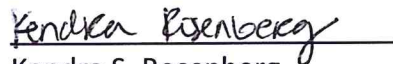
---

Joshua Penner, Mayor

ATTEST/AUTHENTICATED:

  
\_\_\_\_\_  
Kim Agfalvi, CMC  
City Clerk

Approved as to form:

  
\_\_\_\_\_  
Kendra S. Rosenberg  
Kenyon Disend  
City Attorney

Filed with the City Clerk:  
Passed by the City Council:  
Ordinance No.  
Date of Publication:  
Effective Date:

## **Attachment A**

### **TITLE 10 BUILDING AND CONSTRUCTION**

#### **CHAPTER 14 PARKING AND OCCUPYING RECREATIONAL VEHICLES**

##### **10-14-1 : UNLAWFUL PARKING OR OCCUPATION OF RECREATIONAL VEHICLES:**

- A. Prohibition: It is unlawful, within the City limits, for any person to park or occupy any recreational vehicle within the City except as provided in this Chapter.
- B. Exception: This Section shall not apply to manufactured homes as defined in OMC 13-2-14. (1973 Code § 14.40.010; amd. Ord. 2019-1053, 11-25-2019)
- C. For purposes of this chapter, “recreational vehicle” shall have the same meaning as stated in OMC 13-2-19.

##### **10-14-2 : EMERGENCY OR TEMPORARY STOPPING OR PARKING:**

Emergency or temporary stopping or parking of a recreational vehicle is permitted on any street, alley or highway for a period of no longer than twenty-four (24) hours in a 180-day period, and subject to any other regulation or ordinance prohibiting or restricting parking. (1973 Code § 14.40.020; amd. Ord. 2019-1053, 11-25-2019)

##### **10-14-3 PERMISSIBLE PARKING OF RECREATIONAL VEHICLES:**

No person shall park or occupy a recreational vehicle within the City outside of an approved manufactured home park, or recreational vehicle park/campground, except:

- A. Within A Building: The parking of one unoccupied recreational vehicle in a private garage building is permitted, provided no living quarters shall be maintained or any business practiced in said recreational vehicle;
- B. Selling or Renting: The parking of an unoccupied recreational vehicle in a lot devoted for the purpose of selling, renting or otherwise disposing of recreational vehicles is permitted provided each recreational vehicle is ten feet (10') or more from any other recreational vehicle, building or structure;

##### **C. Temporary Parking for a Recreational Vehicle:**

Recreational Vehicles on Private Property: A recreational vehicle may stand or be parked and used or occupied on private property with the permission of the lawful owner of the lot upon which it will be placed, for a period not to exceed one hundred eighty (180) days within a twelve (12)- month period. The temporary occupation of the recreational vehicle shall be accessory to an active building or remodel



permit that has been issued for construction located on the same lot where the recreational vehicle is placed and is subject to the following:

1. The lawful occupant of the recreational vehicle shall register with the Code Enforcement Officer prior to occupying the recreational vehicle on the premises, and pay required permit fees as established by resolution of the City Council;

2. The recreational vehicle shall be inspected by the City if connected to sewer or to a Tacoma-Pierce County health department approved septic system;

3. The recreational vehicle shall be located on a lot in a residential zoning district in accordance with the provisions of OMC Title 13, Chapter 5;

4. Such use or occupancy shall not create a public health hazard or nuisance, as determined by the City;

5. The recreational vehicle shall not be parked on or overhanging a public right of way (street or sidewalk); and

6. The recreational vehicle shall not leak or cause illicit discharges to stormwater drainage systems, surface water or groundwater in accordance with OMC 9-5A-9:H; sites are subject to inspection for illicit discharges in accordance with OMC 9-5B-10.

7. Once a recreational vehicle is registered for occupation on private property for a period of one hundred eighty (180) days, the one hundred eighty (180) day period may be extended by the Code Enforcement Officer, upon written request setting forth the need of extending the time, but such extension shall not exceed one hundred eighty (180) additional days.

D. Outdoor Storage Of Recreational Vehicles: The outdoor storage of unoccupied recreational vehicles in the residential zones is permitted without a permit, pursuant to OMC 13-5-3.

#### **10-14-4 : PENALTY:**

A. Any person violating any of the provisions of this Chapter is guilty of a civil infraction with penalties, plus statutory assessments, as follows:

1. The maximum penalty and the default amount for a first offense within a one-year period, designated as a Class 4 civil infraction, shall be sixty dollars (\$60), not including statutory assessments;

2. The maximum penalty and the default amount for a second offense within a one-year period, designated as a Class 3 civil infraction, shall be one hundred twenty dollars (\$120), not including statutory assessments;

3. The maximum penalty and the default amount for a third offense within a one-year period, designated as a Class 2 civil infraction, shall be three hundred dollars (\$300), not including statutory assessments;

4. The maximum penalty and the default amount for a fourth offense and each additional offense within a one-year period, designated as a Class 1 civil infraction, shall be six hundred dollars (\$600), not including statutory assessments.

B. Joint and Several Responsibility And Liability: Responsibility for violations subject to enforcement under this chapter is joint and several, and the city is not prohibited from taking action against a party where other persons may also be potentially responsible for a violation, nor is the city required to take action against all persons potentially responsible for compliance. (1973 Code § 14.40.080; amd. Ord. 2019-1053, 11- 25-2019)

**10-14-5 : REPEALED**

**10-14-6 : VIOLATION:**

Any person violating any of the provisions of this Chapter is guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided in Section 1-4-1 of this Code. (1973 Code § 14.40.080)

**TITLE 13 - CHAPTER 2 (partial)**

**OMC 13-2-19: . . .**

**RECREATIONAL VEHICLE:** A recreational vehicle is a factory built vehicular structure designed only for recreational use and not as a primary residence or for permanent occupancy, built and certified in accordance with NFPA 1192–15 or ANSI A119.5–09 consensus standards for recreational vehicles and not certified as a manufactured home. It is designed to be self-propelled or permanently towable and shall include, but not be limited to, travel trailers, campers, motor homes, and camping trailers.

. . .

**TITLE 13 - CHAPTER 4  
TEMPORARY USES/TEMPORARY HOUSING UNITS**

**13-4-1 : PURPOSE:**

The purpose of this chapter is to establish allowed temporary uses and structures and provide standards and conditions for regulating such uses and structures. (Ord. 792, 7-29-2004)

**13-4-2 STANDARDS**

A. Temporary Construction Buildings: Temporary structure for the storage of tools and equipment or containing supervisory offices in connection with major construction projects, may be established and maintained during the progress of such construction on such projects, and shall be abated within thirty (30) days after completion of the project or thirty (30) days after cessation of work or for a period not to exceed the duration of the building permit, whichever is greater.

B. Temporary Real Estate Office: One temporary real estate sales office may be located on any new subdivision in any zone, provided the activities of such office shall pertain only to the selling of lots within the subdivision upon which the office is located; and provided further, that the temporary real estate office shall be removed at the end of a twelve (12) month period, measured from the date of the recording of the map of the subdivision upon which such office is located or at the time specified by the city council.



C. Temporary Classrooms: Portable, modular, or mobile structures that provide classrooms or other school related space are allowed as part of K-12 school facilities and are subject to the provisions of the underlying permit.

D. Temporary Housing Unit: A factory-built structure may be placed in any zone to provide on-site security and surveillance for public facilities, or a recreational vehicle may be placed in any residential zone for occupancy during the construction or renovation of a permanent dwelling on the same lot or tract, or to provide for residential occupancy when permanent homes have been destroyed or damaged by a disaster, provided:

1. The unit meets all applicable codes and regulations including OMC 10-14-3. A recreational vehicle may remain on site unoccupied as long as it meets all applicable development standards in Title 13 OMC;

2. The mobility gear is not removed from the unit and the unit is not permanently affixed to the site on which it is located;

3. The recreational vehicle is located on private property in a manner consistent with OMC 13-5-3;

4. A temporary permit is issued by the building department prior to occupancy of the unit on the site;

5. Prior to the issuance of a temporary permit for a unit allowed per this section, the site shall be reviewed by the Pierce County health department to determine additional requirements for water supply and/or septic waste disposal or adequacy of existing utilities. The recreational vehicle may be inspected by the City if connected to sewer or to a Tacoma-Pierce County health department approved septic system;

6. In the event the site contains trees or other natural vegetation of a type and quantity to make it possible to partially or totally provide screening on one or more sides of the unit, the city may require the unit be located so as to take advantage of the natural growing material available to screen said unit from adjacent properties-;

7. Prior to the issuance of a temporary housing permit, the city shall review the application and may require installation of such fire protection/detection equipment as may be deemed necessary as a condition to the issuance of the temporary housing permit; and

8. The unit shall comply with all applicable requirements in Title 11 - Critical Areas and Shoreline Management.

9. Recreational vehicles located within an approved recreational vehicle park are not subject to the standards set forth in this Section.

E. A recreational vehicle may be occupied for up to 14 (fourteen) days in a six (6) month period, with one potential extension of 14 (fourteen) additional days, per year, with a temporary use permit when located on a parcel in the RC, RU, or RMF zoning districts, provided:

1. The recreational vehicle shall not be parked on or overhanging a public right of way (street or sidewalk), and

2. The recreational vehicle shall not be connected to sewer or water systems.

F. Cargo Containers; When Allowed: Except pursuant to subsections A, "Temporary Construction LM and PF zones pursuant to a type 1 permit as an accessory use and in the RU zone pursuant to a type 3 permit as a conditional accessory use, subject to the following limitations as determined by the city administrator:

1. Only two (2) cargo containers will be allowed per lot with a maximum length of forty feet (40') per cargo container.

2. The cargo container must be located to minimize the visual impact to adjacent properties, parks, trails and rights of way. Property located across a public right of way is not regarded as adjacent property.

3. The cargo container must be sufficiently screened from adjacent properties, parks, trails and rights of way, as determined by the city administrator. Screening may be a combination of solid fencing, landscaping, or the placement of the cargo containers behind, between or within buildings. If a cargo container is located on a lot adjacent to a residential zone, the cargo container shall be no greater in size than ten by twenty feet (10 x 20'), and shall have a stick built structure, with a peaked roof, constructed to completely enclose the container. No stick built structure shall be required if the cargo container is totally screened from adjacent residential properties as determined by the city administrator.

4. If located adjacent to a building, the outdoor cargo container must be painted to match the building's color.

5. Cargo containers may not occupy any required off street parking spaces.

6. Cargo containers may not be used as an accessory dwelling unit.

7. Cargo containers shall meet all setback requirements for the zone.

8. Outdoor cargo containers may not be refrigerated.

9. Outdoor cargo containers may not be stacked.

10. Outdoor cargo containers must comply with all applicable requirements of title 11, "Critical Areas And Shoreline Management", of this code, as now or hereafter amended.

11. Cargo containers shall be prohibited from having windows, heating and cooling, plumbing, or multiple entrances. Cargo containers are allowed to have electric, ventilation, and drainage systems installed that would be necessary to meet the minimum codes and standards for lighting, circulation, and drainage.

12. No signage shall be allowed on any cargo container unless approved in accordance with section 13-7-1 of this title, as now or hereafter amended.

13. Cargo containers shall not be visible from any site designated or identified as a local or national historic landmark or natural area. This includes significant vegetative features, stream and creek corridors, buildings, sites, structures and/or identified viewsheds of historic and/or cultural significance.

14. Cargo containers shall be safe, structurally sound, stable, and in good repair.

15. The location of the cargo container shall not block or impede fire or emergency access and shall not be located within or upon the public right of way except as may be permitted by the governing body managing or controlling the public right of way.

16. Conditional use permit for placement in the RU zone requires that the property be at least five (5) acres or more in size.

G. Temporary Portable Storage:

1. When Allowed: Cargo containers used for temporary portable storage may be located on property in all residential zones subject to the following:

a. Such cargo containers may be located on property within the city for a period not exceeding fourteen (14) consecutive days in duration from and including the date of delivery to the date of



removal, without registering the property upon which such cargo container is located as provided at subsection G.2. of this section;

b. No more than one such cargo container may be located on a specific property within the city at one time and each such cargo container shall be individually limited in duration to the time period established herein;

c. Such cargo container may not be removed and relocated on a specific property more than two (2) times in any given thirty (30) calendar day period;

d. Such cargo container shall be located, if feasible, no closer than five feet (5') to the property line;

e. Such cargo container shall be placed on an existing impervious surface; provided that, in the event that it is unfeasible to place the cargo container on an existing impervious surface, the cargo container may be placed anywhere on the property that is otherwise in compliance with this subsection G.1.;

f. It shall be the obligation of the owner or user of such cargo container to secure it in a manner that does not endanger the safety of persons or property in the vicinity of the cargo container. In the event of high winds or other weather conditions in which such structure may become a physical danger to persons or property, the appropriate law enforcement officers may require the immediate removal of such temporary structure;

g. No such cargo container shall be located in a manner that blocks access to a fire hydrant or obstructs the view of street intersections;

h. No such cargo container shall contain toxic or hazardous materials;

i. No such cargo container shall be located in the public right of way; and

j. No such cargo container shall be used to store solid waste, construction debris, demolition debris, recyclable materials, business inventory, or commercial goods (i.e., used for retail sales), or personal property not from the residential property where the cargo container is located.

k. "Temporary portable storage" shall mean an unoccupied cargo container that is used on a temporary basis for the transient storage of personal property of any kind and which is located for such purposes outside an enclosed building.

2. Registration Required: The owner or occupant of the residential property upon which a cargo container is located pursuant to this subsection G, shall not cause or allow such cargo container to remain on such property beyond the duration specified in subsection G.1.a. of this section, unless the property upon which such cargo container has been located is registered with the city administrator and the ten dollar (\$10.00) nonrefundable registration fee has been paid. The registration application shall contain the name of the applicant, whether the person owns, rents, occupies, or controls the property, the street address at which the cargo container has been placed (and assessor's tax parcel number if available), the delivery date, removal date, and a description of the cargo container and its location on the registered property. The effective date of the registration shall be the date of approval of the registration application and the registration shall be conspicuously posted on the cargo container. A cargo container may be located upon the registered property for a period not to exceed sixty (60) days from the date of approval. No property may be registered more than one time in any one hundred eighty (180) day period.

3. Revocation: A violation of any of the provisions of this subsection shall, in addition to any other penalties provided herein, subject the registration approval to revocation by the city administrator.

4. Removal: The owner or occupant of the residential property is responsible for removing the cargo container from the property at the expiration of the registration approval or sooner if the registration is revoked by the city administrator.

5. Penalties: A violation of any of the provisions of this subsection shall be and constitute a class IV civil infraction for each day that such violation continues, and any person found to have committed such a violation shall be subject to a maximum fine of twenty five dollars (\$25.00) for each such violation. Imposition of such penalties shall not preclude the city from exercising any other rights or remedies it may have to require or seek removal of a cargo container located in violation of this subsection. (Ord. 889, 9-8-2010)

## **TITLE 13 – CHAPTER 5 (partial) DEVELOPMENT STANDARDS**

### **13-5-3: LOADING AREA AND OFF-STREET PARKING REQUIREMENTS**

K. Commercial Vehicles, Recreational Vehicles, And Boats: The following special requirements and performance standards shall apply to private properties located in the Residential-Urban, Residential-Multi-Family, and Residential-Conservation Zones, except as otherwise authorized by the City through a conditional use permit:

1. Outdoor Storage of Vehicles: The outdoor storage of commercial vehicles, recreational vehicles, boats, and vehicle accessories is permitted in the residential zones, provided the following standards are met. For purposes of this section, "storage" means the keeping of such vehicles and accessories on any portion of any parcel of property for a period of seventy-two (72) continuous hours or longer.

a. Recreational Vehicles and Boats: A recreational vehicle or boat shall not be stored in the front yard of a lot. In no instance shall a recreational vehicle or boat be stored such that any portion of the vehicle encroaches upon a site distance area that would create a traffic hazard; nor shall a recreational vehicle or boat be stored on or overhang a public right-of-way. A maximum of one recreational vehicle and/or one boat may be located at a parcel in the residential zones. It is prohibited to store two recreational vehicles or two boats in the City's residential zoning districts. If located within a required side yard that fronts a street, the storage area for a recreational vehicle or boat shall be improved with a durable and dustless surface and screened from views from adjacent properties. In this context, a boat or recreational vehicle shall be considered to be "screened from views" provided an opaque fence of at least 6-feet in height separates the boat or recreational vehicle from public view, or similar vegetative or structural screening as approved by staff separates the boat or recreational vehicle from public view. See OMC 13-5-1(D) for provisions related to the dimensional and permitting requirements for fences.