

## Ordinance 3603

**An ordinance amending Missoula Municipal Code Title 10, Chapter 10.22, Section 10.22.190 entitled “Parking for camping purposes” clarifying requirements for parking recreational vehicles for camping purposes on a City street.**

**Be it ordained that Section 10.22.190 is hereby amended as follows:**

### **10.22.190 Parking for camping purposes.**

A. No person shall occupy a recreational vehicle parked on a public street, road, alley, boulevard, or median in the City. For the purpose of this Section, a recreational vehicle is a vehicular type unit primarily designed as temporary living quarters for recreational, camping, or travel use that either has its own mode of power or is mounted on or towed by another vehicle, including but not limited to a: (a) travel trailer; (b) camping trailer; (c) truck camper; or (d) motor home. For the purposes of this Section, “occupy” means spending more than a de minimis amount of time in the recreational vehicle. The provisions of this section do not apply to the following:

1. A property owner or tenant may allow a guest's recreational vehicle to be parked on the public right of way adjacent to their residence for sleeping purposes for a maximum of five (5) consecutive days without violating this provision, provided that the recreational vehicle is not occupied for more than five (5) days in any consecutive thirty (30) day period while on the block adjacent to the property owner or tenant's residence.
2. Pursuant to 12.58.030 MMC, upon approval by the Police Department, the requirements and restrictions imposed by 10.22.190A may be suspended in order to accommodate special events held within the city within the timeframes designated in the special event permit; or
3. As allowed by the provisions of 12.40.010B MMC.

B. It is unlawful for any person to dump or deposit any sink water or sewage from a motor vehicle or vehicle designed for camping anywhere except in a disposal site approved by the city-county health department.

C. The penalty for a violation of subsection 10.22.190(A) shall be a fine only of up to \$100.00 with no penalty of imprisonment. The penalty for a violation of subsection 10.22.190(B) shall be a fine only of up to \$500.00 with no penalty of imprisonment. This penalty is an alternative to the penalty applied by Montana State law. Montana State law's penalty may be applied if the person is cited pursuant to Montana State law.

Effective date: This ordinance shall be effective 30 days after adoption and passage.

Severability If any section, subsection, sentence, clause, phrase or word of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, phrase, and words thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or words have been declared invalid or unconstitutional, and if for any reason this ordinance should be declared invalid or unconstitutional, then the remaining ordinance provisions will be in full force and effect.

First reading and preliminary adoption on the 4<sup>th</sup> day of December, 2017, by a vote of 11 ayes, Julie Armstrong, Mirtha Becerra, Emily Bentley, Michelle Cares, John DiBari, Annelise Hedahl, Jordan Hess, Gwen Jones, Marilyn Marler, Bryan von Lossberg, Heidi West; 0 nays; 0 abstentions; and 1 absent, Jon Wilkins.

Second and final reading and adoption on the 18<sup>th</sup> day of December, 2017, by a vote of 10 ayes, Julie Armstrong, Mirtha Becerra, Emily Bentley, John DiBari, Annelise Hedahl, Jordan Hess, Gwen Jones, Marilyn Marler, Bryan von Lossberg, Jon Wilkins; 0 nays; 0 abstentions; and 2 absent, Michelle Cares, Heidi West.

ATTEST:

/s/ Martha L. Rehbein

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Martha L. Rehbein, CMC  
City Clerk

APPROVED:

/s/ John Engen

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John Engen  
Mayor