

ORDINANCE NO. 4304

AN ORDINANCE OF THE CITY OF KIRKLAND AMENDING KIRKLAND MUNICIPAL CODE CHAPTER 11.80 RELATING TO PARK RULES.

The City Council of the City of Kirkland do ordain as follows:

Section 1. Kirkland Municipal Code ("KMC") Section 11.80.010 is hereby amended to read as follows:

11.80.010 Title of chapter--applicability.

This chapter may be cited as the park code of conduct for the city of Kirkland. The provision of this Chapter shall apply to all public parks, improved or unimproved, within the City, whether or not owned by the City.

Section 2. KMC Section 11.80.030 is hereby amended to read as follows:

11.80.030 Definitions.

The terms herein used, unless clearly contrary to or inconsistent with the context in which used, shall be construed as follows:

- (1) "Director" means the director of the parks and recreation department of the city as established by Chapter 3.68.
- (2) "Park" means and includes all city public parks and all areas within the boundaries of a city public park, including structures, regardless of whether the area is under the management and control of the park and recreation department.
- (3) "Park board" means the board of park commissioners as established and created by Chapter 3.36.
- (4) Wherever consistent with the context of this chapter, words in the present, past or future tenses shall be construed to be interchangeable with each other and words in the singular number shall be construed to include the plural.

Section 3. KMC Section 11.80.060 is hereby amended to read as follows:

11.80.060 Animals at large prohibited.

The provisions of Chapter 8.04 of the Kirkland Municipal Code, including all portions of the King County Code adopted by reference, shall apply in all city parks. It is unlawful for any person to allow or permit any animal owned by him or within his possession or under his control to run at large in any park or enter any designated swimming area located therein. The director, acting pursuant to Section 11.80.220, may adopt rules prohibiting dogs or other types of domesticated animals from entering certain parks or certain portions of parks after consultation with the city council.

Section 4. KMC Section 11.80.110 is hereby amended to read as follows:

11.80.110 Watercraft.

It is unlawful for any person to have, keep or operate any boat, float, raft or other watercraft in or upon any ~~bay, lake, slough, river, or creek,~~ waters within the limits of any park, or to land ~~the same at any point upon the shores thereof bordering upon~~ at any park, except at such places as shall be set apart for such purposes by the director and so designated by signs.

Section 5. KMC Section 11.80.180 is hereby amended to read as follows:

11.80.180 Permit for assemblies required.

It is unlawful for any person to hold, sponsor, or participate in any organized assembly in a City park without first obtaining written permission to do so from the director. ~~giving to the director, notice thereof and obtaining therefrom, his written permit to do so.~~ Such notice shall be given at least seventy-two hours prior to the date established for such assembly. Pursuant to Chapter 3.68 and Section 11.80.220, the director is hereby ordered to establish forthwith such rules and regulations pertaining to the issuance of assembly permits as shall permit the fullest peaceful utilization of the parks by all of the general public (including such persons attending such assemblies and such other persons utilizing the park, but not in attendance at such assembly) as shall be reasonably possible and consistent with the health, safety, and general welfare. In this connection, and in addition to the conduct requirements of this chapter, such rules and regulations may require the deposit of "cleanup" undertakings, the furnishing of waste and sanitary conveniences and effective plans for traffic and crowd control and management. Events in King County parks within the Kirkland city limits shall be permitted by the King County's Parks and Recreation Division, who shall consult with and obtain input from the City with respect to park events involving sound amplification or the consumption of alcohol. Events in O.O. Denny Park shall be permitted by the Finn Hill Park and Recreation District, who shall consult with and obtain input from the City with respect to park events involving sound amplification or the consumption of alcohol.

Section 6. KMC Section 11.80.210 is hereby amended to read as follows:

(S)11.80.210 Intoxicating liquors and drugs prohibited.

It is unlawful for any person to possess a container of any alcoholic beverage, whether opened or unopened, while in any ~~city~~ park. Any person having a container within one's immediate reach or control (such as at a bench, picnic table, blanket, or motor vehicle where that person is sitting) within a ~~city~~ park may be considered to be in possession of the container for the purposes of this section. It is also unlawful for a person to be in a park while in a state of intoxication. A person is exempt from this section to the extent that his/her actions are in accordance with a parks department special alcohol permit or a

special use permit issued by the King County Parks and Recreation Division or the Finn Hill Park and Recreation District.

Section 7. A new KMC Section 11.80.260 is hereby adopted to read as follows:

11.80.260 Prohibited activities in designated boat launch area.

No person shall swim, sunbathe or scuba dive in any designated boat launch area.

Section 8. A new KMC Section 11.80.270 is hereby adopted to read as follows:

11.80.270 Waste from vehicles.

No person shall drain or dump refuse or waste from any trailer, camper, automobile, or other vehicle in any park within the City.

Section 9. A new KMC Section 11.80.280 is hereby adopted to read as follows:

11.80.280 Dumping in water prohibited.

No person shall pollute or in any way contaminate, by dumping or otherwise depositing any waste or refuse of any nature, kind or description, including human and bodily waste, into any stream, river, lake or other body of water running in, through, or adjacent to any park within the City.

Section 10. A new KMC Section 11.80.290 is hereby adopted to read as follows:

11.80.290 Interference with trails.

It shall be unlawful for any person to place, deposit or locate any structure, device, or natural or artificial thing that: (1) threatens or endangers any portion of a trail within a park within the City; (2) endangers persons traveling on a trail within a park within the City; or (3) obstructs or constitutes a hazard to persons traveling on a trail within a park within the City.

Section 11. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance, or the application of the provision to other persons or circumstances is not affected.

Section 12. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication pursuant to Section 1.08.017, Kirkland Municipal Code in the summary form attached to the original of this ordinance and by this reference approved by the City Council.

Passed by majority vote of the Kirkland City Council in open meeting this 17th day of May, 2011.

Signed in authentication thereof this 17th day of May, 2011.

Penny Sward
MAYOR

Attest:

Kath Anderson
City Clerk

Approved as to Form:

Bob Jenkins
City Attorney

PUBLICATION SUMMARY
OF ORDINANCE NO. 4304

AN ORDINANCE OF THE CITY OF KIRKLAND AMENDING KIRKLAND MUNICIPAL CODE CHAPTER 11.80 RELATING TO PARK RULES.

SECTION 1. Amends Kirkland Municipal Code ("KMC") 11.80.010 relating to applicability of the Chapter.

SECTION 2. Amends KMC 11.80.030 relating to the definition of "park".

SECTION 3. Amends KMC 11.80.060 relating to animals prohibited from running at large in parks.

SECTION 4. Amends KMC 11.80.110 relating to watercraft.

SECTION 5. Amends KMC 11.80.180 relating to permit requirements for assemblies.

SECTION 6. Amends KMC 11.80.210 relating to prohibited intoxicating liquors and drugs in parks.

SECTION 7. Provides for a new KMC Section 11.80.260 prohibiting activities in a designated boat launch area.

SECTION 8. Provides for a new KMC Section 11.80.270 relating to waste from vehicles.

SECTION 9. Provides for a new KMC Section 11.80.280 prohibiting dumping in water.

SECTION 10. Provides for a new KMC Section 11.80.290 relating to interference with trails.

SECTION 11. Provides a severability clause for the ordinance.

SECTION 12. Authorizes publication of the ordinance by summary, which summary is approved by the City Council pursuant to Section 1.08.017 Kirkland Municipal Code and establishes the effective date as five days after publication of summary.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the 17th day of May, 2011.

I certify that the foregoing is a summary of Ordinance 4304 approved by the Kirkland City Council for summary publication.



City Clerk