ORDINANCE NO. 195

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON ADOPTING RULES FOR THE USE OF PARK FACILITIES AND REPEALING ORDINANCE NO. 48

WHEREAS, the City of Shoreline intends to provide its parks and park facilities for the mutual enjoyment of all users; and

WHEREAS, the City wishes to adopt a Park Code that reflects the needs of Shoreline parks and to regulate activities occurring within the City, and

WHEREAS, upon incorporation the City of Shoreline adopted by reference Chapter 7.12 of the King County Code, Use of Park Facilities, which will now be repealed;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SHORELINE DO ORDAIN AS FOLLOWS:

Section 1. **Adoption of Park Code.** A new section 8.12 of the Shoreline Municipal Code, Rules for Use of City of Shoreline Park Facilities, attached hereto as Exhibit A, is hereby adopted.

Section 2. **Repeal.** Ordinance No. 48 is hereby repealed.

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 preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 4. **Effective Date and Publication.** This ordinance, or a summary thereof, shall be published in the official newspaper of the City and shall become effective five days after publication.

PASSED BY THE CITY COUNCIL ON MAY 10, 1999.

Mayor Scott Jepsen

ATTEST:

Sharon Mattioli, CMC
City Clerk

APPROVED AS TO FORM:

Bruce L. Disend
City Attorney

Date of Publication: May 13, 1999
Effective Date: May 18, 1999

EXHIBIT A
(Ordinance No. 195)

8.12
RULES FOR USE OF CITY OF SHORELINE PARK FACILITIES

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I - GENERAL

8.12.010 **Definitions-** as used in this chapter

A. "Alcoholic beverages" or "liquor" shall be defined as set forth in RCW 66.04.010 and shall include alcohol, spirits, wine and beer.

B. "Associated marine area" means any water area within one hundred feet of any City of Shoreline trail, open space, park area or marine facility such as a dock, pier, float, buoy, log boom, or other object which is part of a City of Shoreline park area, provided that such area does not include private property.

C. "Camping" means erecting a tent or shelter or arranging bedding or both for the purpose of, or in such a way as will permit, remaining overnight; or, parking a trailer, van, recreational vehicle, bus, camper, or other vehicle for the purpose of remaining overnight.

D. "Department" means the City of Shoreline Parks, Recreation and Cultural Services Department.

E. "Facility" or "Facilities" means any building, equipment, sign, material, shelter, swimming pool, or other physical property including but not limited to administered trees, shrubs, plants, lawns, play equipment, picnic areas, athletic fields, trails, or structures, by the City of Shoreline Parks, Recreation and Cultural Services Department.

F. "Department employee" means a duly appointed City of Shoreline Parks, Recreation and Cultural Services Department employee.

G. "City of Shoreline open space, trail or park area" means any area under the ownership, management, or control of the City of Shoreline Parks, Recreation and Cultural Services Department.

H. "Director" means the Department Director of the City of Shoreline Parks, Recreation and Cultural Services Department or his or her designee.

I. "City" means City of Shoreline, Washington.

J. "Motor vehicle" means any self-propelled device capable of being moved upon a road, and in, upon, or by which any persons or property may be transported or drawn, and shall include, but not be limited to, automobiles, trucks, motorcycles, motor scooters, jeeps or similar type four-wheel drive vehicles, and snowmobiles, whether or not they can be legally operated upon the public highways.

K. "Person" means any individual, group, firm, partnership, corporation or club.

L. "Rocket" means any device containing a combustible substance which when ignited propels the device.

M. "Trail" means any path, track, or right-of-way designed for use by pedestrians, bicycles, or other non-motorized modes of transportation.

8.12.020 Program - Purpose. The facilities and programs of the Department are established by the City for public recreation purposes.

II - ADMINISTRATION / FACILITY USE PERMITS

8.12.030 **Administrative rules - hours and operation.** The Director shall promulgate rules establishing the times facilities will be open and closed for use by the public.

8.12.040 **Special use permits.** Park and recreation facilities are available for public use whenever possible, without conflicting with City programs. Special use permits or scheduling of use of facilities is required for any community special or private event involving more than routine use of a park and is done by contacting the Parks and Recreation Department office. Permission for use for amplifying devices must be obtained in advance from the Department.

Groups or individuals that desire to use the City Park facilities, swimming pool, or City programs may be granted special use permits by the Department, and may be charged a fee. Where appropriate, special conditions of use will be established by the Department and so noted on the special use permit. Charges for special services in the City recreational facilities will be established by the Department with the approval of the Shoreline City Council.

8.12.050 **Cancellation of permit.** The Department reserves the right to cancel a permit for cause or to meet the needs of the Department. Notice of cancellation for priority in order to meet the needs of the Department shall be given at least twenty-four hours in advance. Notice of cancellation for cause may be given at any time.

8.12.060 **Building facilities and outdoor field lights hours.** Use of facilities Sunday through Thursday shall cease at 10:00 p.m. unless otherwise approved in the use permit. Use of facilities on Fridays or Saturdays shall cease at 12:00 a.m. unless otherwise approved in the use permit. Outdoor lights shall cease at 10:30 pm at park athletic fields unless otherwise designated.

8.12.070 **Cleanup.** All persons using a building facility must leave the facility in a clean and neat condition considered satisfactory to the Department.

8.12.080 **Liability** - Persons using facilities by permit will be required to protect, save and hold the City of Shoreline, its elected and appointed officials and employees, harmless from and against all claims, demands and causes of action of any kind or character, including the cost of defense thereof, arising out of the use of facilities.

8.12.090 **Liability insurance.** During all periods of use, persons using facilities by permit shall, except when a waiver is obtained from the Department, obtain and maintain public liability insurance acceptable to the City and/or other insurance necessary to protect the public and the City on the premises to be used, with limits of liability not less than:

$500,000 each person personal injury;
$500,000 each occurrence personal injury;

$250,000 each occurrence property damage; or combined single limit personal injury and/or property damage liability $1,000,000 per occurrence.

Persons shall provide a certificate of insurance or, upon written request of the City, a duplicate of the policy, as evidence of the insurance protection provided. This insurance shall not be canceled or reduced without prior written notice to the City at least ten days in advance of the cancellation.

8.12.100 **Adults to accompany minors.** When facilities are used by permit, and children are present, adults must be present and responsible at all times.

8.12.110 **Storage of equipment - liability of City.** Persons using facilities should not expect storage space for equipment necessary for their activity. If temporary storage is provided, the City of Shoreline shall not be held responsible for loss or damage.

8.12.120 **Equipment regulations - failure to perform.** The misuse of a park facility or the failure to conform with regulations, the instructions of Department employees, or the conditions of a permit will be sufficient reason for canceling a permit and/or denying any future permits.

8.12.130 **Facility use - sale of goods or services.** The use of park facilities for financial gain shall be allowed only through concession contracts secured by the City's competitive bid process, negotiated concession contracts or by special use permit issued by the Department.

III - RULES GOVERNING USE OF FACILITIES – (PART I)

8.12.140 **Food waste, washing of clothes or animals.** No person shall clean fish, or other food, or wash any clothing or other articles for personal or household use, or any dog or other animal except at designated areas.

8.12.150 **Parking lots and roadways - games prohibited.** Games of any kind are prohibited in parking lots and roadways of all facilities.

8.12.160 **Motor vehicles - parking.** No operator of any motor vehicle, trailer, camper, boat trailer, or other vehicle, shall park such vehicle in any City park area, except where the operator is using the area for the designated recreational purpose and the vehicle is parked either in the designated parking area, or in another area with the permission of a Department employee. No person shall park, leave standing, or abandon a vehicle in any park area after closing time except persons using park facilities as part of an event authorized by the Department. In addition to the penalties found in Part V of this chapter, any vehicle found in violation of S.C.C. 8.12.180. may be towed away at the owner's expense. This section shall not apply to maintenance and emergency vehicles or vehicles authorized by the Department.

8.12.170 **Motor vehicles on roads and trails.** No person shall operate any motor vehicle on a trail in any City park, unless such trail has been specifically designated and posted for such use. No person shall operate a motor vehicle within the boundaries of a City park area except on roads, streets, highways, parking lots, parking areas, or where otherwise permitted by proper posting. This section shall not apply to emergency, maintenance or authorized vehicles.

8.12.180 **Motor vehicles - speed limits.** No person shall drive a motor vehicle within any park at a speed greater than fifteen (15) miles per hour or as otherwise posted, having due regard for traffic, surface and width of the road, and in no event at a speed which endangers the safety of persons, property, or wildlife; provided, however, that in no event shall a vehicle be driven at a speed greater than fifteen (15) miles per hour in picnic, utility, or headquarters areas, or in a public assemblage.

8.12.190 **Washing of vehicles.** No person shall clean or wash any automobile or other vehicle in any park area except in areas specifically designated for that use.

8.12.200 **Motor vehicles - trucks and commercial vehicles.** No person shall cause a truck or other vehicle while being used for commercial purpose to enter upon, use, or traverse any portion of any City park area or any park road except with the express permission of a Department employee provided, that the provisions of this section shall not apply to City roads, county roads or state highways.

8.12.210 **Trail use.**

A. For the purposes of this section "Travel" shall be construed to include all forms of movement or transportation on a trail, including but not limited to foot, bicycle, horse, skateboard, roller skates and roller blades.

B. Trails are open to all non-motorized users unless otherwise designated and posted. Trail restrictions may be posted at park entrances, trailheads or, in some cases, on individual trails.

C. Every person traveling on a trail shall obey the instructions of any official traffic control device or trail sign unless otherwise directed.

D. No motorized vehicles shall be allowed on City of Shoreline trails. For the purposes of this section "motorized vehicles," means any form of transportation powered by an internal combustion or electric motor. This includes but is not limited to motor vehicles, golf carts, mopeds and all terrain vehicles. This section shall not apply to wheelchairs powered by electric motors, or authorized maintenance, police or emergency vehicles.

8.12.220 **Camping.** No person shall camp in any park area.

8.12.230 **Tents and shelters in parks.** Unless authorized by the Department, no person shall erect, maintain, use or occupy a temporary tent or shelter in any park area unless there is an unobstructed view through such tent or shelter from at least two sides; provided however, that nothing in this section shall be construed to authorize overnight camping.

8.12.240 **Overnight moorage.** No person shall moor, anchor or dock a boat or other object overnight in Richmond Beach Saltwater Park or other bodies of water in other City park area without authorization from the Department.

8.12.250 **Ice.** No person shall go out onto ice in any park area. This includes but is not limited to lakes, ponds, streams and other bodies of water.

8.12.260 **Game fish.** All laws, rules and regulations of the State Game Commission relating to season, limits, and methods of fishing are applicable to fishing for game fish in park areas. No person may fish for, or possess any fish taken from any lake, pond, stream or other body of water which is posted with a sign prohibiting fishing.

8.12.270 **Shellfish and food fish.** All laws, rules and regulations of the State Department of Fisheries relating to season, limits, and methods of taking, are applicable to the taking of shellfish or food fish in City park area, and in addition to such laws, the City of Shoreline park system may close certain City park area to the taking of shellfish for specific periods of time. Such closed areas shall be posted with appropriate signs.

8.12.280 **Pets in City park facilities.**

A. Dogs, pets, or domestic animals are not permitted on any designated beach, picnic area, tennis courts or play area in any park or in any building unless specifically permitted by posting. This section shall not apply to animal guides.

B. In posted areas, dogs or other pets or domestic animals must be kept on a leash no greater than fifteen feet in length, and under control at all times.

C. Any person whose dog or other pet is in any City park area shall be responsible for the conduct of the animal and for removing feces deposited by such animal from the park area.

8.12.290 **Disturbances by animals prohibited.** No person shall allow his or her dog or other pet or domestic animal to bite, disturb or harass any park users, wildlife or other pets. No person shall permit his or her dog or other pet or domestic animal to bark or make noise continuously or otherwise disturb the peace and tranquillity of the park. No person shall permit dogs, pets or domestic animals to damage, destroy or remove park vegetation.

8.12.300 **Horseback riding.** Horses are not permitted in any park area.

8.12.310 **Golf and Rugby.** Golf and Rugby activities shall not be permitted in any park area unless permission is obtained in advance from the Department.

8.12.320 **Swimming.** Swimming shall only be permitted in posted areas.

8.12.330 **Skateboards and rollerblades - in designated areas only.** No person shall be permitted to skateboard or rollerblade in park facilities unless otherwise designated by the Department.

8.12. 340 **Littering.** No person shall leave, deposit, drop or scatter bottles, broken glass, ashes, food, waste paper, cans, green waste or other rubbish in a City park area, except in a garbage can or other receptacle designed for such purpose. Park patrons shall not dispose of litter on any adjacent property without express written permission.

8.12.350 **Presence in City parks during hours when the park is closed.** No person shall enter or be present in a City park area during hours the park is closed except persons using park facilities as part of an event authorized by the Department. Park areas are closed forty-five (45) minutes after sunset and open forty-five (45) minutes before sunrise unless another closing and/or opening time is established for a particular park by the Director.

8.12.360 **Trespassing.** No person except an authorized City employee, or other person duly authorized pursuant to law, shall enter or go upon any area which has been designated and posted as a "No Admittance" or "No Trespassing" area or during any time during which the park is posted as being closed to the public.

8.12.370 **Fires.** No person shall ignite or maintain any fire or participate in igniting, maintaining or using any fire within a park except in a designated barbecue unit or in a designated fire pit unless authorized by the Department.

8.12.380 **Sound amplification.** No person shall use, operate or play in any park facility, any radio, tape player, disc player, television, musical instrument, record player or any other machine or device producing sound at a volume that is audible at a distance of over thirty (30) feet there from except pursuant to a permit issued by the Department.

8.12.390 **Games in parks.** Activities including, but not limited to, sports and physical play, which interfere or tend to interfere with or endanger other park users are prohibited.

IV- RULES GOVERNING USE OF FACILITIES – (PART II)

8.12.400 **Damage to property.** No person shall remove, damage, or destroy park "facility" as that term is defined in Section 8.12.010.

8.12.410 **Damage to wildlife.** Except for fishing and shell fishing in authorized areas and subject to rules promulgated by Washington State Fish and Wildlife Commission, it is unlawful in any park to capture, attempt to capture, tease, annoy, disturb, or strike any bird or animal, or to throw or otherwise propel any object at or in the vicinity of any bird or animal.

8.12.420 **Removal of property.** No person shall move any City property, from its original position in any park area without the permission of the Department.

8.12.430 **Outside household or commercial waste.** No person shall bring in or deposit household or commercial garbage, refuse, waste, or rubbish which is brought in such form from any private property, in any park area garbage can or other receptacle.

8.12.440 **Waste from vehicles.** No person shall drain or dump refuse or waste from any trailer, camper, automobile or other vehicle in any park area.

8.12.450 **Use of marine heads.** No person shall flush any marine head into, an associated marine area, nor cause any human or animal waste to be deposited into an associated marine area or when entering or leaving the area.

8.12.460 **Dumping in water prohibited.** No person shall deposit any waste or refuse of any nature, including human or animal waste, into any stream, lake or other body of water running in, through, or adjacent to any park area.

8.12.470 **Solicitation.** No person shall solicit, sell, or peddle any goods, services, food or drink, or distribute or post any handbills, circulars, or signs, or use any loud speaker or other amplifying device, in any park area, except by concession contract or by special use permit issued by the Department.

8.12.480 **Fireworks.** No person shall possess, discharge, or cause to be discharged, in any park area, any firecracker, torpedo, rocket, firework, explosive, or similar device unless so authorized by the Department.

8.12.490 **Firearms, weapons.** No person except duly authorized law enforcement personnel shall possess a firearm, bow and arrow, crossbow, or air or gas weapon in a City park. No person shall discharge across, in, or onto any park area a firearm, bow and arrow, crossbow, air or gas weapon, or any device capable of injuring or killing any person or animal, or damaging or destroying any public or private property. This section shall not apply where the Department has authorized, in writing, a special recreational activity upon finding that it is not inconsistent with park use.

8.12.500 **Alcoholic beverages.** No person shall posses any alcoholic beverage or liquor in any City park area, including unopened beverage containers, except in designated areas approved by the Director or his or her designee and under the following conditions:

The sale and/or consumption of alcoholic beverages is permissible indoors at the Richmond Highland Recreation Center by special use permit, provided that the activities conform to the requirements of Washington State Liquor Control Board and state law. A state liquor permit must be displayed in the area where the activity is to be conducted.

8.12.510 **Intoxication.** Being in any park, facility, or associated marine area while in a state of intoxication is prohibited.

8.12.520 **Interference with trails.** No person shall place, deposit, or otherwise locate any object, structure or device, whether natural or artificial, that threatens or endangers any trail, or that threatens or endangers any person traveling thereon.

This section shall not apply to City employees in the performance of their duties or to persons acting pursuant to written direction of the City of Shoreline.

V - PENALTIES

8.12.530 **Infractions**

A. Violation of any provision of Section III of this Chapter shall be a civil infraction.

B. Any person cited for a violation of Part III of this Chapter, shall be subject to the applicable Justice Court Rules and bail schedules.

C. Any person found guilty of committing an infraction shall be assessed a monetary penalty not to exceed $500.00, or shall make restitution for any damage caused to park facilities, or shall be subject to both a monetary penalty and restitution.

8.12.540 **Misdemeanors.** Violation of any provision of Section IV of this Chapter shall be a misdemeanor

8.12.550 **Administrative sanctions.** In addition to any prescribed penalty, any person failing to comply with any provision of this chapter shall be subject to the loss of park or recreation facility use privileges.

VI - MISCELLANEOUS PROVISIONS

8.12.560 **Severability-** Should any section, subsection, paragraph, sentence, clause, or phrase of this chapter be ordered unconstitutional or invalid for any reason by a court of competent jurisdiction, such determination shall not effect the validity of the remaining portions of this chapter.