

CITY OF LIBERTY LAKE
SPOKANE COUNTY, WASHINGTON
RESOLUTION NO. 09-129

A RESOLUTION OF THE CITY OF LIBERTY LAKE, WASHINGTON ADOPTING BY REFERENCE SPOKANE COUNTY RESOLUTION NO. 9-0510 "IN THE MATTER OF AN EMERGENCY ORDER DIRECTING THE PUBLIC NOT TO INTENTIONALLY ENTER, SWIM, DIVE OR FLOAT, WITH OR WITHOUT A BOAT, RAFT, CRAFT OR OTHER FLOTATION DEVICE, IN OR UPON THE WATER OF THE SPOKANE RIVER WITHIN THE UNINCORPORATED AREA OF SPOKANE COUNTY LOCATED BETWEEN THE BARKER ROAD BRIDGE AND THE HARVARD ROAD BRIDGE AND OTHER MATTERS RELATED THERETO."

WHEREAS, the Liberty Lake City Council has reviewed Spokane County Resolution No. 9-0510;

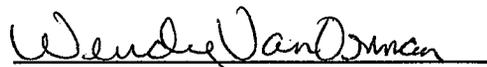
WHEREAS, the Liberty Lake City Council seeks to protect the health, safety, and welfare of the public;

NOW, THEREFORE, be it resolved by the City Council of the City of Liberty Lake, Washington as follows:

The City of Liberty Lake adopts by reference Spokane County Resolution 9-0510 (Exhibit "A", hereto); an emergency order directing the public not to intentionally enter, swim, dive or float, with or without a boat, raft, craft or other flotation device, in or upon the water of the Spokane River within the unincorporated area of Spokane County located between the Barker Road Bridge and the Harvard Road Bridge and other matters related thereto.

This Resolution shall become effective immediately upon passage by the Liberty Lake City Council.

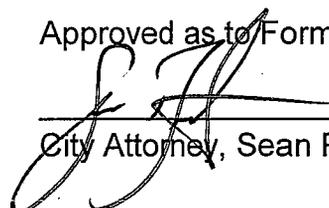
Adopted this 2nd day of June, 2009.


Mayor, Wendy Van Orman

Attest:


Deputy City Clerk, Ann Swenson

Approved as to Form:


City Attorney, Sean P. Boutz

CERTIFICATION

I, the undersigned Deputy City Clerk of the City of Liberty Lake, of Spokane County, Washington, HEREBY CERTIFY that the foregoing Resolution is a full, true and correct copy of Resolution No. 09-129 duly adopted at a regular meeting of the City Council of said City, duly and regularly held at the regular meeting placed thereof on June 2, 2009 of which meeting all members of said City Council had due notice and at which a majority thereof were present; and that at said meeting said Resolution was adopted by the following vote: 5-1.

AYES, and in favor thereof: Mayor Pro Tem Crump, Council Members: Owens, Langford, Olander, and Jenkins

NAYS: Council Member Romney

ABSENT: Council Member Schuler

ASTAINED: None

CITY OF LIBERTY LAKE



DEPUTY CITY CLERK

CITY OF LIBERTY LAKE

EXHIBIT "A"

SPOKANE COUNTY RESOLUTION NO. 9-0510

NO. 9-0510

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF SPOKANE COUNTY, WASHINGTON

IN THE MATTER OF AN)
EMERGENCY ORDER DIRECTING)
THE PUBLIC NOT TO)
INTENTIONALLY ENTER, SWIM,)
DIVE OR FLOAT, WITH OR)
WITHOUT A BOAT, RAFT, CRAFT)
OR OTHER FLOTATION DEVICE, IN)
OR UPON THE WATER OF THE)
SPOKANE RIVER WITHIN THE)
UNINCORPORATED AREA OF)
SPOKANE COUNTY LOCATED)
BETWEEN THE BARKER ROAD)
BRIDGE AND THE HARVARD ROAD)
BRIDGE AND OTHER MATTERS)
RELATED THERETO)

RESOLUTION

The above entitled matter having come before the Board of County Commissioners of Spokane County (hereinafter sometimes referred to as the "Board") for consideration at its June 2, 2009 2:00 p.m. Consent Agenda at the request of Spokane County Sheriff Ozzie Knezovich and the Board of County Commissioners after being briefed on the above matter by Spokane County Sheriff Ozzie Knezovich approved the following:

1. **ORDERS** the public not to intentionally enter, swim, dive or float, with or without a boat, raft, craft, or other floating device, in or upon the water of the Spokane River as it flows within the unincorporated area of Spokane County between the Barker Road Bridge and the Harvard Road Bridge.
2. **DIRECTS** the Spokane County Sheriff to take appropriate action to enforce this Order for the public health, safety and welfare.
3. **REQUESTS** the City of Spokane Valley and City of Liberty Lake take appropriate actions, consistent with this resolution, and enter similar **ORDERS** for that portion of the Spokane River as it flows within their corporate boundaries between the Barker Road Bridge and the Harvard Road Bridge.

This **ORDER** shall be in **effect until further notice** by the Board of County Commissioners based upon a recommendation of the Spokane County Sheriff.

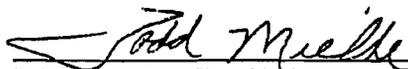
In taking the above action, the Board of County Commissioners enters the following findings:

1. The Spokane River between the Harvard Road Bridge and the Barker Road Bridge is extremely dangerous because of fast-moving water and debris accumulating at the Barker Road Bridge construction site.
2. On Sunday, May 31, 2009, a woman was rescued by the Spokane Valley Fire Department firefighters after becoming wedged in the debris at the Barker Road Bridge construction site on the Spokane River while attempting to float under the bridge in her raft which necessitated rescue efforts by the Spokane Valley Fire Department.
3. Although there are some signs warning boaters to take out well before the Barker Road Bridge construction site on the Spokane River, some of the signs are confusing and it is difficult to leave the river due to fast-moving water at this time of the year.
4. This Order is being enacted pursuant to RCW 36.32.120(6) and RCW 36.32.120(7) as well as to protect the public health, safety and welfare of the citizens of Spokane County as well as law enforcement/fire department officials who may be involved in rescue efforts on the Spokane River between the Barker Road Bridge and Harvard Road Bridge in the unincorporated area of Spokane County. This Order shall not be effective on any portion of the Spokane River between Barker Road Bridge and Harvard Road Bridge located within the City of Spokane Valley.
5. Both the Spokane County Sheriff and the Spokane Valley Fire Department recommend the enactment/passage of this resolution.

PASSED AND ADOPTED this 2nd day of JUNE, 2009.



BOARD OF COUNTY COMMISSIONERS
OF SPOKANE COUNTY, WASHINGTON


TODD MIELKE, Chair


MARK RICHARD, Vice Chair


BONNIE MAGER, Commissioner

ATTEST:


Daniela Erickson
Clerk of the Board