

**CITY OF LIBERTY LAKE
SPOKANE COUNTY, WASHINGTON
ORDINANCE NO. 90**

**AN ORDINANCE OF THE CITY OF LIBERTY LAKE, WASHINGTON,
ESTABLISHING MINIMUM PUBLIC PARK MAINTENANCE STANDARDS**

WHEREAS, the City of Liberty Lake is a non-charter code City duly organized and existing under the laws of the State of Washington;

WHEREAS, pursuant to the regulatory authority of the City, the Council finds and declares it is necessary to adopt public park maintenance standards in order to preserve and promote the public health and safety within public places;

WHEREAS, park maintenance standards will further assist in the beautification and enjoyment of public places by adopting standards for irrigation and turf and vegetation maintenance; and

WHEREAS, the adoption of park maintenance standards will promote the reasonable and safe use of public parks, as well as, increase the aesthetic enjoyment and value of adjacent and surrounding properties.

NOW THEREFORE, the City Council of the City of Liberty Lake, Washington does ordain as follows:

Section 1. Appearance of Parks.

All public parks (owned by a government entity) within the City of Liberty Lake shall be maintained in such a way as to not adversely detract from the properties in the surrounding areas. The turf grass areas should be neatly kept and similar in appearance to the surrounding neighborhoods. Planting beds shall be kept weed free and vegetation shall be kept in a healthy growing condition. Recreational facilities and equipment shall be maintained to provide for clean, safe, and functional use.

Section 2. Minimum Public Park Maintenance Standards.

The following standards govern public park maintenance. The standard weekly maintenance season shall run from March thru October, as weather permits. All work involving power equipment shall occur only between the hours of 7:00 a.m. and 8:00 p.m. on weekdays. Mowing should be performed during non-peak usage times.

A. Turf - Mow and edge lawn areas approximately one (1) time per week, or as needed to maintain an even, well groomed appearance.

1. Turf areas used as athletic fields should be maintained at 1" - 1.5" in height, but height shall never exceed 5".
2. All other turf areas should be maintained at least 1.5" - 2" in height, but height shall never exceed 5".
3. Visible lawn clippings shall be removed and disposed of off-site. The use of mulching mowers which cut clippings into small pieces that sift down into the lawn shall be encouraged.
4. All turf around posts, fences, trees, valve boxes, etc., shall be maintained by mechanical or where necessary, by pre-emergent/ post-emergent methods. All turf areas shall be edged at sidewalks, curbs, and landscape beds.
5. Turf areas shall be kept in a healthy, vigorous condition, free of disease and pests. Weeds shall be controlled in lawn areas as noted below under the weed-control section. Fertilizer shall be applied as noted below under the fertilizer section.

B. Trees, Shrubs, Vines, and Groundcover Beds – Maintain as needed to provide for an overall neat appearance, based on standards below.

1. Trees
 - a. Trees shall be maintained in a healthy, vigorous growing condition, free from disease and pests.
 - b. Trees should be pruned only to remove dead, diseased, broken, dangerous, or crossing branches, and as required below.
 - c. Trees should be pruned only in appropriate months as determined by an arborist. Pruning shall be in accordance with generally accepted standards for proper pruning.
 - d. All cuts shall be painted immediately with a black, asphalt-base anti-septic tree paint. ("Tree Heal" or equal).
 - e. All tree trimmings shall be discarded off-site using a legal method.
 - f. Tree stakes should be removed from trees when the trunks are larger than 2 inches (5 cm) in caliper and the trees are able to support themselves. Stakes shall be removed from site and disposed of by a legal method or recycled.
 - g. All deciduous trees shall be pruned once a year to encourage a high-branching structure. All non-structural branches shall be removed between the ground and a point half the tree's total height, not to exceed 20'. Exception to the above: trees planted for screening purposes, such as those at rear perimeters of many sites shall not be pruned except as needed to remove dead, diseased, broken, dangerous, or crossing branches.
 - h. The cutting blades on pruning shears, clippers, blades, saws, etc. shall be sterilized after pruning each tree to minimize the possibility of spreading disease. When pruning trees known or suspected to be diseased, cutting blades shall be sterilized after each cut.

An acceptable method for sterilizing blades is dipping them in a solution of 1 part bleach and 9 parts water or heavily spraying them with a disinfectant spray, such as Lysol. After dipping or spraying, wait 20 seconds before using again.

- i. A vertical clearance of (14) feet shall be required above all parking spaces. A vertical clearance of (8) feet shall be required above all walkways. Trees shall be trimmed to remove all limbs within these areas.
- j. Trees shall have a base well free of weeds and other vegetation that would prohibit water from reaching the root system.

2. Shrubs and Vines

- a. Shrubs and vines shall be kept in a healthy, vigorous condition, free from disease and pests.
- b. Shrubs shall be pruned as needed to remove branches that are dead, broken, extending beyond the face of curbs or sidewalks, or are climbing building walls (unless they are intended to climb the wall, such as climbing vines). Formal hedges and topiary shall be regularly pruned to maintain a uniform height and width. Except as noted previously, shrubs should be allowed to grow unpruned to their natural sizes.
- c. Shrubs uniformly planted in rows, where it is clear the intent was to create a hedge, shall be pruned so as to encourage a hedge. Shrubs in hedges shall be encouraged through pruning to form a dense, continuous, hedge, branching fully to the ground. All other shrubs shall be pruned only as required for safety, visibility, and plant health, and allowed to develop into the natural shapes expected of the plant variety.
- d. Shrubs shall be allowed three (3) months to rejuvenate following a hard frost prior to pruning or replacing.
- e. The cutting blades on pruning shears, clippers, blades, saws, etc. shall be sterilized between every three shrubs to minimize the possibility of spreading disease. When pruning shrubs known or suspected to be diseased, the cutting blades shall be sterilized after each cut. An acceptable method for sterilizing blades is dipping them in a solution of 1 part bleach and 9 parts water or heavily spraying them with a disinfectant spray, such as Lysol. After dipping or spraying, wait 20 seconds before using again.

3. Groundcover

- a. Groundcover shall be maintained in a healthy, vigorous growing condition.
- b. Groundcover shall be trimmed back from sidewalks, curbs, and paved areas on a weekly basis or as needed. The edges shall be cut at an angle /--\ for a more natural appearance and healthier plants.

4. Mulch / Rock Layer

- a. Soil mulch and/or rock layer shall be cared for as needed to create and maintain an even and uniform appearance over the visible soil surface of each planter area.
- b. A layer no less than 2 inches (5 cm) deep at all times shall be maintained in shrub planters. Mulch and/or decorative rock shall not be required in areas where plant foliage completely covers the soil surface, such that the soil is not visible through the foliage.
- c. Any mulch or decorative rock found outside planter areas shall be returned to the planter on a weekly basis.
- d. Mulch and/or decorative rock shall be uniform in color and appearance, and free of leaves, sticks, or trash. Mulch may be chipped or shredded wood, bark, or decorative rock. When replacing existing mulch, the mulch product shall be similar in appearance to that already at the site. Replacement rock shall be the same size and color as existing decorative rock on site. In the event no rock is existing, the decorative rock used shall have a maximum diameter of 3/4 inch (2 cm) and a minimum diameter of 3/8 inch (1 cm).

C. Weed Control

1. Weeds in planted areas, sidewalks, curbs, gutters, or pavement shall be removed or killed weekly as the weeds emerge. Weeds shall be removed (not just killed) if they are larger than 2 inches (5 cm) in height or diameter. Disposal of weeds shall be off-site. Pre and post-emergent herbicides may be used if necessary to maintain appearance. Regular maintenance of the mulch or decorative rock layer shall be encouraged to help minimize weeds in shrub and groundcover areas.

D. Chemicals, Herbicides, Pesticides

1. All chemicals shall be used in accordance with label directions and the manufacturer's recommended handling methods. All chemicals shall be handled in accordance with all applicable regulations. Registered chemicals shall be used only on the advice of a qualified, licensed, pest control advisor. Nothing in this specification shall be construed to be the advice of, or to substitute for the advice of, a pest control advisor.
2. Pesticides shall not be applied within one hour of the start of operating hours for the site. In the event that it is not possible to complete the application by one hour prior to normal operating hours (i.e.; 24 hour operations), applications shall be made at times when customer presence is minimal. Areas to be treated shall be blocked off and warning signs posted.
3. Precautions shall be taken to keep persons away from pesticide and herbicide-treated areas until the applied material is fully dry and the treated area is safe for entry. The recommendations of the pesticide

manufacturer, and all applicable governmental and industry regulations, shall be followed.

E. Fertilizer

1. Fertilizer shall be applied in a manner consistent with best management practices at a rate specified by manufacturer for specific application.
2. Fertilizing should be done, at least, twice a year (spring and fall).
3. Foliar applied fertilizer shall be water soluble and non- burning. Formulation shall have a minimum phosphorous content. Apply at manufacturer's maximum recommended concentration for plant type. Granular fertilizer shall be applied at maximum label rate for plant type at a 90 day interval. Water shall be applied immediately after fertilizer application to move the fertilizer into the soil and wash the fertilizer off of plant surfaces.
4. Granular fertilizers shall be applied to drip-irrigated areas only in early spring, just prior to a moderate rainfall. The fertilizer must be washed in by hand or rainfall before turning on the drip system. Running the drip system immediately after application will push the fertilizer away from the emitters and cause high concentration at the edge of the wetted area which can damage plants.
5. Fertilizers used in parks located within the Liberty Lake watershed shall be phosphate free or a formula accepted by the Liberty Lake Sewer and Water District.

F. Clean and Litter Removal

1. Walks, curbs, parking areas, and gutters shall be swept or blown off weekly and all trash, litter, and debris shall be collected and disposed of.
2. Trash, leaves, clippings, or landscape debris shall not be blown or swept into planters or onto adjacent property. All debris swept or blown from landscape areas should be collected and removed from the site.
3. Blowers shall not be used around parked vehicles in order to avoid scratching vehicle paint with blowing sand and debris. All litter shall be removed from sidewalks, gutters, and all planted areas each week. In no case shall trash, litter, or leaves be blown or swept onto the property of others. All trash, litter, leaves, etc. shall be collected, hauled away, and disposed of legally.

G. Irrigation

1. Water Application & Scheduling:
 - a. Irrigation shall be made by the use of permanent irrigation systems. Hand water as needed to supplement the permanent system.
 - b. The irrigation system should be examined for damage or malfunction weekly.
 - c. Watering times should be adjusted each week to provide adequate water to vegetation; however, the use of water conservation shall be encouraged. Multiple-start times and short run times shall be used to

prevent run-off and over-watering. Drip systems should be left on for sufficient time to allow for saturation of the root zone and multiple start times should be avoided.

- d. All turf and plant materials shall be maintained in a healthy condition and hand watering should be used temporarily when necessary due to a system malfunction.

2. Irrigation System Scheduled Maintenance:

- a. Each valve zone shall be observed for signs of damage and proper operation on a weekly basis during the irrigation season.
- b. Cleaning and flushing of the system shall be performed yearly or more often as needed.
- c. The use of a certified backflow prevention device is required on all irrigation systems.
- d. Drip systems shall be flushed at least once a year and allowed to run for at least 15 minutes with the ends open at full flow to flush.
- e. Run-off of water from irrigation systems into or onto streets, sidewalks, stairs, or gutters is not permitted. The system shall immediately be shut down and adjustments, repairs, or replacements made as soon as possible to correct the source of the run-off.

Section 3. Damage, Hazards, and Safety.

Any turf or plant material found to be dead or missing shall be replaced immediately with a healthy plant material of identical species and equivalent size, unless otherwise permitted. Anything on the site that is found to be hazardous shall be corrected or removed immediately. At no time shall work be performed or materials installed in any location or manner which may endanger the health, safety, or welfare of the public now or in the future. Anyone performing work in parks or open spaces shall comply with all rules, ordinances, regulations, etc. as set forth by The City of Liberty Lake.

- A. Replacement trees, shrubs, vines, and groundcovers shall be properly installed, including staking if applicable, and fertilized upon installation.
- B. If regular foot traffic through a planter is preventing a groundcover from reaching full coverage of the soil, the foot traffic should be reduced through the installation of pavers, stepping stones, a concrete walk, a gravel path, and/or barriers to redirect the pedestrians.
- C. Any lawn found to be dead or severely yellowed shall be replaced with plant material of identical species. Replacement sod shall be similar in all respects to the existing grass. Seed shall not be used unless otherwise specified.
- D. Any replacement of irrigation system components shall be made with materials of the same manufacturer and model as the original equipment. Substitutions of materials other than original equipment will be approved only when the original equipment has been discontinued and is no longer available for purchase at any location. The substituted equipment shall be completely compatible with the original. All repairs to the system shall be identical to the

original installation, unless otherwise specified. Changes to the installation which will result in lower future maintenance costs, less frequent breakage, or an increase in public safety, shall be encouraged

Sprinklers on risers above the ground level shall not be installed, even if the risers are flexible. Spring-operated, pop-up style, sprinkler heads shall be used.

- a. The entire irrigation system shall be checked weekly for items such as dry spots/over watering and missing or malfunctioning irrigation components, such as leaking valves, water running across sidewalks, water standing in puddles, excessive watering, or any other condition which hampers the correct operation of the system or the public safety. Plant materials shall be observed for signs of wilting, indicating a lack of water and the irrigation system shall be adjusted as necessary.
- b. Plastic sprinkler nozzles with bad patterns shall be replaced with new nozzles of the same gallonage and arc as part of the regular maintenance of the sprinkler system, only brass nozzles may be carefully cleaned if needed.

Section 4. Checklists

- A. A weekly landscape maintenance checklist shall be made available by the Planning and Community Development Department to anyone performing regular maintenance work in public parks. This checklist shall be reviewed weekly and all applicable items on the list shall be completed weekly.
- B. A monthly maintenance checklist shall be made available by the Planning and Community Development Department to anyone performing regular maintenance work in City parks and open space areas. This checklist shall be reviewed monthly and all the applicable items listed for the current month shall be completed prior to the end of the month.

Section 5. Administration and Enforcement.

- A. Administration. The Planning & Community Development Department shall be responsible for the administration of this ordinance.
- B. Enforcement. For public parks not owned by the City of Liberty Lake, failure to adhere to standards after written warning will result in the necessary maintenance being completed and the property owner billed the cost of work performed.
- C. Variance. To promote the sound interpretation and application of the standards set forth in this Ordinance, a variance or deviation from any applicable standard may be sought through the Planning and Community Development Director. A variance request shall identify the property subject to this Ordinance, the owner or agent in charge of maintaining the property and a statement setting forth the variance or deviation from the minimum maintenance standards set forth in Section 2. Standards for exercising discretion in the grant of a variance or

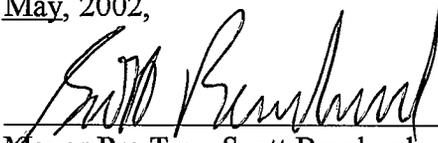
deviation from the maintenance standards shall include, but not be limited to, a determination that special circumstances, practical difficulties or other conditions exist which make it impractical or unreasonable to comply with the maintenance standards. The Director of Planning and Community Development may request information in order to aid or support the determination of a variance or deviation. The Director shall exercise best efforts in order to make the determination within two business days of the request.

Section 6. Effective Date.

This ordinance shall be in full force and effect five (5) days after publication of this Ordinance or a summary thereof in the official newspaper of the City as provided by law.

Section 7. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

PASSED by the City Council this 21 day of May, 2002,



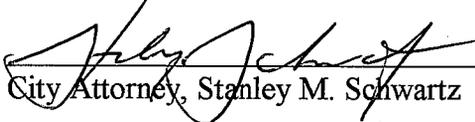
Mayor Pro Tem, Scott Bernhard

ATTEST:



City Clerk, Arlene Fisher

Approved As To Form:



City Attorney, Stanley M. Schwartz

Date of Publication: 6/8/02

Effective Date: 6/13/02