

**CITY OF LIBERTY LAKE
SPOKANE COUNTY, WASHINGTON
ORDINANCE NO. 115**

**AN ORDINANCE OF THE CITY OF LIBERTY LAKE, WASHINGTON, ADOPTING
RULES FOR THE USE OF PARK AND TRAIL FACILITIES.**

WHEREAS, the City of Liberty Lake intends to provide its parks, park facilities and trails for the mutual enjoyment of all residents and visitors; and

WHEREAS, the City Council believes it is in best interest of the City to adopt rules that regulate activities occurring within City Parks;

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

Section 1. The following definitions shall be used in this ordinance.

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. "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.

C. "City" means City of Liberty Lake, Washington.

D. "Department employee" means a duly appointed City of Liberty Lake Parks Department employee.

E. "Director" means the City Administrator or designee.

F. "Facility" or "Facilities" means any building, equipment, sign, material, shelter, water features, or other physical property including but not limited to administered trees, shrubs, plants, lawns, play equipment, benches, tables, picnic areas, athletic fields, trails, parking areas for motor vehicles or structures owned by the City of Liberty Lake.

G. "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.

H. "Open space, trails or parks" collectively referenced to as "City Parks or Park" means any recreation or similar property under the ownership, management, or control of the City.

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

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

Section 2. Purpose. The City of Liberty Lake open space, trails or parks including facilities and programs of the City are established and maintained by the City for public recreation purposes.

Section 3. Hours of Operation for General Use. Unless otherwise established by the City Council or their designee, City Parks shall be open at dawn and closed for use at dusk.

Section 4. A) Special Event Application/Permit. City Parks and Facilities are available for private use by groups or organizations through a special event permit. Special event application/permits may include scheduling use of facilities for any community special event, private event, sports or entertainment event involving more than routine use of City Park.

B) Facility and Outdoor Lights for Special Event(s). Use of Facilities Sunday through Thursday shall cease at 10:00 p.m. unless otherwise approved by the City. Use of Facilities on Fridays or Saturdays shall cease at 11:00 p.m. unless otherwise approved by the City.

Where appropriate, special conditions for the event will be established by the City and included in the permit. The City reserves the right to cancel a permit for good cause. If reasonably possible, notice of cancellation shall be given at least twenty-four hours in advance of the event.

A cancellation or denial of a special event permit may be appealed to the City Council by filing a written appeal with the City Clerk within ten(10) days of the date of the decision. Upon such appeal, the City Council may reverse, affirm or modify the Department's decision.

Section 5. Sale of Goods or Services. The sale of goods or services in City Parks or Facilities shall be allowed only through written agreement with the City. The City reserves the right to limit vendors for organizations who reserve a City Park for a special event.

Section 6. Sale of Food or Beverages at Special Events The sale of food or food related products in City Parks or Facilities shall be allowed only through a written agreement with the City. All vendors who sell food products must obtain a Temporary Food Service Permit through the Spokane County Department of Health prior to obtaining written approval from the City to sell food products at special events. Vendors who sell food or beverages listed on Exhibit "A" are exempt from obtaining a Temporary Food Service Permit. The City reserves the right to limit food vendors for organizations who reserve a City Park for a special event.

Section 7. **Rules Governing Use of Facilities – (Part I).**

A. **Camping.** No person shall camp in any City Park or Facility, unless otherwise designated.

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

C. **Washing of clothes or animals.** No person shall wash any clothing or other articles for personal or household use, or any dog other animals in City Parks.

D. **Horseback riding.** Horses are not permitted in any park, trail area or Facility without a special events permit.

E. **Littering.** Littering in City Parks and Facilities is prohibited. All waste, including food waste and garbage shall be disposed of in a garbage can or other receptacle designed for such purpose.

F. **Motor vehicles on park property.** No person shall operate any motor vehicle on open space, trail or park property unless such area has been specifically designated and posted for such use. No person shall operate a motor vehicle within the boundaries of City Park except on roads, streets, highways, parking lots, parking areas, or where otherwise permitted by posting of notice. This subsection shall not apply to golf carts, handicapped vehicles, emergency, maintenance or authorized vehicles. All vehicles shall obey the rules of the road.

G. **Motor vehicles – parking.** No operator of any motor vehicle, trailer, camper, boat trailer, or other vehicle, shall park such vehicle in any Facility 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 City employee. No person shall park, leave standing, or abandon a vehicle in any Facility after closing time except persons using park Facilities as part of an event authorized by the City. Any vehicle found in violation of this section may be towed away at the owner's expense. This subsection shall not apply to maintenance and emergency vehicles or vehicles authorized by the City.

H. **Motor vehicles – speed limits.** No person shall drive a motor vehicle within City Park at a speed greater than posted, having due regard for traffic, surface and width of the road, and in no event at a speed which endangers the safety or persons, property, or wildlife.

I. **Parking lots and roadway – games prohibited.** Games of any kind are prohibited in parking lots and roadways.

J. **Pets.**

1. Dogs, pets, or domestic animals are not permitted on any designated picnic area, tennis courts or play area in City Park or in any building unless specifically permitted by posting. This subsection shall not apply to animal guide dogs.

2. 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.

3. Any person whose dog or other pet is in any open space, trail or park area shall be responsible for the conduct of the animal and for removing feces deposited by such animal.

4. No person shall allow his or her dog or other pet or domestic animal to bite, disturb or harass any facility 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 unreasonably disturb the peace and tranquility in City Parks. No person shall permit dogs, pets or domestic animals to damage, destroy or remove park vegetation.

L. Presence in City facilities when closed. No person shall enter or be present in City Parks or Facility when closed except persons using area facilities as part of an event authorized by the City.

M. Skateboards and rollerblades – in designated areas only. No person shall be permitted to skateboard or rollerblade in park Facilities unless otherwise designated by the City.

N. Sound amplification. No person shall use, operate or play in open space, trail or park area, 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.

O. Water Recreation. Water play shall only be permitted in the water features.

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

Q. Trail use.

1. For the purposes of this section "Trail" 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.

2. 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.

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

4. Motorized vehicles shall be allowed on City trails. For the purposes of this section "motorized vehicles," means any form of transportation powered by an internal

combustion or electric motor including golf carts. This subsection also applies to wheelchairs powered by electric motors, or authorized maintenance, police or emergency vehicles.

R. **Trespassing.** No person except an authorized City employee, or other person duly authorized 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 City Parks are closed to the public.

S. **Washing of Vehicles.** No person shall clean, wash or perform any motor vehicle maintenance in any City Park or Facility.

Section 8. Violation. Any person violating any provision of Section 3,4,5 and 7 of this Ordinance shall have committed a Class I Civil Infraction.

Section 9. Rules Governing Use of Facilities – (Part II).

A. **Alcohol Consumption.** No person shall knowingly allow, conduct, hold, maintain, or participate in a gathering of persons on open space, trails or parks where alcoholic beverages are possessed by individuals and/or provided by a host and consumed at said place without first obtaining a permit or special occasion license pursuant to RCW 66.20.010 or RCW 66.24.380 and authorization from the City of Liberty Lake or designated official.

Application for City Alcoholic Beverage Permit. Application for permits shall be in writing and filed with the City. Application shall be filed no less than ten (10) days prior to the gathering at which alcoholic beverages will be consumed. Fees for such permits shall be established by Council Resolution. The City shall prescribe the form of the application which shall include, name and age of applicant, public place where permit is to be used, type of activity, date of activity, measures to control the consumption of alcoholic beverages and such other matters as deemed appropriate by the City.

The City Administrator or designee shall review and approve the application within five (5) days from receipt. The City Administrator or designee may impose reasonable conditions upon the permit. A denial by the City Administrator may be appealed to the City Council within ten (10) days from the date of the denial.

Violation and Penalty. RCW 66.44.100 prohibits the consumption of liquor in a City Park. A violation of this state law is a Class 3 Civil Infraction under RCW Chapter 7.80. For purposes of RCW 66.44.100 a person found to have committed a violation of RCW 66.44.100 shall be assessed a fine not to exceed fifty dollars (\$50.00), unless otherwise amended by state law.

B. **Damage to property.** No person shall remove, damage, or destroy any part of a City Park or Facility.

C. **Damage to wildlife.** It is unlawful in any City 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.

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

E. **Firearms, weapons.** No person except duly authorized law enforcement personnel shall possess a firearm, bow and arrow, crossbow, or air or gas weapon or an instrument that projects objects in City Parks or Facilities. No person shall discharge across, in, or onto any Facility 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 City issued a special event permit for such activity.

F. **Fireworks.** No person shall possess, discharge, or cause to be discharged, in City Parks or Facilities, any firecracker, torpedo, rocket, firework, explosive, or similar device.

G. **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.

H. **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 City Park or Facility garbage can or other receptacle.

I. **Removal of property.** No person shall remove any City property from City Parks or Facilities without the permission of the City.

J. **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 City Park, except by contract or by permit issued by the City.

K. **Waste from vehicles.** No person shall drain or dump refuse or waste from any trailer, camper, automobile or other vehicle in any City Park or Facility.

Section 10. Violations. Except for Section 9A above, any person violating any provision of Section 9 of this ordinance shall be guilty of a misdemeanor.

Section 11. 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.

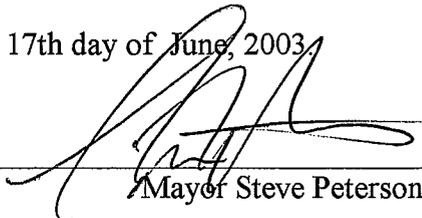
Section 12. Rules and Policy. The City Administrator or designee may develop rules, policies and forms to implement this ordinance. All adopted rules, policies and forms shall be filed with the City Clerk.

Section 13. Severability. If any section, sentence, clause or phrase of this ordinance

shall 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.

Section 14. Effective Date. This Ordinance shall be in full force and effect five (5) days after the date of publication of this Ordinance or a summary thereof in the official newspaper of the City.

PASSED by the City Council this 17th day of June, 2003.



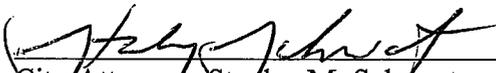
Mayor Steve Peterson

ATTEST:



Arlene Fisher, City Clerk

Approved as to Form:



City Attorney, Stanley M. Schwartz
Date of Publication: 6/26/03
Effective Date: 7/10/03