

CITY OF STANWOOD
Stanwood, Washington

ORDINANCE 1339

AN ORDINANCE OF THE CITY OF STANWOOD, WASHINGTON, AMENDING STANWOOD MUNICIPAL CODE SECTION 9.40.010 ENTITLED "ESTABLISHING PARK RULES" TO ADD A PARK RULE TO REQUIRE USERS TO PAY PARK FEES ADOPTED BY COUNCIL RESOLUTION; ESTABLISHING AN EFFECTIVE DATE; AND PROVIDING FOR SEVERABILITY.

WHEREAS, the City wants to manage parks in a manner to assure equitable distribution, achieve maximum use of facilities by the public, and when necessary, to protect the fields from damage by overuse; and

WHEREAS, the City wants to ensure that park users are paying for the use of the parks; and

WHEREAS, the City met with park stakeholders and athletic associations to get feedback on park user fees; and

WHEREAS, the City and stakeholders are in agreement that user fees shall be established and fees shall be used for field improvements; and

WHEREAS, the City Council has the authority to establish rules; and

WHEREAS, the City Council adopted park fees and guidelines by Resolution 2013-3 on February 28, 2013; and

WHEREAS, the City Council has moved to add a new rule to SMC.040.010 to make it a violation to use park facilities without paying the user fee adopted by council resolution; and

WHEREAS, the established fees and guidelines may be reviewed and amended as needed;

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

Section 1. SMC Section 9.40.010 entitled "Park rules established" is hereby amended to read as follows:

9.40.010 Park rules established.

Any person who, without specific authority of the city:

- (1) Cuts, removes or damages any flower, tree or shrub;
- (2) Builds any fire within the park except in a designated area;

- (3) Permits any dog to run at large;
- (4) Operates, stops, parks or leaves a motor vehicle, including any motorcycle or motor-driven cycle, any place in the park, except on a driveway or parking area;
- (5) Knowingly causes a horse to be upon park premises;
- (6) Parks any vehicle, or without lawful excuse, uses any park between dusk and dawn;
- (7) Mutilates, defaces, injures, damages or molests any building installation, personal property or equipment;
- (8) Engages in the sale of any merchandise or services, or operates any concession within a city park without a special event permit issued under Chapter 5.06 SMC or temporary use permit issued under SMC Title 17;
- (9) Scatters any litter, including broken glass, waste or discarded paper or waste of any kind, in the park, except in receptacles provided for that purpose;
- (10) Engages in any disorderly conduct proscribed by a city ordinance;
- (11) Has in his possession or under his control any alcoholic beverages, or consumes any alcoholic beverages; or
- (12) Camps or remains overnight within the limits of any city park.
- (13) Uses park facilities without paying the user fee adopted by council resolution.

Section 2. Severability. If any section, sentence, clause, or phrase of this Ordinance is 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 3. Effective Date. This Ordinance shall take effect five days after its publication by summary.

PASSED by the City Council and APPROVED by the Mayor this 11th day of April, 2013.

CITY OF STANWOOD

By: 

Dianne White, Mayor

ATTEST:

By: 

Greg Thrasher, City Clerk

Approved as to form:

By: Grant K. Weed
Grant K. Weed, City Attorney

Date of Publication: 4-17-2013

Effective Date: 4-22-2013