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October 23, 1995

SF:elm

Introduced by: Louise Miller

Proposed No: 95-455

ORDINANCE NO. 12003

AN ORDINANCE relating to the use of King County trails, open space or parks facilities, establishing rules for the use of facilities, penalties for violations of rules, and policy regarding park security; amending Ordinance 6798, Sections 1, 4, 5, 11, 13, 16, 26, 41, 42, 46, 48, 53, 55, 56, 60, 63 and 70, and K.C.C. 7.12.010, .040, .050, .110, .130, .160, .260, .295, .410, .430, .460, .480, .530, .550, .560, .600, .630, .640 and .700

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1: Ordinance 6798, Section 1, as amended and K.C.C. 7.12.010, is hereby amended to read as follows:

Definitions. Whenever used in this chapter the following terms shall be defined as herein indicated:

- A. "Aircraft" means any machine or device designed to travel through the air including but not limited to airplanes, helicopters and balloons;
- B. "Alcoholic beverages" or "liquor" includes the four varieties of liquor defined as alcohol, spirits, wine and beer, all fermented, spirituous, vinous, or malt liquor, and all other intoxicating beverages, and every liquor, solid or semisolid or other substance, patented or not, containing alcohol, spirits, wine or beer; all drinks or drinkable liquids and all preparations or mixtures capable of human consumption. Any liquor, semisolid, solid or other substance which contains more than one percent alcohol by weight shall be conclusively deemed to be intoxicating;
- C. "Associated marine area" means any water area within one hundred feet of any "King County 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 "King County park area", provided that such area does not include private property;
- D. "Boat" means any contrivance up to sixty-five feet in length overall, used or capable of being used as a means of transportation on water.

1	((D))E. "Camper" means a motorized vehicle containing sleeping and/or
2	housekeeping accommodations, and shall include a pickup truck with camper, a van-type
3	body, a converted bus, or any similar type vehicle;
4	((E))F. "Camping" means erecting a tent or shelter or arranging bedding or both for
5	the purpose of, or in such a way as will permit remaining overnight, or parking a trailer,
6	camper, or other vehicle for the purpose of remaining overnight;
7	((F))G. "Campsite" means designated camping sites which are designated for the use
8	of tent campers, and which have no water and/or electrical facilities available for hookup to a
9	trailer or a camper;
10	((G))H. "Discrimination" means any action or failure to act, whether by single act or
11	part of practice, the effect of which is to adversely affect or differentiate between or among
12	individuals or groups of individuals, because of race, color, religion, national origin, age, sex,
13	marital status, parental status, sexual orientation, the presence of any sensory, mental or
14	physical handicap, or the use of ((a trained dog guide by a blind or deaf person)) an animal
15	guide by a blind or deaf or otherwise physically or mentally challenged person:
16	((H))I. (("Division of natural resources and parks division))"Department" means the
17	King County parks and cultural resources department;
18	((I))I. "Facility" or "facilities" means any building, structure, or park area operated by
19	the King County ((natural resources and parks division)) parks and cultural resources
20	department;
21	((J))K. "Facility manager" means a duly appointed King County ((natural resources
22	and parks division)) parks and cultural resources department employee;
23	((K))L. "King County open space, trail or park area" means any area under the
24	ownership, management, or control of the ((natural resources and parks division)) parks and
25	cultural resources department;
26	((L))M. (("Manager")) "Director" means ((division manager)) department director of
27	the King County ((parks, planning and resources department)) parks and cultural resources
28	department.

((M))N. "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 ((be)) operated upon the public highways;

- O. "Person" means all ((natural)) persons, groups, firms, partnerships, corporations, clubs, and all associations or combination of persons whenever acting for themselves or as an agent, servant, or employee;
- P. "Rocket" means any device containing a combustible substance which when ignited propels the device forward;
- Q. "Trail" means any path, track, or right-of-way designed for use by pedestrians, bicycles, equestrians, or other non-motorized modes of transportation;
- R. "Trailer" means a towed vehicle which contains sleeping or housekeeping accommodations;
- S. "Trailer site" means a designated camping site which ((have)) has water and/or electrical facilities available for hookup, and which ((are)) is designed for the use of persons with trailers or campers.

SECTION 2. Ordinance 6798, Section 4 and K.C.C. 7.12.040, is hereby amended to read as follows:

Permits for community groups. The ((division)) department may grant permits to community groups to meet or conduct activities in the ((division's)) department's buildings or in the ((division's)) department's other facilities ((without charge provided that no charges other than for necessary lighting fees shall be levied for use of ballfields for athletic activities involving play by those exclusively eighteen years of age or under if all of the following conditions are satisfied)): if those buildings, portions of buildings, or facilities are not otherwise required by the department. A nominal fee may be charged according to the department's current adopted fee ordinance. The fee ordinance is adopted by Metropolitan King County Council during its annual budget process.

	((1) The buildings of lacinities are not other wise required by the division, and my
2	are:
3	A. Conducted in accordance with the division's standards;
4	B. Held without admission charges;
5	C. Not conducted for a financial gain;
6	D. Open to the general public without discrimination;
7	E. Scheduled during hours when the facility if regularly open.))
8	Facilities cannot be reserved more than ninety days in advance unless otherwise
9	authorized by the ((division)) department. All such permits must be approved by the
10	((division)) department. King County swimming pools are excluded from the provisions of
11	this section.
12	SECTION 3. Ordinance 6798, Section 5, as amended and K.C.C. 7.12.050, is hereby
13	amended to read as follows:
14	Special use permits.
15	A. Groups which do not meet all of the requirements set forth in K.C.C. 7.12.040 and
16	groups which desire to use King County swimming pools may be granted special permits by
17	the ((division)) department ((, but)) and will be charged a fee. Where appropriate, special
18	conditions of use will be established by the ((division)) department and so noted on the
19	special use permit. A schedule of the charges for special services in King County recreationa
20	facilities will be established by the ((division)) department with the approval of King County
21	council.
22	B. Groups applying for special use permits for activities at which consumption of
23	alcoholic beverages is intended, must meet the requirements of state law with respect to liquo
24	permits as a precondition. During the course of the activity, the state liquor permit must be
25	displayed within the area.
26	SECTION 4. Ordinance 6798, Section 11 and K.C.C. 7.12.110, is hereby amended to
27	read as follows:

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 county and/or other insurance necessary to protect the public and the county on 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 a combined single limit personal injury and/or property damage liability of \$1,000,000 per occurrence.

Persons shall provide a certificate of insurance, or, upon written request of the county, 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 county at least thirty days in advance of the cancellation.

SECTION 5. Ordinance 6798, Section 13 and K.C.C. 7.12.130, is hereby amended to read as follows:

Storage of equipment - Liability of county. Persons using facilities should not expect storage space for equipment necessary for their programs. If temporary storage is provided, King County shall not be held responsible for loss or damage. County equipment shall not be loaned to any non-county person, group or organization without prior written permission from the department.

SECTION 6. Ordinance 6798, Section 16 and K.C.C. 7.12.160, is hereby amended to read as follows:

Camping occupancy policy. In order to afford the general public the greatest possible use of the King County park system on a fair and equal basis, continuous occupancy of designated camping facilities by the same person or persons shall be limited to seven days.

Shorter limitation of occupancy may be established and posted by the ((division)) department at any individual facility or area.

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SECTION 7. Ordinance 6798, Section 26, as amended and K.C.C. 7.12.260 is hereby amended to read as follows:

Motor vehicles on roads and trails. No person shall operate any motor vehicle on a trail in any King County park area unless such trail has been specifically designated and posted for such use. No person shall operate a motor vehicle within the boundaries of a King County park area except on roads, streets, highways, parking lots, parking areas, or where otherwise permitted by proper posting. Through traffic is not permitted within the boundaries of any King County park or open space.

Provided that:

This section shall not apply to emergency vehicles, maintenance vehicles, or construction vehicles authorized by the ((division)) department.

SECTION 8. Ordinance 8518, Section 1 and K.C.C. 7.12.295, is hereby amended to read as follows:

Trail Use.

A. No person shall travel on a trail at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing. In every event, speed shall be so controlled as may be necessary to avoid colliding with others who are complying with the law and using reasonable care. Travel at speeds in excess of 15 miles per hour shall constitute in evidence a prima facie presumption that the person violated this section.

- B. No person shall travel on a trail in a negligent manner. For the purposes of this section "travel in a negligent manner" shall be construed to mean any form of travel on a trail in such a manner as to endanger or be likely to endanger any persons or property.
- C. 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, and rollerskates.

D. Every person traveling on a trail shall obey the instructions of any official traffic control device applicable thereto placed in accordance with applicable laws unless otherwise directed by a police officer.

E. No motorized vehicles shall be allowed on King County 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 automobiles, golf carts, mopeds, motor scooters, and motorcycles. This section shall not apply to wheelchairs powered by electric motors, or authorized maintenance, police or emergency vehicles.

F. Regional trails, local trail corridors, and paved pathways are open to all non-motorized users unless otherwise designated and posted. Pedestrians, bicyclists and equestrians are permitted on all maintained soft surface trails unless otherwise posted and designated. Trail restrictions may be posted at park entrances, trailheads or, in some cases, on individual trails. Trail use designations will be based on the park master plan, resource conservation, trail user conflicts, maintenance issues, and safety hazards.

- ((E)) G. Every person who shall use or travel on a trail shall obey the Model Trail User Code of Conduct.
 - ((F)) H. Model Trail User Code of Conduct.
- 1. USING A TRAIL. Every person using a trail shall stay as near to the right side of the trail as is safe, excepting those movements necessary to prepare to make or to make turning movements, or while overtaking and passing another user moving in the same direction.
- 2. REGARD FOR OTHER TRAIL USERS. Every user shall exercise due care and caution to avoid colliding with any other trail user. All users shall travel in a consistent and predictable manner.
- 3. GROUPS ON TRAIL. No group of trail users, including their animal(s), shall occupy more than one half of the trail as measured from the right side, so as to impede the normal and reasonable movement of trail users.

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4. AUDIBLE SIGNAL WHEN PASSING. Every user shall give an audible warni	n
signal before passing another trail user. The signal must be produced in such a manner as to)
allow adequate time for response. The signal may be given by voice, bell or horn.	

- 5. OVERTAKING TRAIL USERS ON THE LEFT. Any trail user overtaking another trail user proceeding in the same direction shall pass to the left of such overtaken user at a safe distance, and shall stay to the left until safely clear of the overtaken user.
- 6. ENTERING AND CROSSING TRAIL. Trail users entering or crossing the trail at uncontrolled points shall yield to traffic on the trail.
- 7. LIGHTS ON TRAIL USERS. All bicycles using the trail from one-half hour before sunset and one-half hour before sunrise shall equip their bicycles with a headlight visible 500 feet to the front, and a red or amber light visible 500 feet to the rear.
- 8. REGARD FOR EQUESTRIAN USERS ON TRAIL. Trail users shall exercise extreme caution to prevent frightening horses with sudden noise or movement and shall always yield right of way to horses and warn equestrian users when approaching from behind and attempting to pass.
- 9. Regard for Adjacent Property Owners. Trail users should respect private lands adjacent to county trails and should stay on trails to avoid trespassing on or interfering with adjacent private property.

SECTION 9. Ordinance 6798, Section 41 and K.C.C. 7.12.410, is hereby amended to read as follows:

Pets in county park facilities.

- A. Dogs, pets, or other domestic animals are not permitted on any designated swimming beach, picnic or play area ((s)) in any King County park or in any building unless specifically permitted by posting provided that this section shall not apply to ((seeing eye dogs)) animal guides.
- B. In permissible areas, dogs or other pets or domestic animals must be kept on a leash no greater than ((eight)) fifteen feet in length and under control at all times.

	C. Any person with a dog of other pet in any king county park area shan oc
2	responsible for the conduct of the animal and for removing feces deposited by such animal
3	from the park area.
4	D. At Luther Burbank and Marymoor Parks only, there are areas designated for dogs
5	off leash. Dogs in these designated areas must be accompanied by their owner, be under vocal
6	control and not cause a public nuisance, safety hazard or harass wildlife. Rules in part C also
7	apply.
8	SECTION 10. Ordinance 6798, Section 42 and K.C.C. 7.12.430, is hereby amended
9	to read as follows:
10	Horseback riding - ((in designated areas only. Horses shall be permitted only in King
11	County park areas that are specifically designated and posted to permit such activity.))
12	Horses are permitted on trails unless otherwise posted and designated. Horses shall be
13	permitted in other King County park areas that are specifically posted to permit such activity.
14	Horses shall not be permitted in any designated swimming area ((, campground,)) or picnic
15	area. No person shall allow a horse or other animal to stand unattended or insecurely tied.
16	SECTION 11. Ordinance 6798, Section 46 and K.C.C. 7.12.460, is hereby amended
17	to read as follows:
18	Swimming and boating rules.
19	Swimmers must obey rules. All persons using ((designated swimming areas)) King
20	County parks, beaches and water resources, shall obey all posted beach rules and/or the
21	instructions of lifeguards, facility managers, or other ((park division)) department employees.
22	A. In designated swimming areas, flotation devices are allowed only at lifeguards'
23	discretion. Using a designated swimming area as a flotation device launching or landing point
24	to the greater body of water is prohibited.
25	B. False alarm of drowning is prohibited. No person shall give or transmit a false
26	signal or false alarm of drowning in any manner.

C. Swimming in BOAT LAUNCH areas is prohibited. No person shall swim or

sunbathe in any designated boat launching areas.

D. Boat Launching is permitted in designated areas only. No person shall launch a boat in any King County Park except in areas specifically designated and/or marked for that purpose, provided that this provision does not apply in an emergency situation. Boat operation is prohibited within 100 feet of any King County parks lifeguarded beach or dock facility during the months of June, July, August, and September when lifeguards are present and the beach is open to the public for swimming. SECTION 12. Ordinance 6798, Section 48, as amended and K.C.C. 7.12.480 is hereby amended to read as follows:

Presence in parks during hours the park is closed. No person shall enter or be present in a county park area during hours the park is closed except persons who have paid the applicable use fees to camp in designated campsites or trailer sites, or to moor boats overnight at designated sites and persons using the park facilities as part of an event authorized by the ((division)) department. Park areas are open dawn to dusk unless open for scheduled or reserved recreational activities.

SECTION 13. Ordinance 6798, Section 53 and K.C.C. 7.12.530 is hereby amended to read as follows:

Games on beaches. Activities including but not limited to sports and physical play which interfere or tend to interfere with and endanger other beach users and distract from or obstruct the performance of life guarding ((lifesafety)) responsibilities of parks personnel are prohibited. When circumstances can safely permit games, such games will be conducted only with the consent of a facility manager, lifeguard, or other ((division)) department employee.

SECTION 14. Ordinance 6798, Section 55 and K.C.C. 7.12.550 is hereby amended to read as follows:

Damage to property. It is unlawful for any person except a duly authorized department employee in the performance of his or her duties, or other person duly authorized pursuant to law, to remove, destroy, mutilate or damage any structure, lawn, monument, statue, vase, fountain, wall, fence railing, vehicle, bench, shrub, tree, geological formation, plant, flower lighting system, sprinkling system, gate, barricade or lock or other property

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lawfully in any park, or to remove sand, soil, or sod in any park. No person shall cut down, destroy, or in any way injure any ((shrub, tree, vine, grain, grass or crop, standing or growing or which has been cut down)) vegetation, living or dead, in any King County park area unless authorized to do so by the ((division)) department.

Damage to wildlife. Except for fishing and shellfishing in authorized areas and subject to rules promulgated by the Washington State Fish and Wildlife Commission, it is unlawful in any park in any manner to attempt to capture, tease, annoy, disturb, or strike any animal, with any stick, weapon or other device or throw or otherwise propel any missile or other object at or in the vicinity of any such animal.

SECTION 15. Ordinance 6798, Section 56 and K.C.C. 7.12.560 is hereby amended to read as follows:

Removal of property. No person shall change the position of or remove any county property, material, or equipment including vegetation and wildlife from its original position in any area under the jurisdiction of the ((division)) department.

SECTION 16. Ordinance 6798. Section 60, as amended and K.C.C. 7.12.600 is hereby amended to read as follows:

Aircraft.

- A. Aircraft landing/Take off. No aircraft shall land on or take off from any body of water or land area in a King County park area except:
- 1. Aircraft used to transport injured persons, evacuees, medical personnel, or public officials in the event of an accident, disaster, or emergency;
 - 2. Model aircraft as provided in Section 7.12.600 B;
- 3. No person shall be deemed to have violated the provisions of this section in the event of a bonafide emergency, provided the owner of the aircraft submits a written statement explaining the circumstances of emergency to the ((manager)) director within seventy-two hours of an emergency landing.
 - B. Model aircraft and rockets:

2 3 4 5 6 7 8 9 hereby amended to read as follows: 10 11 12 13 14 15 Provided that: 16 17 18 section shall not apply. 19 20 hereby amended to read as follows: 21 22 23

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1. No person shall fly rockets or model aircraft in any King County park except in areas specifically designated and/or posted for that purpose;

- 2. All engines over ((0.25))0.15 Cubic Inches used in model aircraft being flown in designated King County park areas shall be muffled.
- 3. All persons flying model aircraft in designated King County park areas shall abide by the Official Academy of Model Aeronautics Safety Code;
- 4. All persons desiring to shoot model rockets in a King County park area shall obtain a permit to do so from the parks and recreation services office.

SECTION 17. Ordinance 6798, Section 63, as amended and K.C.C. 7.12.630 is

Firearms, weapons. No person except duly authorized law enforcement personnel shall possess a bow and arrow, crossbow, or air or gas weapon in a county park. No person shall discharge across, in or into any King County 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.

Where the ((division)) department for good cause has authorized in writing a special recreational activity upon finding that it is not inconsistent with King County park use this

SECTION 18. Ordinance 6798, Section 64, as amended and K.C.C. 7.12.640, is

Alcoholic beverages. Selling, opening, possessing alcoholic beverages in an open container, or consuming any alcoholic beverage in a King County park, recreation area, or associated marine area is prohibited except in the following designated areas and under the following conditions:

A. The sale and consumption of alcoholic beverages is permissible in the Club House at the Enumclaw Golf Course.

B. The sale and consumption of alcoholic beverages is permissible for special use permit groups at the King County fairgrounds, provided that the activities conform to the requirements of the Washington State Liquor Control Board pursuant to Title 66, R.C.W.

C. The consumption of alcoholic beverages is permissible at designated indoor and outdoor locations within Marymoor Park, King County Aquatic Center and indoors at the Lake Wilderness Center, Gold Creek Lodge in Woodinville and Issaquah Lodge at Beaver Lake by special use permit groups, provided that the activities conform to the requirements of the Washington State Liquor Control Board pursuant to Title 66, R.C.W., and that such serving and consumption is confined to the designated location. The ((manager)) director shall designate the locations within the park and recreational facility where such activity is permissible.

SECTION 19. Ordinance 6798, Section 70 and K.C.C. 7.12.700, is hereby amended to read as follows:

Enforcement methods ((—eommissions)). Violation of the park rules may be a civil infraction or criminal misdemeanor. The ((primary method of enforcing park rules shall be through requesting voluntary compliance by park users or by the use of administrative sanctions by natural resources and parks and division personnel)) initial method of enforcement shall be by a request for voluntary compliance. Violation of the K.C.C. may be subject to enforcement by the King County Police pursuant to K.C.C. 7.12.650 and 7.12.660. In addition, any person failing to comply with the park rules shall be subject to the loss of park or recreation facility use privileges and ejection from county park areas or associated marine park areas. In the future, at the direction of the department director, the park rules ordinance may be updated to request that certain department personnel be commissioned by the director of the department of public safety for the purpose of issuing citations to the violators of adopted park rules. ((Enforcement through the issuance of citations for violations of park ordinances shall be executed solely by those personnel who are specifically commissioned for that purpose. Natural resources and parks and division personnel may be commissioned by the director of the department of public safety at the request of the manager

1	of the parks and recreation division in accordance with applicable law as may be necessary to
2	ensure proper enforcement of park rules. Such personnel shall receive training as required by
3	the director of the department of public safety and state law. The director of the department of
4	public safety and the manager of the natural resources and parks recreation division will work
5	cooperatively to implement and oversee the commissioning program.))
6	INTRODUCED AND READ for the first time this 17th day of July, 1995.
7	INTRODUCED AND READ for the first time this 17th day of July, 1995. PASSED by a vote of 13 to 0 this 231 day of October, 1995.
8	KING COUNTY COUNCIL KING COUNTY, WASHINGTON
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1	Clerk of the Council
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28.	King Courty Executive
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Attachments: None