

**Title 7
PARKS AND RECREATION**

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Chapters:

- 7.01 DEFINITIONS**
- 7.02 GENERAL PROVISIONS**
- 7.08 FACILITIES USE CHARGES**
- 7.09 PARKING FEE ENFORCEMENT**
- 7.12 RULES FOR USE OF FACILITIES**
- 7.16 LAND DEDICATIONS**
- 7.20 PARK AND RECREATION DISTRICTS**
- 7.24 EARTHWORKS**

For provisions regarding concession contracts for recreational facilities, see K.C.C. chapter 4.57.

7.01 DEFINITIONS

Sections:

- 7.01.010 Definitions

7.01.010 Definitions. The definitions in this section apply throughout this title and K.C.C. chapter 4.57, unless the context clearly requires otherwise.

A. "Advertising" means promotional activity for the financial gain of those undertaking the activity or causing the activity to be undertaken, including, but not limited to, placing signs, posters, placards or any other display device in publicly visible location within a parks and recreation facility. "Advertising" does not include posting of an announcement on a community bulletin board, consistent with any applicable rules for the use of community bulletin boards.

B. "Aircraft" means any machine or device designed to travel through the air including, but not limited to, airplanes, helicopters, ultra light type planes, gliders, remote-control planes and gliders, hot air balloons, kites and balloons.

C. "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 that contains more than one percent alcohol by weight shall be conclusively deemed to be intoxicating.

D. "Associated marine area" means any water area within one hundred feet of any parks and recreation facility such as a dock, pier, float, buoy, log boom or other object that is part of a parks and recreation facility, only if the area does not include private property.

E. "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.

F. "Camper" means a motorized vehicle containing either sleeping or housekeeping accommodations, or both, and shall include a pickup truck with camper, a van-type body, a converted bus, or any similar type vehicle.

G. "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, camper or other vehicle for the purpose of remaining overnight.

H. "Campsite" means camping sites designated by the director.

I. "Change" a fee means to alter the amount of a fee.

J. "Concession" means the privilege or authority to sell goods or services within parks and recreation facilities or to operate parks and recreation facilities or a portion thereof.

K. "Concession contract" or "concession agreement" means the agreement granting a person a concession with respect to a parks and recreation facility.

L. "Department" means the department of natural resources and parks.

M. "Director" means the director of the department of natural resources and parks or the director's designee.

N. "Discrimination" means any action or failure to act, whether by single act or part of a practice, the effect of which is to adversely affect or differentiate between or among individuals or groups of

individuals, because of race, color, religion, national origin, age, sex, marital status, parental status, sexual orientation, the presence of any sensory, mental or physical handicap or the use of an animal guide by a blind or deaf or otherwise physically or mentally challenged person.

O. "Division" means the parks and recreation division of the department of natural resources and parks.

P. "Eliminate" a fee means to remove a fee.

Q. "Establish" a fee means to impose a fee for an activity for which a fee was not being charged.

R. "Facility," "facilities," "parks and recreation facility," "parks and recreation facilities" or "park area" means any building, structure, park, open space, trail or other property owned or otherwise under the jurisdiction of the parks and recreation division of the department of natural resources and parks.

S. "Facility manager" means the person designated to manage a specific parks and recreation facility.

T. "High-use areas" means areas of parks and recreation facilities where people congregate. "High-use areas" include athletic fields, off-leash dog parks, parking lots, picnic shelters, playgrounds, sports courts, trailheads, and any other areas designated as high-use areas by the director.

U. "Manager" means the manager of the parks and recreation division of the department of natural resources and parks.

V. "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.

W. "Naming rights" means rights to name a facility after a person for a term of years in exchange for consideration.

X. "Parks and recreation purposes" means any lawful purpose of the division.

Y. "Person" means all natural persons, groups, entities, firms, partnerships, corporations, governmental and quasi-governmental entities, clubs and all associations or combination of persons whether acting for themselves or as an agent, servant or employee.

Z. "Permit" means an authorization for the use of parks and recreation facilities that imposes conditions on the permittee in addition to those conditions imposed on the general public.

AA. "Rocket" means any device containing a combustible substance that when ignited, propels the device forward.

BB. "Set" a fee means to change or eliminate a fee, including determining, changing or eliminating a range for a fee. "Set" does not include selecting a fee in a previously set range for a fee.

CC. "Spirits" means any beverage that contains alcohol obtained by distillation, including wines exceeding twenty-four percent of alcohol by volume.

DD. "Sponsorship" means providing consideration to support specific parks and recreation facilities or activities, generally in exchange for advertising on county property, through county media, or otherwise, or other promotional consideration.

EE. "Tobacco product" means cigarettes, cigars, pipe tobacco and chewing tobacco.

FF. "Trail" means any path, track or right-of-way designed for use by pedestrians, bicycles, equestrians or other nonmotorized modes of transportation.

GG. "Trailer" means a towed vehicle that contains sleeping or housekeeping accommodations.

HH. "Trailer site" means a designated camping site that has either water or electrical facilities, or both, available for hookup.

II. "User fee" means a fee charged for the use of parks and recreation facilities, activities and programs, including, but not limited to, general facilities admission, classes and workshops, sponsored leagues and tournaments, gymnasium and field usage for games and practice, field lights and other equipment, concessions, parking, camping, special event admission, rooms for meetings, conference banquets and other indoor activities, kitchen and equipment. "User fee" does not include the cost of purchasing tangible personal property sold by the division. "User fee" also does not include charges made under:

1. An advertising, sponsorship or naming rights agreement in accordance with K.C.C. 7.08.080;
2. A concession contract in accordance with K.C.C. chapter 4.57;
3. A lease, rental or use agreement in accordance with K.C.C. 4.56.150; or
4. A special use permit in accordance with K.C.C. 7.12.050. (Ord. 17375 § 1, 2012: Ord. 14509 § 4, 2002).

7.02 GENERAL PROVISIONS

Sections:

7.02.020 Large active recreation and multiuse park.

7.02.050 Brightwater Environmental Education and Community Center - contracts or agreements for use.

7.02.020 Large active recreation and multiuse park. The department may designate a King County facility as a large active recreation and multiuse park. The department shall maintain a parks inventory list showing the parks designated as large active recreation and multiuse parks. The department shall set out a process through department policies and procedures for review and public meetings for designation of a large active recreation and multiuse park. (Ord. 14807 § 1, 2003).

7.02.050 Brightwater Environmental Education and Community Center - contracts or agreements for use.

A. In furtherance of K.C.C. 2.16.045.E.13, the manager is authorized to enter into a contract or agreement with the wastewater treatment division to administer lease, rental or use agreements in accordance with K.C.C. 4.56.150, permits under K.C.C. 7.12.040 or special use permits under K.C.C. 7.12.050, for use of the Brightwater Environmental Education and Community Center. The contract shall be consistent with K.C.C. 28.84.075 relating to the use of the Brightwater Environmental Education and Community Center.

B. The rules for use of facilities in K.C.C. chapter 7.12 apply to lease, rental or use agreements in accordance with K.C.C. 4.56.150, permits under K.C.C. 7.12.040 or special use permits under K.C.C. 7.12.050, for the Brightwater Environmental Education and Community Center only to the extent necessary to operate the permit and use program as determined by the director in a public rule established under K.C.C. chapter 2.98. (Ord. 17586 § 3, 2013).

7.08 FACILITIES USE CHARGES

Sections:

- 7.08.050 User fees established.
- 7.08.060 Setting and establishing user fees.
- 7.08.070 Gifts, bequests and donations.
- 7.08.080 Advertising, sponsorship and naming rights.
- 7.08.090 Reporting requirements.
- 7.08.100 Types of agreements and permits.
- 7.08.110 Improvement or construction on parks and recreation division property - requirements.

7.08.050 User fees established. User fees are established for the following:

- A. Admission;
- B. Aquatics:
 - 1. Pool rentals;
 - 2. Pool usage; and
 - 3. Swim lessons;
- C. Athletic fields:
 - 1. Usage; and
 - 2. Lights;
- D. Banquets;
- E. Camping;
- F. Cancellations;
- G. Classes and workshops;
- H. Cleaning;
- I. Deposits:
 - 1. Damage; and
 - 2. Key;
- J. Equipment or materials use;
- K. Facility use;
- L. Moorage;
- M. Outdoor facility use;
- N. Parking;
- O. Permit-related activities;
- P. Pea-patch rentals;
- Q. Recreation programs;
- R. Room rentals;

- S. Special athletic requests including, but not limited to, fence rentals and pitcher's mound installations;
- T. Special events;
- U. Special personnel requests including, but not limited to, security and after-hours facility openings; and
- V. Utilities. (Ord. 14509 § 6, 2002).

7.08.060 Setting and establishing user fees.

- A. The director shall set user fees in accordance with this section.
- B. The director shall set user fees for all parks and recreation facilities and programs for which specific users can be readily identified and charged, unless the director determines that the administrative costs to collect the fees are likely to exceed revenues.
- C. In setting user fees, the director shall consider the following, among other factors:
 - 1. The cost of providing services and the demand for services;
 - 2. The administrative costs of collecting the fees;
 - 3. The user's ability to pay;
 - 4. Maximizing nontax revenue for the support of parks and recreation facilities;
 - 5. The target revenue rate from user fees, which are:
 - a. for swimming pools, at least fifty percent of operation and maintenance costs, including overhead;
 - b. for the Weyerhaeuser King County Aquatic Center, at least fifty percent of the operation and maintenance costs, including overhead;
 - c. for the King County fairgrounds, at least one hundred percent of operation and maintenance costs, including overhead;
 - d. for ballfields, at least thirty percent of operation and maintenance costs, including overhead; and
 - e. for all other activities, at least thirty percent of operation and maintenance costs, including overhead.
- D. User fees for youth shall generally be set lower than comparable fees for adults.
- E. Consistent with applicable law, the director may waive, in whole or in part, user fees or provide or facilitate scholarships for individuals meeting federally established low-income criteria, to help ensure that no one is denied access to parks and recreation facilities or activities based solely on an inability to pay. The director shall adopt rules in accordance with K.C.C. chapter 2.98 that establish the circumstances for which these waivers or scholarships are available and the process for granting the waivers or scholarships. In addition, the director may waive user fees as part of a concession, advertising or sponsorship agreement under which the county receives consideration equal to or greater than the total amount of the fees to be waived. The director shall document all waivers of user fees.
- F. The director shall set user fees in a way that clearly and simply states the amounts and the facilities or programs to which the fees apply. The director may set ranges for particular user fees and select fees within those ranges.
- G. The director shall make available to the public a description of the department's procedures for setting user fees. The description shall include information on how to inquire about the department's proposed and adopted user fees and public comment opportunities.
- H.1. The director shall give at least twenty days' notice of its intention to set user fees by providing notice:
 - a. in writing or by electronic format, to:
 - (1) the clerk of the council;
 - (2) all council members; and
 - (3) all persons who have made a timely request for advance notice of fee setting;
 - b. by posting notice at affected facilities; and
 - c. by publishing in the official county newspaper a summary of the notice of the proposed action, including the information in subsection H.2. a. through e. of this section.
- 2. The notice made in subsection H.1. a. and b. of this section shall:
 - a. include a reference to this section;
 - b. include a reference to the facility or program to which the fee will be applied;
 - c. include a date and place by which comments must be submitted;
 - d. specify whether the proposal is the determination, change or elimination of a fee;
 - e. if the proposal is to change a fee, indicate both the amount of the existing fee and the proposed fee; and
 - f. state the reason for and methodology used to determine the proposed new fee.
- 3. Selecting a different user fee within a set range does not require notice.
- 4. The director shall consider all comments received by the prescribed date for comment before the user fee is set.

I. A user fee is set when signed by the director. A user fee takes effect ten days after it is set.

J. Once a user fee is set, the division shall post the amount of the fee in both written and electronic form for inspection, review and copying by the public, including providing a copy, in writing or by electronic format, of the fee to the clerk of the county council and each member of the county council and posting the fee on the Internet.

K. The director may not increase a fee, or the upper end of the range of a fee, more than fifty percent of that which is in place for the fee or range, unless the authority to set the fee is granted by the council by ordinance. However, for the convenience of parks users and to reduce administrative expenses, an increase in the daily parking fee of no more than fifty percent may be rounded up one time only to the next highest dollar.

L. The director may not increase a fee or the upper end of the range of a fee, within one hundred twenty days of a previous increase to the fee or range, unless the authority for the increase is granted by the council by ordinance.

M. A fee may not be established unless the fee is approved by the council by ordinance.

N. All persons using King County parks and recreation facilities shall pay any applicable user fees, except as provided in subsection E of this section.

O. User fees generated under this chapter shall be applied solely to parks and recreation purposes. (Ord. 16553 § 16, 2009: Ord. 14509 § 7, 2002).

7.08.070 Gifts, bequests and donations.

A. Consistent with K.C.C. chapter 3.04, the director may solicit and accept from the general and business communities and all other persons, gifts, bequests and donations to the county of or in support of parks and recreation facilities and programs.

B. All gifts, bequests and donations of money to the county for parks and recreation purposes shall be deposited and credited to the parks trust and contribution fund created under K.C.C. 4.08.095*.

C. The director shall assure that expenditures from the gift, bequest or donation are consistent with the terms, if any, requested by the grantor. (Ord. 14509 § 9, 2002).

***Reviser's note: K.C.C.4.08.095 was recodified as K.C.C. 4A.200.510 by Ordinance 17527.**

7.08.080 Advertising, sponsorship and naming rights.

A. The director may negotiate and enter into advertising, sponsorship and naming rights agreements for the purpose of providing financial support for parks and recreation facilities and programs.

B.1. Advertising is prohibited at parks and recreation facilities unless the advertising is under an agreement or permit identified in K.C.C. 7.08.100. Advertising shall be restricted to commercial speech.

2. Agreements authorizing advertising at parks and recreation facilities shall contain provisions to ensure that advertising is consistent with the existing aesthetics of the particular facility. To the extent feasible, agreements shall specify that advertising signs have a consistent look throughout a particular facility, such as similar sizes and background colors, and that the signs are affixed in a way that minimizes wear and tear on parks and recreation facilities. Except for signs associated with lighted scoreboards, the director shall not enter into agreements authorizing neon signs and light boards for outdoor areas at parks and recreation facilities. Unless authorized by ordinance, advertising in regional resource and ecological lands shall not be larger than two feet in either height or width. All sign agreements shall require that the signs be removed at the end of the agreement.

C. Advertisers and sponsors shall agree not to engage in discrimination. Furthermore, an advertising, sponsorship or naming rights agreement may not result in the advertisement of spirits or tobacco products in violation of K.C.C. chapter 12.51.

D. The director may impose additional subject-matter restrictions on advertising, sponsorship and naming rights agreements consistent with applicable law and the use of parks and recreation facilities by citizens of all ages, in particular young children and families.

E. Revenue generated from advertising, sponsorship and naming rights agreements entered into under this section shall be applied solely to parks and recreation purposes. (Ord. 14509 § 10, 2002).

7.08.090 Reporting requirements. The division shall provide a written report to the council, filed with the clerk of the council, at least four times each year, by March 15, June 15, September 15 and December 15, and more frequently as directed by the council by motion, regarding the execution of the division's duties and responsibilities as established in K.C.C. 2.16.045.E. Following transmittal of each written report, the division shall also make an oral presentation to the council. The written reports and oral presentations shall include, but shall not be limited to, information as to the division's efforts in:

A. Meeting revenue targets under K.C.C. 7.08.060;

B. Implementing entrepreneurial strategies including advertising, leasing and concession agreements;

- C. Pursuing gifts, bequests and donations, including the value and sources of gifts, bequests and donations received;
- D. Developing agreements with other organizations to provide recreation services;
- E. Transferring parks and recreation assets within incorporated areas or potential annexation areas to cities; and
- F. Community outreach and involvement. (Ord. 14509 § 11, 2002).

7.08.100 Types of agreements and permits. The director may utilize the following types of agreements and permits:

- A. An advertising, sponsorship or naming rights agreement in accordance with K.C.C. 7.08.080;
- B. A concession contract in accordance with K.C.C. chapter 4.57;
- C. A lease, rental or use agreement in accordance with K.C.C. 4.56.150;
- D. A permit in accordance with K.C.C. 7.12.040; or
- E. A special use permit in accordance with K.C.C. 7.12.050. (Ord. 14509 § 12, 2002).

7.08.110 Improvement or construction on parks and recreation division property - requirements.

A. For any improvement or construction on parks and recreation division property with an anticipated private investment from a community partner group of less than ten thousand dollars, including in-kind contributions and volunteer hours, the division will execute a contractual agreement with the community partner group before any construction of the improvement, by or on behalf of the community partner group, commences.

B. For any improvement or construction on parks and recreation division property with an anticipated private investment of between ten thousand dollars and ninety-nine thousand nine hundred ninety-nine dollars from a community partner group, including in-kind contributions and volunteer hours, the division shall notify the chair of the council's transportation, economy and environment committee or its successor as well as the councilmember in whose district the project is located. The notice shall be provided at least thirty days before the division enters into any contractual agreement with the community partner group relating to this improvement. The notice may be provided electronically and shall include at least the following:

1. A description of the project;
2. The project location;
3. Key anticipated milestones; and
4. The anticipated public and private investment.

5. Verification that the community partner group has agreed to execute a contractual agreement that includes indemnification provisions as set forth in subsection D. of this section.

C. Any improvement or construction on parks and recreation division property with an anticipated private investment of one hundred thousand dollars or more from a community partner group, including in-kind contributions and volunteer hours, must be approved by ordinance before the commencement by, or on behalf of the community partner group, for the design or construction of the improvement. An ordinance authorizing a use agreement or a detailed capital improvement program budget with respect to any such a project constitutes authorization under this section, but only if the use agreement or capital improvement program budget is approved before construction or any contractual agreement regarding construction.

D. All contractual agreements shall include indemnification provisions that ensure that community partners and their volunteers agree to indemnify and hold harmless King County to the extent permitted under the law, for all claims, demands, suits and judgments caused by and arising out of work performed by community partner groups and their volunteers, including design and construction work. All contractual agreements shall include insurance provisions in amounts and coverages approved by the county's risk management division. No construction or improvement on parks and recreation division property can begin before a contractual agreement is executed. (Ord. 17535 § 1, 2013; Ord. 17392 § 1, 2012).

7.09 PARKING FEE ENFORCEMENT

Sections:

- 7.09.010 Director - enforcement powers.
- 7.09.020 Penalty failure to pay.
- 7.09.030 Notice and order.
- 7.09.040 Notice and order - reconsideration - request - review - decision - notice - automatic reductions.
- 7.09.050 Appeals.
- 7.09.060 Liability of vehicle's registered owner.

- 7.09.070 Penalty - registered owner's personal obligation.
- 7.09.080 Late payment - final warning letter - remedies - additional fee.
- 7.09.090 Use of fees and penalties.
- 7.09.100 Impoundment - notice - signs - towing - limitations.
- 7.09.110 Loss of park or recreation facility use - ejection.
- 7.09.120 Effective dates - notice and order - service of decisions.
- 7.09.130 Procedures not exclusive.

7.09.010 Director - enforcement powers. The director may enforce the terms and provisions of this chapter. (Ord. 16553 § 2, 2009).

7.09.020 Penalty - failure to pay. A person who fails to pay a duly adopted parking fee in violation of this chapter is subject to a civil penalty to be directly assessed by the director in an amount not to exceed one hundred dollars per violation. All civil penalties assessed shall be enforced and collected in accordance with the procedures specified in this chapter. (Ord. 16553 § 3, 2009).

7.09.030 Notice and order.

A. The director shall issue a notice and order when the director determines that an applicable parking fee has not been paid. The notice and order shall contain:

1. A description of the vehicle parked in violation of this title, including make, model, color and license plate number;
2. Date and time issued;
3. A description sufficient to identify the area where the vehicle was parked when the violation was discovered such as lot identification letter;
4. A statement that the director has found the vehicle parked in violation of parking fee requirements, with a brief and concise description of the conditions that establish the violation;
5. A statement that the director is assessing a civil penalty, the amount of the penalty and a time certain by which the penalty shall be paid from the date of the order; and
6. Statements advising:
 - a. the director may review and reconsider the notice and order, provided that a request for review and reconsideration is made in writing as provided in this chapter and filed with the director within ten days from the date of service of the notice and order;
 - b. the address to which the request for review and reconsideration should be sent;
 - c. the director's decision may be appealed to the King County office of the hearing examiner, provided the appeal is made in writing and filed with the director within 14 days from the mailing of the director's decision, as provided in K.C.C. chapter 20.24;
 - d. failure to timely request director's review and reconsideration will constitute a waiver of all rights to any administrative hearing and determination of the matter;
 - e. a vehicle with three or more unpaid notice and orders may be immobilized in accordance with any applicable legal requirements and a vehicle with five or more unpaid notice and orders or a vehicle that has been immobilized for more than twenty-four hours may be towed and impounded without prior notice and at the owner's expense, under this chapter and K.C.C. chapter 46.08; and
 - f. if, in accordance with K.C.C. 7.09.040, the director chooses to provide a uniform automatic civil penalty reduction for prompt payment of a notice and order, then the notice and order shall also include a statement advising how to qualify for that reduction.

B. The notice and order, and any amended or supplemental notice and order, shall be served by affixing the notice and order to the vehicle for which the parking fee was not paid, in a conspicuous location, usually the windshield.

C. Proof of service of the notice and order shall be made at the time of service by a written declaration under penalty of perjury, executed by the person effecting service and declaring the time, date, and manner in which service was made. A copy of the notice and order shall be kept on file by the department of natural resources and parks. (Ord. 16553 § 4, 2009).

7.09.040 Notice and order - reconsideration - request - review - decision - notice - automatic reductions.

A. A person served with a notice and order pursuant to this chapter may request in writing, within ten days of being served with a notice and order, that the director review and reconsider the notice and order.

B. The review shall be performed without a hearing and be based solely on written information provided by the person requesting review and by county personnel or agents.

C. Upon review, the director may uphold the notice and order or waive or reduce the fine or any other penalty contained in the notice and order.

D. The director shall mail the written decision to the person requesting review.

E. The decision shall notify the person requesting review of the right to appeal the director's decision pursuant to this chapter and the procedure for filing the notice of appeal of the director's decision.

F. In addition, the director may implement a uniform system to automatically reduce civil penalties that are paid within a specified period. If the director chooses to implement such an automatic penalty reduction for prompt payment, then the director shall notify the public of that option, and take steps to facilitate the public's ability to promptly pay a reduced civil penalty. The amount of the penalty reduction, the duration of the grace period, and the penalty collection mechanism shall be established by the director in the director's sole discretion. However, the director may not change the amount of the reduction, the duration of the grace period, or the penalty collection system more frequently than once every six months. (Ord. 16553 § 5, 2009).

7.09.050 Appeals.

A. The King County office of the hearing examiner shall hear appeals of the director's decisions under this chapter.

B. Any person having received a director's decision under K.C.C. 7.09.040 may appeal that decision by filing a notice of appeal pursuant to K.C.C. chapter 20.24.

C. The procedures for initiating and conducting the appeal shall be governed by K.C.C. chapter 20.24.

D. Enforcement of any notice and order of the director shall be stayed during the pendency of a director's review or an appeal therefrom which is properly and timely filed pursuant to K.C.C. chapter 20.24. (Ord. 16553 § 6, 2009).

7.09.060 Liability of vehicle's registered owner. The registered owner of a vehicle is liable to pay any civil penalty imposed for a violation under this chapter. However, the registered owner of a vehicle may avoid liability if the owner proves that the vehicle was reported to the police as a stolen vehicle before the notice and order was issued, and the vehicle had not been recovered. (Ord. 16553 § 7, 2009).

7.09.070 Penalty - registered owner's personal obligation. Except as provided in K.C.C. 7.09.060, a civil penalty imposed for failure to pay a parking fee at a King County park or recreation facility is a personal obligation of the registered owner of the vehicle involved. (Ord. 16553 § 8, 2009).

7.09.080 Late payment - final warning letter - remedies - additional fee of penalty. If the penalties assessed by the director are not paid to King County within thirty days from the service of the notice under K.C.C. 7.09.030, the mailing of the director's decision under K.C.C. 7.09.040, or the mailing of the hearing examiner's decision under K.C.C. 7.09.050, whichever occurs last, then the director may send a final warning letter to the registered owner of the vehicle to the address on file with the state Department of Licensing. If the civil penalties are not paid within ten days after the final warning letter is sent, then the director may pursue other applicable legal remedies. In pursuing payment of civil penalties which remain delinquent after the final warning letter is sent, and to cover administrative expenses associated with the pursuit of such penalties, the director may charge the registered owner of the vehicle an additional fee not to exceed fifty percent of the total delinquent civil penalties. (Ord. 16553 § 9, 2009).

7.09.090 Use of fees and penalties. Unpaid parking fees and civil penalties assessed and collected in accordance with this chapter shall be applied solely to parks and recreation purposes. (Ord. 16553 § 10, 2009).

7.09.100 Impoundment - notice - signs - towing - limitations.

A. In addition to the remedies provided elsewhere in this chapter and in K.C.C. Title 23, the director may impound a vehicle without giving prior notice to its owner, but only if:

1. The vehicle to be towed has received five or more notice and orders under this chapter for which appeals have been waived or been completed; and

2. All or a portion of the amount owed pursuant to those notices and orders remains an outstanding debt to King County.

B. Before impounding any vehicle under this section, the director shall cause signs to be posted in King County parks and recreation facilities to clearly communicate that parked vehicles may be towed and impounded for failure to pay parking fees.

C. When impoundment is authorized by this chapter, a vehicle may be impounded by a towing contractor acting at the request of an employee or other authorized agent of the King County department of natural resources and parks. The employee or authorized agent shall provide to the towing contractor a signed authorization for the tow and the impound before the towing contractor may proceed with the impound.

D. Notice to the owner of an impounded vehicle, redemption of impounded vehicles and post impoundment procedures shall occur in accordance with K.C.C. 46.08.070, 46.08.080, 46.08.100, 46.08.110, 46.08.120, 46.08.130, 46.08.132 and 46.08.134.

E. Nothing in this section shall be construed to authorize seizure of a vehicle without a warrant where a warrant would otherwise be required. Nothing in this section limits K.C.C. 46.08.040, or derogates from the power of police officers under the common law or other statute or ordinance. (Ord. 16553 § 11, 2009).

7.09.110 Loss of park or recreation facility use - ejection. In addition to any prescribed penalty, any person failing to comply with this chapter shall, in the director's sole discretion, be subject to the loss of park or recreation facility use privileges and ejection from the county park and recreation facility where the violation took place. (Ord. 16553 § 12, 2009).

7.09.120 Effective dates - notice and order - service of decisions.

A. Service of a notice and order under K.C.C. 7.09.030 shall be deemed effective on the date the notice and order is placed on the vehicle.

B. Service of a director's decision under K.C.C. 7.09.040 shall be deemed effective three days after a written copy of the decision is mailed to the person requesting review.

C. Service of a hearing examiner's decision under K.C.C. 7.09.050 shall be deemed effective three days after a written copy of the decision is mailed to the person appealing the director's decision. (Ord. 16553 § 13, 2009).

7.09.130 Procedures not exclusive. The procedures set forth in this chapter are not exclusive. These procedures shall not in any manner limit or restrict the county from remedying civil code violations, including failure to pay applicable parking fees, in any other manner authorized by law, including but not limited to legal or equitable relief. (Ord. 16553 § 14, 2009).

7.12 RULES FOR USE OF FACILITIES

Sections:

I - GENERAL

7.12.020 Program - purpose.

II - ADMINISTRATION

- 7.12.030 Administrative rules - Hours and conditions of operation.
- 7.12.035 Designating off-limits areas.
- 7.12.040 Permits.
- 7.12.050 Special use permits.
- 7.12.060 Cancellation of reservation or permit.
- 7.12.070 Religious services or group rallies.
- 7.12.080 Use of facilities - building use hours.
- 7.12.090 Cleanup.
- 7.12.100 Liability.
- 7.12.110 Liability insurance.
- 7.12.120 Adults to accompany minors.
- 7.12.130 Storage of equipment - Liability of county.
- 7.12.140 Equipment regulations - Failure to perform.
- 7.12.150 Facility use - sale of goods and services.

III - RULES GOVERNING USE OF FACILITIES - INFRACTIONS

- 7.12.160 Camping occupancy policy.
- 7.12.170 Occupancy - Number of vehicles.
- 7.12.180 Fees.
- 7.12.190 Camping - Occupancy hours.
- 7.12.200 Use of trailer sites by tent campers.
- 7.12.210 Sites considered occupied when paid for.
- 7.12.220 Picnicking.
- 7.12.230 Food waste, washing of clothes or animals.

- 7.12.240 Parking lots and roadways - games prohibited.
- 7.12.250 Motor vehicles - parking.
- 7.12.260 Motor vehicles on roads and trails.
- 7.12.270 Motor vehicles - speed limits.
- 7.12.280 Washing of vehicles.
- 7.12.290 Motor vehicles - truck and commercial vehicles.
- 7.12.295 Trail use.
- 7.12.300 Boating - Occupancy policy.
- 7.12.310 Commercial watercraft prohibited.
- 7.12.320 Overnight moorage.
- 7.12.330 Tandem moorage.
- 7.12.340 Use of marine heads.
- 7.12.350 Camping - In designated areas only.
- 7.12.360 Tents and shelters on beaches.
- 7.12.370 Clothing.
- 7.12.380 Ice.
- 7.12.390 Game fish.
- 7.12.400 Shellfish and food fish.
- 7.12.410 Pets in county park facilities.
- 7.12.420 Disturbances by animals prohibited.
- 7.12.430 Horseback riding.
- 7.12.435 Tobacco use in high-use areas.
- 7.12.440 Littering.
- 7.12.445 Off-limits areas.
- 7.12.450 Swimming - In designated areas only.
- 7.12.460 Swimming and boating rules.
- 7.12.470 Swimming/scuba diving in boat launch areas prohibited.
- 7.12.480 Presence in park during hours the park is closed.

IV - RULES GOVERNING USE OF FACILITIES - MISDEMEANORS

- 7.12.490 Loitering.
- 7.12.500 Horseback riding - May not endanger others.
- 7.12.510 Mechanical trapping devices - Capturing or injuring animals.
- 7.12.520 False alarm of drowning prohibited.
- 7.12.530 Games on beaches.
- 7.12.540 Moorage in swimming area prohibited.
- 7.12.550 Damage to property/wildlife.
- 7.12.560 Removal of property.
- 7.12.570 Outside household or commercial waste.
- 7.12.580 Waste from vehicles.
- 7.12.590 Dumping in water prohibited.
- 7.12.600 Aircraft.
- 7.12.610 Solicitation.
- 7.12.620 Fireworks.
- 7.12.630 Firearms, weapons.
- 7.12.640 Alcoholic beverages.
- 7.12.642 Intoxication.
- 7.12.645 Interference with Trails.

V - PENALTIES

- 7.12.650 Infractions.
- 7.12.660 Misdemeanors.
- 7.12.670 Administrative sanctions.

VI - PARK SAFETY - ENFORCEMENT

- 7.12.680 Park safety.
- 7.12.690 Responsibilities.

- 7.12.700 Enforcement methods.
- 7.12.710 Contractual agreements.

VII - MISCELLANEOUS PROVISIONS

- 7.12.730 Collective bargaining obligation.

I - GENERAL

7.12.020 Program - purpose. The playgrounds, activity centers, pools and other facilities of the division are established by law for public recreation purposes, including, but not limited to, the provision of community services by third parties. (Ord. 14509 § 13, 2002: Ord. 6798 § 2, 1984).

II - ADMINISTRATION

7.12.030 Administrative rules - Hours and conditions of operation. The manager shall promulgate rules setting forth the times and conditions upon which the county parks and recreation facilities will be open, closed, or used by the public. Such rules shall be promulgated in accordance with the procedures established in K.C.C. 2.98. (Ord. 6798 § 3, 1984).

7.12.035 Designating off-limits areas. The manager may designate portions of parks and recreation facilities that are off limits to the general public for the purpose of protecting park resources or the environment or for the purpose of protecting the public from conditions that constitute a potential safety hazard. Any portion of a facility that is designated as off limits under this section must have posted notice of the designation. The manager may delegate the authority granted under this section to division employees with appropriate restrictions. (Ord. 14509 § 14, 2002).

7.12.040 Permits. The manager may issue permits to community groups or persons to meet or conduct activities in the parks and recreation facilities if those facilities or portions thereof are not otherwise required by the division. The director shall charge the applicable user fee for the use permitted under the permit. (Ord. 14509 § 15, 2002: Ord. 12003 § 2, 1995: Ord. 6798 § 4, 1984).

7.12.050 Special use permits.

A. Uses not meeting all of the requirements in K.C.C. 7.12.040, and any other private uses of parks and recreation facilities of less than thirty days in a twelve-month period not governed by another code provision, may be authorized by special use permits granted by the director. A fee shall be charged for those uses. The director shall determine the amount of fee. As appropriate, the director shall specify special conditions of use and note the conditions on the special use permit. Special use permits may have a term of up to five years without requiring council approval.

B. Those applying for special use permits for activities at which the consumption of alcoholic beverages is intended must meet the requirements of state law with respect to liquor permits and this chapter. During the course of the activity, the state liquor permit must be displayed within the area. (Ord. 14509 § 16, 2002: Ord. 12003 § 3, 1995: Ord. 8538 § 1, 1988: Ord. 6798 § 5, 1984).

7.12.060 Cancellation of reservation or permit. The division may cancel a reservation or permit for cause or if the division wishes to make use of the facility that in the judgment of the division supersedes the need of the permittee. Notice of the division's cancellation for priority use shall be given at least twenty-four hours in advance of the reserved or permitted use. Notice of cancellation for cause may be given at any time. (Ord. 14509 § , 17, 2002: Ord. 6798 § 6, 1984).

7.12.070 Religious services or group rallies. Religious services or group rallies may be permitted in King County park areas where facilities are adequate, and where such activities will not conflict in any way with normal park usage. To avoid conflict, permission for such activities must be obtained in advance from the manager. Permission for use of loudspeakers by groups must be obtained in advance. (Ord. 6798 § 7, 1984).

7.12.080 Use of facilities - building use hours. Activities of persons using facilities shall cease at 10:00 p.m. on Sundays through Thursdays and at 12:30 a.m. on Fridays and Saturdays, unless otherwise approved in the use permit. (Ord. 14509 § 18, 2002: Ord. 6798 § 8, 1984).

7.12.090 Cleanup. All persons must leave facilities in a condition considered satisfactory to the facility manager in charge who will supervise cleanup activity. No person shall conduct activities causing extra custodial work unless previous agreement has been made to pay for such work and this is so stated in the use permit. (Ord. 6798 § 9, 1984).

7.12.100 Liability. Persons using facilities by permit will be required to protect, save and hold King County, its elected and appointed officials and employees while acting within the scope of their duties, harmless from and against all claims, demands and causes of action of any kind or character, including the cost of defense thereof, arising in favor of a person or group's members or employees or third parties on account of any action including but not limited to personal injuries, death or damage to property arising out of the use of premises, or in any way arising out of the acts or omissions of the person, group and/or its agents, employees or representatives. (Ord. 6798 § 10, 1984).

7.12.110 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 cancelled or reduced without prior written notice to the county at least thirty days in advance of the cancellation. (Ord. 12003 § 4, 1995: Ord. 6798 § 11, 1984).

7.12.120 Adults to accompany minors. Adults must be present and responsible at all assemblies of minors throughout the entire function. (Ord. 6798 § 12, 1984).

7.12.130 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. (Ord. 12003 § 5, 1995: Ord. 6798 § 13, 1984).

7.12.140 Equipment regulations - Failure to perform. The misuse of a park facility or the failure to conform with these regulations, the instructions of division employees, or the conditions of a permit will be sufficient reason for denying any future permits. (Ord. 6798 § 14, 1984).

7.12.150 Facility use - sale of goods or services. The use of parks and recreation facilities for financial gain shall be allowed only through permits, concession contracts, leases and other authorized agreements with the county. (Ord. 14509 § 19, 2002: Ord. 6798 § 15, 1984).

III - RULES GOVERNING USE OF FACILITIES - INFRACTIONS

7.12.160 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 department at any individual facility or area. (Ord. 12003 § 6, 1995: Ord. 6798 § 16, 1984).

7.12.170 Occupancy - Number of vehicles. The number of vehicles occupying camping facilities shall be limited to one car or camper, or one vehicle with trailer, per camp or trailer site. A greater number may be authorized in specific areas when constructed facilities so warrant. (Ord. 6798 § 17, 1984).

7.12.180 Fees. Fees for the use of campsites or trailer sites are due and payable daily. The daily fee covers use of facilities until the vacating time of the following day. (Ord. 6798 § 18, 1984).

7.12.190 Camping - Occupancy hours. Occupants shall vacate camping facilities by removing all personal property prior to the vacating time if the applicable use fee has not been paid or if time limit for occupancy of the campsite has expired. The occupants may, however, remain in other areas of the park for purposes other than camping until the park's normal closing time. Failure to vacate at the appropriate time shall subject the occupant to an additional use fee. (Ord. 6798 § 19, 1984).

7.12.200 Use of trailer sites by tent campers. No tent camper shall be allowed to occupy a designated trailer site except as directed by a facility manager. Use of trailer sites by tent campers shall be subject to payment of the trailer site fee. (Ord. 6798 § 20, 1984).

7.12.210 Sites considered occupied when paid for. A trailer site or campsite is considered occupied when it is being used for purposes of camping by a person who has paid the daily use fee within the applicable time limits. No person shall take or attempt to take possession of a campsite or trailer site when it is being occupied by another party or when informed by a facility manager that such campsite or trailer site is occupied. (Ord. 6798 § 21, 1984).

7.12.220 Picnicking. Picnicking is permitted only in designated and marked picnicking areas, or in such other places within a King County park area as may from time to time be designated by a facility manager. (Ord. 6798 § 22, 1984).

7.12.230 Food waste, washing of clothes or animals. No person shall clean fish or other food, or wash any clothing or other articles for personal or household use, or any dog or other animal, except at designated areas in any King County park area. (Ord. 6798 § 23, 1984).

7.12.240 Parking lots and roadways - games prohibited. Games of any kind are prohibited in parking lots and roadways of all division facilities, leases and other authorized agreements with the county. (Ord. 14509 § 20, 2002: Ord. 6798 § 24, 1984).

7.12.250 Motor vehicles - parking. No operator of any automobile, trailer, camper, boat trailer, or other vehicle, shall park such vehicle in any King County park area, 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 facility manager. No person shall park, leave standing, or abandon a vehicle in any King County park area after closing time 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 park facilities as part of an event authorized by the division. In addition to the penalties found in Part V of this chapter, any vehicle found parked in violation of K.C.C. 7.12.250 may be towed away at the owner's expense. (Ord. 8166 § 2, 1987: Ord. 6798 § 25, 1984).

7.12.260 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, except for two roads through Petrovitsky park, if due to the topography, surrounding development patterns, and road networks, the two roads provide the only feasible access to the 4 to 1 Project known as McGarvey Park.

Provided that:

This section shall not apply to emergency vehicles, maintenance vehicles, or construction vehicles authorized by the department. (Ord. 12827 § 2, 1997: Ord. 12003 § 7, 1995: Ord. 8166 § 3, 1987: Ord. 6798 § 26, 1984).

7.12.270 Motor vehicles - speed limits. No person shall drive a motor vehicle within any King County park area at a speed greater than twenty-five miles per hour or as otherwise posted, having due regard for traffic on, and the surface and width of the road, and in no event at a speed which endangers the safety of persons, property, or wildlife; provided, however, that in no event shall a vehicle be driven at a speed greater than fifteen miles per hour in camp, picnic, utility, or headquarters areas, or in areas of general public assemblage. (Ord. 6798 § 27, 1984).

7.12.280 Washing of vehicles. No person shall clean or wash any automobile or other vehicle in any King County park area except in areas specifically designated for that use. (Ord. 6798 § 28, 1984).

7.12.290 Motor vehicles - trucks and commercial vehicles. No person shall cause a truck or other vehicle while being used for commercial purposes to enter upon, use, or traverse any portion of any King County park area or any park road except in the service of the division at the request of the employees of the division, or by express permission of the manager for a special activity not inconsistent with King County park use; provided that, the provisions of this section shall not apply to county roads or state highways. (Ord. 6798 § 29, 1984).

7.12.295 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 on a trail 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 roller skates.

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.

G. Every person who shall use or travel on a trail shall obey the Model Trail User Code of Conduct.

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 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.

4. AUDIBLE SIGNAL WHEN PASSING. Every user shall give an audible warning 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 bicyclists using the trail from one-half hour before sunset to 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. (Ord. 12003 § 8, 1995; Ord. 8518 § 1, 1988).

7.12.300 Boating - occupancy policy. In order to afford the general public the greatest possible use of marine facilities, continuous occupancy of marine facilities by the same person or group in any area is limited to any three days in a seven day period, beginning midnight Wednesday and ending midnight the following Wednesday unless otherwise posted. Shorter or longer limitation of occupancy may be established and posted by the division for any individual facility or area. In addition to the penalties in Part V of this chapter, any boat found to be in violation of this chapter may be towed away at the owner's expense. No person shall launch a boat in any King County park except in areas specifically designated and/or marked for that purpose. (Ord. 8166 § 4, 1987; Ord. 6798 § 30, 1984).

7.12.310 Commercial watercraft prohibited. Use of marine areas and marine facilities by commercial watercraft is prohibited. For the purpose of this rule "commercial watercraft" means watercraft used for any commercial purpose but shall not include a commercial watercraft operated within the terms of a concession lease with the division. (Ord. 6798 § 31, 1984).

7.12.320 Overnight moorage. No person or persons shall moor, anchor, dock or berth a boat or other object overnight in a King County park area or associated marine area unless the area has been designated for such use. (Ord. 6798 § 32, 1984).

7.12.330 Tandem moorage. No more than three boats or other objects may be tied or rafted together when moored, docked or berthed adjacent to a dock, pier, or float in a King County park area. (Ord. 6798 § 33, 1984).

7.12.340 Use of marine heads. No person shall use/or flush any marine head which when flushed emits its contents directly into the waters of a lake, river, Puget Sound, or any other water area, nor cause any human or animal waste to be dumped into the waters while moored, anchored, docked or berthed in a King County park area or associated marine area or when entering or leaving the area. (Ord. 6798 § 34, 1984).

7.12.350 Camping - In designated areas only. No person shall camp in any King County park area except in areas specifically designated and/or marked for that purpose. (Ord. 6798 § 35, 1984).

7.12.360 Tents and shelters on beaches. No person shall erect, maintain, use or occupy a temporary tent or shelter on any swimming beach in any King County park area unless there is an unobstructed view through such tent or shelter from at least two sides; provided, however, that nothing in this section shall be construed to authorize overnight camping except in designated areas. (Ord. 6798 § 36, 1984).

7.12.370 Clothing. Clothing sufficient to conform to community standards shall be worn at all times. (Ord. 6798 § 37, 1984).

7.12.380 Ice. No person shall go out onto ice in any King County park or park area, except in areas specifically designated for that purpose. This includes but is not limited to: lakes, ponds, streams, rivers, and other bodies of water. (Ord. 6798 § 38, 1984).

7.12.390 Game fish. All laws, rules and regulations of the State Game Commission relating to season, limits, and methods of fishing are applicable to fishing for game fish in King County park areas. No person may fish for, or possess any fish taken from any dam, dike, bridge, dock, boatland, or beach, which is posted with a sign prohibiting fishing. (Ord. 6798 § 39, 1984).

7.12.400 Shellfish and food fish. All laws, rules and regulations of the State Department of Fisheries relating to season, limits, and methods of taking, are applicable to the taking of shellfish or food fish in King County park areas, and in addition to such laws, the King County park system may, upon its finding and for good cause, close certain King County park areas to the taking of shellfish for specific periods of time. Such closed areas shall be posted with appropriate signs. (Ord. 6798 § 40, 1984).

7.12.410 Pets in county park facilities.

A. Dogs, pets, or domestic animals are not permitted on any designated swimming beach, picnic or play area in any King County park or in any building unless specifically permitted by posting provided that this section shall not apply to animal guides.

B. In permissible areas, 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.

C. Any person whose dog or other pet is in any King County park area shall be responsible for the conduct of the animal and for removing feces deposited by such animal from the park area.

D. At Luther Burbank and Marymoor Parks *only*, there are areas designated for dogs off leash. Dogs in these designated areas must be accompanied by their owner, be under vocal control and not cause a public nuisance, safety hazard or harass wildlife. Rules in part C also apply. (Ord. 12003 § 9, 1995; Ord. 6798 § 41, 1984).

7.12.420 Disturbances by animals prohibited. No person shall allow his or her dog or other pet or domestic animal to bite or in any way molest or annoy park visitors. No person shall permit his or her dog or other pet or domestic animal to bark continuously or otherwise disturb the peace and tranquility of the park. (Ord. 6798 § 42, 1984).

7.12.430 Horseback riding - Horses are permitted on trails unless otherwise posted and designated. Horses shall be permitted in other King County park areas that are specifically posted to permit such activity. Horses shall not be permitted in any designated swimming area, or picnic area. No person shall allow a horse or other animal to stand unattended or insecurely tied. (Ord. 12003 § 10, 1995; Ord. 6798 § 42, 1984).

7.12.435 Tobacco products in high-use areas. The use of tobacco products is prohibited in all high-use areas. Signs will be posted in the high-use areas indicating that use of tobacco products is prohibited. Signage locations will be determined by the director. (Ord. 17375 § 2, 2012).

7.12.440 Littering. No person shall leave, deposit, drop or scatter bottles, broken glass, ashes, food, waste paper, cans or other rubbish or material in a King County park area, except in a garbage can or other receptacle designated for those purposes. (Ord. 14509 § 21, 2002; Ord. 6798 § 44, 1984).

7.12.445 Off-limits areas. A person may not enter upon areas of parks and recreation facilities that have been designated off limits by the manager or the manager's designee under K.C.C. 7.12.035. This section does not apply to authorized county employees. (Ord. 14509 § 22, 2002).

7.12.450 Swimming - In designated areas only. King County park swimming areas are marked with buoys, log booms, or other markers, clearly designating the boundaries of such areas. Swimming shall be permitted only within these areas. (Ord. 6798 § 45, 1984).

7.12.460 Swimming and boating rules. Swimmers must obey rules. All persons using King County parks, beaches and water resources, shall obey all posted beach rules and/or the instructions of lifeguards, facility managers, or other park department employees.

A. In designated swimming areas, flotation devices are allowed only at lifeguards' discretion. Using a designated swimming area as a flotation device launching or landing point to the greater body of water is prohibited.

B. False alarm of drowning is prohibited. No person shall give or transmit a false 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. (Ord. 12003 § 11, 1995; Ord. 6798 § 46, 1984).

7.12.470 Swimming/scuba diving in boat launch areas prohibited. No person shall swim, sunbathe, or scuba dive in any designated boat launching area. (Ord. 8166 § 5, 1987; Ord. 6798 § 47, 1984).

7.12.480 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 park facilities as part of an event authorized by the department. Park areas are open dawn to dusk unless open for scheduled or reserved recreational activities. (Ord. 12003 § 12, 1995: Ord. 8166 § 6, 1987: Ord. 6798 § 48, 1984).

IV - RULES GOVERNING USE OF FACILITIES - MISDEMEANORS

7.12.490 Loitering. Loitering as defined in K.C.C. 12.64 is prohibited in restrooms and bathhouses in King County park and recreation facilities. (Ord. 6798 § 49, 1984).

7.12.500 Horseback riding - May not endanger others. No person shall ride any horse or other animal in such a manner that could cause physical harm to any person. (Ord. 6798 § 50, 1984).

7.12.510 Mechanical trapping devices - Capturing or injuring animals. The use of a mechanical trapping device within any King County park is prohibited. A "mechanical trapping device" shall be defined as any device, including but not limited to snares or machines, that shut suddenly upon contact by an animal, or a device which kills or inflicts physical pain and injury upon a captured animal. The act of capturing an animal, by other than lawful means is prohibited. (Ord. 6798 § 51, 1984).

7.12.520 False alarm of drowning prohibited. No person shall give or transmit a false signal or false alarm of drowning. (Ord. 6798 § 52, 1984).

7.12.530 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 lifeguarding 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 department employee. (Ord. 12003 § 13, 1995: Ord. 6798 § 53, 1984).

7.12.540 Moorage in swimming area prohibited. No person or persons shall moor, dock, or berth a boat or other object to a log boom or float line which delineates a swimming area in a King County park area or associated marine area. (Ord. 6798 § 54, 1984).

7.12.550 Damage to property/wildlife. 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 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 vegetation, living or dead, in any King County park area unless authorized to do so by the department. No person shall deface, damage or destroy any property, material or equipment which is under the jurisdiction of the division.

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. (Ord. 12003 § 14, 1995: Ord. 6798 § 55, 1984).

7.12.560 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 department. (Ord. 12003 § 15, 1995: Ord. 6798 § 56, 1984).

7.12.570 Outside household or commercial waste. No person shall deposit any household or commercial garbage, refuse, waste, or rubbish which is brought in such form from any private property, in any King County park area garbage can or other receptacle designated for such purpose. (Ord. 6798 § 57, 1984).

7.12.580 Waste from vehicles. No person shall drain or dump refuse or waste from any trailer, camper, automobile, or other vehicle, except in designated disposal areas or receptacles in any King County park area. (Ord. 6798 § 58, 1984).

7.12.590 Dumping in water prohibited. No person shall pollute, or in any way contaminate by dumping or otherwise depositing any waste or refuse of any nature, kind or description, including human

and bodily waste, into any stream river, lake or other body of water running in, through, or adjacent to any King County park area. (Ord. 6798 § 59, 1984).

7.12.600 Aircraft.

A. Aircraft landing/Take off. No aircraft shall land 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 7.12.600B;
3. No person shall be deemed to have violated the provisions of this section in the event of a bona fide emergency, provided the owner of the aircraft submits a written statement explaining the circumstances of the emergency to the director within seventy-two hours of an emergency landing.

B. Model aircraft and rockets:

1. No person shall fly rockets or model aircraft in any King County park area except in areas specifically designated and/or posted for that purpose;
2. All engines over 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. (Ord. 12003 § 16, 1995: Ord. 8727, 1988: Ord. 8166 § 7, 1987: Ord. 6798 § 60, 1984).

7.12.610 Solicitation. A person shall not, in any King County parks and recreation facility, except by lease under K.C.C. chapter 4.56, concession contract under K.C.C. chapter 4.57, by advertising, sponsorship or naming rights agreement under K.C.C. 7.08.080 or by permits under K.C.C. 7.12.040 or 7.12.050:

- A. Solicit, sell or peddle any goods, services, wares, merchandise, liquids or edibles for human consumption;
- B. Distribute or post any handbills, circulars or signs; or
- C. Use any loudspeakers or other amplifying devices. (Ord. 14509 § 23, 2002: Ord. 6798 § 61, 1984).

7.12.620 Fireworks. No person shall possess, discharge, set off, or cause to be discharged, in or into any King County park area, any firecracker, torpedo, rocket, firework, explosive, or substance harmful to the life or safety of persons or property, unless so authorized by the division. (Ord. 6798 § 62, 1984).

7.12.630 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.

Provided that:

Where the 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 shall not apply. (Ord. 12003 § 17, 1995*: Ord. 8166 § 8, 1987: Ord. 6798 § 63, 1984).

***Reviser's Note:** language was not designated by underlining in Ord. 12003.

7.12.640 Alcoholic beverages. Selling, opening or possessing alcoholic beverages in an open container, or consuming any alcoholic beverage in a King County parks and recreation facility or associated marine area is prohibited except in areas designated by the manager or manager's designee. Alcohol shall be consumed only within designated areas, and activities shall comply with all Washington State Liquor Control Board requirements. (Ord. 14509 § 24, 2002: Ord. 14443 § 4, 2002: Ord. 13608 § 4, 1999: Ord. 12003 § 18, 1995: Ord. 9473 § 1, 1990: Ord. 8538 § 2, 1988: Ord. 6798 § 64, 1984).

7.12.642 Intoxication. Being or remaining in, or loitering about in any county park, recreation area, or associated marine area while in a state of intoxication is prohibited. (Ord. 8538 § 3, 1988).

7.12.645 Interference with trails. It shall be unlawful for any person to place, deposit, or otherwise cause or suffer to be located any structure, device, or natural or artificial thing that threatens or endangers any portion of a trail owned or maintained by King County, or that tends to endanger persons traveling thereon, obstructs or tends to obstruct or constitutes a hazard to persons traveling thereon.

This section shall not apply to employees of King County in the performance of their duties or to persons acting pursuant to written direction of King County. (Ord. 7620, 1986).

V - PENALTIES

7.12.650 Infractions.

A. Failure to perform any act required or the performance of any act prohibited by Part III of this chapter shall be designated as an infraction.

B. Any person cited for a violation of Part III of this chapter, shall be subject to the applicable Justice Court Rules and bail schedules.

C. Any person found guilty of committing an infraction shall be assessed a monetary penalty not to exceed \$500.00.

D. A finding that an infraction has been committed shall not give rise to any other legal disability which is based upon conviction of a crime. (Ord. 8518 § 2, 1988: Ord. 6798 § 65, 1984).

7.12.660 Misdemeanors. Any person found guilty of violating any provision of Part IV of this chapter is guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than \$500.00, or by imprisonment in the county jail for not more than 90 days, or both. (Ord. 6798 § 66, 1984).

7.12.670 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 and ejection from the county park area or associated marine park area. (Ord. 6798 § 67, 1984).

VI - PARK SAFETY - ENFORCEMENT

7.12.680 Park safety.

A. General. Park rules, as promulgated in this chapter, are established to provide a system by which the greatest number of people may obtain the maximum satisfaction from the use of county parks and recreation facilities. For the rules to serve this purpose, they must be understood and followed by the park users. Accordingly, park safety involves both public awareness and rule enforcement programs.

B. Application of park safety program. The degree and extent to which the application of park safety shall be adapted to county parks shall be based on purpose and location of each park and recreation facility, its environment and surrounding community, the number and type of persons using it, the number and type of rule violations that have occurred in the past, and the perception that the people of the county have of the park or facility as a safe place to use. The division shall keep records of safety problems and rules violations in each facility and continuously evaluate its safety program for each facility based on those records. (Ord. 6798 § 68, 1984).

7.12.690 Responsibilities. Park safety is the responsibility of both the department of public safety and the department of natural resources and parks. Specific responsibilities include the following:

A. Department of natural resources and parks:

1. Enforcing rules of conduct set forth in the ordinance for which department personnel have appropriate authority.

2. Developing and implementing public awareness programs regarding the purpose of the facilities and the rules governing their use.

3. Encouraging voluntary compliance with rules based on awareness.

4. Training department personnel in the appropriate use of administrative sanctions as a means of park rule enforcement.

5. Notification of law enforcement officers who have primary jurisdiction in a particular geographic area whenever department personnel observe violations of park rules requiring further law enforcement authority or other violations of local, state, or federal laws; whenever there is an emergency requiring law enforcement assistance; or whenever they need assistance in executing their responsibilities pursuant to this chapter.

B. Public safety department:

1. Deputizing and training of personnel authorized to issue citations for infractions and misdemeanor offenses.

2. Providing supplementary patrols in natural resources and parks facilities as jointly determined by the director of the department of natural resources and parks and the county sheriff.

3. Responding, as appropriate, to requests from department personnel for assistance in situations beyond their capacity or authority to act. (Ord. 14199 § 126, 2001: Ord. 11684 § 14, 1995: Ord. 6798 § 69, 1984).

7.12.700 Enforcement methods. Violation of the park rules may be a civil infraction or criminal misdemeanor. The initial method of enforcement shall be by a request for voluntary compliance. Violation of the King County Code may be subject to enforcement by the King County sheriff 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 King County sheriff for the purpose of issuing citations to the violators of adopted park rules. (Ord. 13037 § 3, 1998: Ord. 12003 § 19, 1995: Ord. 11684 § 15, 1995: Ord. 6798 § 70, 1984).

7.12.710 Contractual agreements. Any other provisions of this chapter notwithstanding, the manager is authorized to enter into a contract or agreement with the director of the King County department of public safety to provide specific park patrol services to enforce the laws and ordinances of King County within King County park areas. (Ord. 6798 § 71, 1984).

VII - MISCELLANEOUS PROVISIONS

7.12.730 Collective bargaining obligation. Should any provision of this chapter constitute a subject or subjects appropriate for collective bargaining as defined by RCW 41.56.030, implementation of such provision, as it applies to any member of a collective bargaining unit, will occur only after the obligation to bargain has been satisfied. (Ord. 6798 § 73, 1984).

7.16 LAND DEDICATIONS

Sections:

- 7.16.010 Lease for recreation use.
- 7.16.020 Trail easement grants.

7.16.010 Lease for recreation use. It is the policy of King County to accept the dedication of land for open space and recreational uses, provided it meets park criteria, or in the opinion of the department of natural resources and parks, the land represents a desirable or necessary open space, and that in accepting the dedication the county does not accept responsibility for maintenance unless or until the land is developed to a standard acceptable to the county and provided further that by the dedication King County is given the right to lease the lands for open space or recreation use and development to duly constituted neighborhood or community organizations or special districts who would be responsible for development or maintenance. (Ord. 14199 § 127, 2001: Res. 36725 (part), 1969: Res. 36164).

7.16.020 Trail easement grants. It is the policy of King County to accept the voluntary grant of trail easements for preservation or replacement of rural community equestrian trails that meet the specifications for such trails set out in K.C.C. chapter 21A.14. Such grants may be accepted in conjunction with a development proposal or as a separate transaction when offered by the property owner. The offerings of such grants shall be strictly voluntary. No county employee shall ever state or suggest to an applicant or his or her representative that the development proposal is or may be contingent on the voluntary offering of the grant. (Ord. 14259 § 2, 2001)

7.20 PARK AND RECREATION DISTRICTS

Sections:

- 7.20.010 Park and Recreation District No. 2.
- 7.20.020 Northshore Park and Recreation Service Area.
- 7.20.030 Enumclaw Parks and Recreation Service Area

7.20.010 Park and Recreation District No. 2.

- A. Pursuant to King County Ordinance 6512 the proposition of the formation of King County Park

and Recreation District No. 2 was submitted to the qualified resident electors of the proposed district and approved by a majority thereof at the general election conducted on November 8, 1983.

B. Pursuant to Chapter 36.69.080 RCW, King County park and recreation district no. 2, encompassing Vashon and Maury Islands, is hereby declared organized as a park and recreation district under Chapter 36.69 RCW. (Ord. 6620 § 1 & 3, 1983).

7.20.020 Northshore Park and Recreation Service Area.

A. The King County council finds that the voters of the Northshore School District have on September 20, 1988 approved the formation of a park and recreation service area with the same boundaries as the Northshore School District by a margin well in excess of the majority needed under state statute.

B. The King County council therefore hereby declares that the Northshore Park and Recreation Service Area (PRSA) is formed within the boundaries described in Ordinance 8596.* (Ord. 8691 § 1, 1988).

*Available in the office of the clerk of the council.

7.20.030 Enumclaw Parks and Recreation Service Area.

A. The King County council finds that the voters of the proposed Enumclaw Parks and Recreation Service District have on November 6, 1990 approved the formation of a park and recreation service area within the boundaries as set forth by Ordinance 9561* by a majority as required by RCW 36.68.470.

B. The King County council therefore hereby declares that the Enumclaw Park and Recreation Service Area (PRSA) is formed within the boundaries described in Ordinance 9561.* (Ord. 9828 § 1, 1991).

*Available in the office of the clerk of the council.

7.24 EARTHWORKS

Sections:

- 7.24.010 Parking.
- 7.24.020 Alcohol Consumption.
- 7.24.030 Littering.
- 7.24.040 Fires.
- 7.24.050 Motorized Vehicles.
- 7.24.060 Enforcement.
- 7.24.070 Penalty.

7.24.010 Parking. No person shall park a vehicle between dusk to dawn at the Earthworks, formerly known as Johnson's Pit and described as follows: Lot 9 Van Devanter's 10-Acre tracts, as per plat recorded in Volume 12 of Plats, page 84, Records of King County, Washington. (Ord. 6908 § 1, 1984).

7.24.020 Alcohol Consumption. It shall be unlawful for any person to consume alcoholic beverages within the Earthworks and its associated parking area. (Ord. 6908 § 2, 1984).

7.24.030 Littering. The dumping of refuse or littering on the site of Earthworks is prohibited. (Ord. 6908 § 3, 1984).

7.24.040 Fires. The starting of fires for any purpose on the site of the Earthworks is prohibited. (Ord. 6908 § 4, 1984).

7.24.050 Motorized Vehicles. Motorized vehicles shall not be permitted on the Earthworks and shall be parked only within the designated parking areas. (Ord. 6908 § 5, 1984).

7.24.060 Enforcement. The King County executive is hereby directed and authorized to 1) post the property and 2) take appropriate action to enforce the restrictions identified in K.C.C. 7.24.020 through 7.24.050. (Ord. 6908 § 6, 1984).

7.24.070 Penalty. Any violation of this chapter is a misdemeanor and is punishable, upon conviction by a fine not exceeding \$250.00 or by confinement in the county jail for a period not exceeding 90 days or both. (Ord. 6908 § 7, 1984).