

ORDINANCE 2008-20

**AN ORDINANCE OF THE EATONVILLE TOWN COUNCIL AMENDING CHAPTER
12.20 OF THE EATONVILLE MUNICIPAL CODE**

Whereas, it is the Town Council's desire to designate new park rules pertaining to animal control, park hours, vehicle use, and enforcement; and,

Whereas, the parks committee has met and discussed changes to parks rules and has proposed the changes as shown below in Section 1.

NOW, THEREFORE, the Town Council hereby ordained as follows:

Section 1. The following amendments to chapter 12.20 are made:

Chapter 12.20 PARKS

Sections:

- 12.20.010 Definitions.
- 12.20.020 Permits – Assemblies, speeches, entertainment, etc.
- 12.20.030 Permits – Generally.
- 12.20.040 Abnormal noise.
- 12.20.050 Disorder forbidden.
- 12.20.060 Intoxicating liquors.
- 12.20.070 Selling, advertising, soliciting.
- 12.20.080 Damage or removal of plants prohibited.
- 12.20.090 Disposal of trash.
- 12.20.100 Animal control.
- 12.20.110 Damage by animals.
- 12.20.120 Firearms, fireworks.
- 12.20.130 Closing hours.
- 12.20.140 Smoking Prohibited
- 12.20.150 Unauthorized Vehicles
- 12.20.160 Violations - Penalty

12.20.010 Definitions.

The terms used in this chapter, unless clearly contrary to or inconsistent with the context in which used, shall be construed as follows:

“Off Leash Area” means an area where licensed dogs excluding dangerous dogs as listed in 6.30.240 may be allowed to be accompanied by their owner in town parks without being tethered to a leash.

“On Leash Area” means an area of town parks where all pets must be kept on a leash no longer than 8 feet in length at all times.

“Park” means and includes all parks, squares, drives, parkways, boulevards, rivers, playgrounds and recreation areas and facilities of the town. Whenever consistent with the context of this chapter, words in the present, past or future tenses shall be construed to be interchangeable with

each other; and words in the singular number shall be construed to include the plural. (Ord. 88-4 § 1, 1988).

12.20.020 Permits – Assemblies, speeches, entertainment, etc.

It is unlawful for any person to conduct or participate in any organized entertainment, demonstration, or public gathering, or make any address, in any park without the written permission of the town council. The procedure for application and consideration of permits for this purpose shall be as follows:

A. Any person desiring a permit under provisions above shall file a written application with the town clerk no later than three days before the next regularly scheduled council meeting. The application shall state the purpose for which the park would be used, the date and time of the proposed use, and the area thereof that would be used, the anticipated number of persons who would be present and such other information reasonably relating to the contemplated use as the town council may require; provided, however, said council may, for good cause shown, waive the three day requirement for filing said application.

B. In reviewing an application under this section, the council shall consider the following conditions and standards:

1. The size of the park and any specialized purpose for which it is normally used, and for which specialized facilities have been provided;
2. The location of the park, its aesthetic character and physical characteristics and the character of the area surrounding it;
3. The anticipated size of the proposed use and assemblage;
4. Policing problems that may arise from the intended use;
5. The effect of the intended use, including consideration of the noise to be expected, upon the adjacent area and its occupants; and
6. Other activities scheduled for the parks at the anticipated time and place.

C. If, under the conditions set forth in subsection (B) of this section, the town council finds after an investigation that the safety, comfort and convenience of the public in the use of the parks, or in the usage of the area adjacent to the park, would be unduly disturbed, the council may deny the application or may impose restrictions upon the permit or may issue a permit for a different day, time, park or park area so as to alleviate such burden. The council may issue a permit for use of the park during hours when the park is closed if it approves the application. Consideration by the council shall be completed at the next regularly scheduled meeting of said council after the application is filed. (Ord. 88-4 § 2, 1988).

12.20.030 Permits – Generally.

Permits when required by this chapter shall be applied for through the town clerk unless otherwise provided. The granting or denying of permits shall be based upon the policies and standards set forth in this chapter and the town policies, written or unwritten, regarding use of the parks. When fees are required by the council for the issuance of permits, payments of these fees shall be required before permits shall be issued. All permits issued by the council shall be subject to other applicable town ordinances and regulations. The persons to whom such permits are issued shall be bound by said rules, regulations and ordinances as fully as though the same were inserted in such permits. (Ord. 88-4 § 3, 1988).

12.20.040 Abnormal noise.

Any abnormal noise of mechanical, electrical, or human origin is prohibited. The use of public address systems or other sound-amplifying devices must be approved by specific permit. (Ord. 88-4 § 4, 1988).

12.20.050 Disorder forbidden.

It is unlawful for any person to damage or destroy any part or portion, or furniture or fixture, located therein in any manner whatsoever, or to loiter about or push, crowd or otherwise act in a disorderly manner; or to interfere with any attendant in the discharge of his or her duties. It is unlawful for any person to blow, spread or place any nasal or other bodily discharge, or spit, urinate, or defecate on the floors, walls, partitions, furniture, fittings, or on any portion of any public convenience station or in any place in such station, except directly into the particular fixtures provided for that purpose. Nor shall any person place any bottle, can, cloth, rags, or metal, wood or stone substance in any of the plumbing fixtures in any such station. (Ord. 88-4 § 5, 1988).

12.20.055 Profanity Prohibited.

The use of profanity or obscene language within town parks is prohibited. (Ord. 88-4 § 6, 1988).

12.20.060 Intoxicating liquors.

The display or consumption of whiskey, wine, beer, or other intoxicating liquors in any park is prohibited, except in particular areas or facilities as may be expressly designated from time to time by the council. (Ord. 88-4 § 6, 1988).

12.20.065 Skateboarding, Inline Skating, Bicycle Use.

Skateboarding shall be prohibited in all parks except for the skateboard park. Bicycle and inline skate use shall be prohibited in all parks except on designated trails and paths.

12.20.070 Selling, advertising, soliciting.

No person shall sell or offer for sale in any park, any goods, refreshments, photographs, or other articles, except duly authorized concessionaires, and those having a specific permit. Advertising by the distribution, carrying, erection, attachment or use of a handbill, sign or device of any kind in any park is prohibited. It is unlawful to place or erect a structure of any kind in any park. (Ord. 88-4 § 7, 1988).

12.20.080 Damage or removal of plants prohibited.

Unauthorized cutting, removal or destruction of any turf, tree, plant, shrub or flower on park property is prohibited. While inside any park, having in one's possession any newly plucked branch, tree, flower, plant or shrub without specific permission shall be presumptive evidence of such cutting, removal or destruction. (Ord. 88-4 § 8, 1988).

12.20.090 Disposal of trash.

No person shall deliberately break glass in any park, or throw or leave litter on the grass, walks, roads, benches or pools; or distribute any circulars, cards, or other written or printed matter in any park. Bottles, cans, papers, foods, rags, or trash of any kind shall be placed in receptacles provided for that purpose. Dumping garbage or trash on town property is prohibited. (Ord. 88-4 § 9, 1988).

12.20.100 Animal control.

A. Off Leash Areas: Smallwood Park has been designated as an off leash dog park. Dog owners shall be responsible for both the conduct of their animal and for removing from the park feces deposited by such animal. Dog owners shall have a leash on their person at all times while their dog is not on a leash.

B. On Leash Areas: All Parks except those listed in EMC 12.20.100 (A) above are On Leash Areas. Dogs and cats must be on a leash no longer than eight feet, or else secure inside a vehicle. Any person with a dog or other pet in his possession in any on leash park shall be responsible for both the conduct of the animal and for removing from the park feces deposited by such animal. (Ord. 88-4 § 10, 1988).

12.20.110 Damage by animals.

Owners of dogs or other animals damaging or destroying park property will be held liable for the full value of the property damaged or destroyed in addition to impounding fees and the penalty imposed for violation of these provisions. (Ord. 88- 4 § 11, 1988).

12.20.120 Firearms, fireworks.

It is unlawful to carry, shoot, fire or explode any firearms, fireworks or explosions of any kind in any park. (Ord. 88-4 § 12, 1988).

12.20.130 Closing hours.

Closing hours shall be set by council and posted in all parks. It is unlawful to enter the parks after closing hours, unless a permit has been granted authorizing the same. (Ord. 88-4 § 13, 1988).

Eatonville Parks shall open and close in accordance with the following schedule unless otherwise permitted by the Town Council or Mayor or his/her designee:

Skateboard Park: 9am to 9pm.

Community Center: As authorized by lease or arrangement with the Mayor or his/her designee.

All Other Parks: Dawn to dusk.

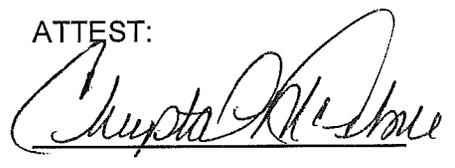
12.20.140 Smoking Prohibited. The use of tobacco or any smoking products in any town park is prohibited and subject to a civil fine up to \$50.00. The chief of police is authorized to erect “no smoking \$50.00 fine” signs at prominent locations in each town park. The mayor may designate temporary smoking areas in town parks for special events. (Ord. 2007-20).

12.20.150 Unauthorized Vehicles. No vehicles shall drive or park outside of designated roads, driveways, or parking lots in town parks without expressed authorization from the Mayor or his/her designee.

12.20.160 Violations - Penalty. Unless enforcement is otherwise specified within this chapter, any person who violates, disobeys, omits or neglects or refuses to comply with or resists the enforcement of the provisions of this chapter shall be guilty of a misdemeanor and shall upon conviction be punished by fine not to exceed \$100.00 or imprisonment for not more than 30 day or may be punished by both fine and imprisonment.

PASSED BY THE Town Council and approved by the Mayor of the Town of Eatonville, Washington, at a regular meeting of this 13 day of October, 2008.

ATTEST:

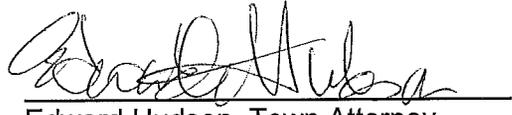


Chrystal McGlone, Town Clerk



Tom Smallwood, Mayor

APPROVED AS TO FORM:



Edward Hudson, Town Attorney

