

ORDINANCE 2013-6

AN ORDINANCE OF THE TOWN OF EATONVILLE, WASHINGTON, RELATING TO THE PUBLIC'S USAGE OF TOWN PARKS AND THE TOWN VISITOR CENTER; AMENDING SECTION 12.20.010 OF THE EATONVILLE MUNICIPAL CODE; CREATING A NEW SECTION UNDER CHAPTER 12.20 EMC; CREATING A NEW CHAPTER 12.22 EMC; CREATING EMC 12.22.010, 12.22.020, AND 12.22.030; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the Council desires to clarify chapter 12.20 of the Eatonville Municipal Code relating to town parks; and

WHEREAS, the Council desires to streamline the process by which a member of the public can rent the Town Visitor Center;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Town of Eatonville as follows:

Section 1. The portion of Section 1 of Ordinance 2008-20 that is now codified as EMC 12.20.010, and EMC 12.20.010, are amended to read as follows:

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 EMC 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 eight 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. The term also includes any area, indoor or outdoor, within a park.

“Person” shall have the same meaning as RCW 1.16.080.

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.

Section 2. A new section is added to chapter 12.20 EMC, which shall be codified at EMC 12.20.035, which shall read as follows:

Any person issued a permit to to conduct or participate in any organized entertainment, demonstration, or public gathering, or make any address, in any park shall also sign a rental agreement as a condition for the license granted by the town for such use. The council may approve the language of a standard rental agreement by resolution. The Mayor is authorized to sign such rental agreement on the town's behalf for the use of any park after a permit is issued pursuant to this chapter.

Section 3. A new chapter is added to Title 12 EMC, to be codified as chapter 12.22 EMC, which shall be entitled, "Town Visitor Center." A new section is added to chapter 12.22 EMC, to be codified at EMC 12.22.010, and shall read as follows:

12.22.010 – Town Visitor Center Use

The Town Visitor Center, located at 130 Mashell Avenue North, Eatonville, Washington 98328, may be used by members of the public upon entering into a rental agreement with the town. The council may establish by resolution a standard rental agreement for use of the Town Visitor Center. After passage of said resolution, the Mayor is authorized to sign on the town's behalf such rental agreement with any person desiring to rent the Town Visitor Center. The term "person" has the same definition as provided in RCW 1.16.080.

Section 4. A new section is added to chapter 12.22 EMC, to be codified at EMC 12.22.020, and shall read as follows:

12.22.020 – Conduct at Town Visitor Center

The following sections of chapter 12.20 EMC, as amended, are incorporated herein by reference and shall apply and govern conduct at the Town Visitor Center during uses authorized under this chapter: 12.20.040, 12.20.050, 12.20.055, 12.20.065, 12.20.070, 12.20.080, 12.20.090, 12.20.100, 12.20.110, 12.20.120, 12.20.140.

The display or consumption of whiskey, wine, beer, or other intoxicating liquors in the Town Visitor Center is prohibited, except when a person, prior to use, obtains the requisite permit pursuant to RCW 66.20.010, as amended. In all such cases when a permit is obtained, the display or consumption of whiskey, wine, beer, or other intoxicating liquors in the Town Visitor Center shall comply with Title 66 RCW, as amended, and Title 314 WAC, as amended.

Section 5. A new section is added to chapter 12.22 EMC, to be codified at EMC 12.22.030, and shall read as follows:

12.22.030 – 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, punishable in accordance with EMC 9.02.005.

Section 6. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be preempted by state or federal law or

regulation, such decision or preemption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 7. This ordinance shall take effect after publication of a summary, consisting of the title, pursuant to RCW 35.27.300.

1ST READING: 04/22/2013

2ND READING: ___/___/2013 / 2ND READING WAIVED (EMC 2.04.009(C))

Passed by the Council of the Town of Eatonville at a regular meeting held this _____ day of _____, 2013.

Ray Harper, Mayor

ATTEST:

Kathy Linnemeyer, Town Clerk

APPROVED AS TO FORM:

Daniel G. Lloyd, Town Attorney