

POULSBO DISTRIBUTION SCHEDULE

ORDINANCE NO. 2010-18

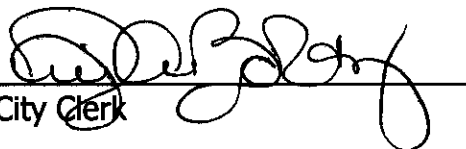
SUBJECT: Park Regulations and Park Use Permits

CONFORM AS TO DATES & SIGNATURES

- Filed with the City Clerk: 08/26/2010
- Passed by the City Council: 09/01/2010
- Signature of Mayor
- Signature of City Clerk
- Publication: 09/10/2010
- Effective: 09/15/2010
- Recorded: N/A

DISTRIBUTED COPIES AS FOLLOWS:

- NK Herald: Emailed by jb
- Ordinance Book (copy)
- Code Publishing - via email if in electronic format
- City Attorney
- Civil Service Commission and/or Sec/Chief Examiner
- Clerk's Department:
- City Council
- Finance:
- Posted to Library Drive and Website



City Clerk

September 7, 2010

Date

ORDINANCE NO. 2010-18

AN ORDINANCE OF THE CITY OF POULSBO, WASHINGTON, AMENDING POULSBO MUNICIPAL CODE CHAPTERS 12.30 PARK REGULATIONS AND 12.32 PARK USE PERMITS BY REPLACING IT WITH NEW AND REVISED LANGUAGE AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

WHEREAS, PMC Chapter 12.30 Park Regulations is being amended to update language regarding use and compliance; and

WHEREAS, PMC Chapter 12.32 Park Use Permits is being amended to update language regarding use and compliance; and NOW THEREFORE

THE CITY COUNCIL OF THE CITY OF POULSBO, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Poulsbo Municipal Code Section 12.30.080 known as "Intoxicants" is hereby amended to read as follows:

12.30.080 Intoxicants.

It is unlawful for any person to have possession of or consume any type of intoxicants in city of Poulsbo parks with the following exceptions: Canned or bottled beer and wine may be consumed by persons twenty-one years of age or older in the picnic area of Frank Raab Municipal Park during group functions authorized by the city of Poulsbo and with a Washington State Liquor Control Board Banquet Permit. A "beer garden," in conjunction with a special event, may be allowed by the city council through special exception only. Use of any controlled substance as defined by RCW Chapter 69.50 is prohibited at all times.

Section 2. Poulsbo Municipal Code Section 12.32.060 "Permit application – Department head review," Section 12.32.070 known as "Permit application – Council review," Section 12.32.080 "Permit – Issuance," Section 12.32.100 "Permit – Insurance requirements," and Section 12.32.110 "Clean-up – Bond requirements" are hereby amended in to read as follows:

- 12.32.060 Permit application – Department head review.
- 12.32.070 Permit application – Council review.
- 12.32.080 Permit - Issuance
- 12.32.100 Permit – Insurance requirements.
- 12.32.110 Clean-up – Bond requirements.

12.32.060 Permit application—Department head review.

The parks and recreation director shall notify the fire, police and public works department heads and ask for review and comment on all park use applications received. The department heads shall submit written comments if any, and a recommendation for approving, denying or approving the permit with conditions, together with reasons therefore, to the parks and recreation director within ten days of receipt of a copy of the application. If no comments are received within ten days, it will be understood that police and fire have no comment or

objection. Except as permitted in Section 12.32.050, the parks and recreation director shall forward a recommendation to the community services committee. The community services committee will review the application and forward a recommendation to city council.

12.32.070 Permit application—Council review.

Except as permitted in Section 12.32.050, the parks and recreation director shall forward a recommendation to the city council. Applications may be placed on the city council's consent agenda unless special exceptions or conditions are being requested and/or the following conditions exist: street/road closure, alcohol, overnight camping and/or by request of the Community Services Committee that require additional review and city council discussion prior to approval. In acting on the application, the city council may approve, deny or approve with conditions or modifications.

12.32.080 Permit—Issuance.

Upon approval by the parks and recreation director or the city council, the parks and recreation director is authorized to issue the permit requested subject to any conditions the city council may impose upon approval.

12.32.100 Permit—Insurance requirements.

Any person, firm, company or corporation utilizing a city park or facility pursuant to this chapter may be required to provide a certificate of insurance with a comprehensive general liability policy covering bodily injury and property damage, with respect to the use and occupancy of city property with liability limits of not less than \$1,000,000, per occurrence and shall include products liability if food and/or beverage vending event or activity. The City shall be named as additional insured on all such policies, which policies shall in addition provide that they may not be canceled or modified for any reason without fifteen (15) days prior written notice to city. Lessee shall provide the city with a certificate or certificates of such insurance ten (10) days prior to the date of use. Greater or lesser coverage may be required based upon an objective assessment of risk to the public health, safety and welfare of the use.

Section 2. Severability. If any section, sentence, clause or phrase of this ordinance or any code section adopted or amended hereby should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance or any code section adopted or amended hereby.

Section 3. Effective Date. This ordinance shall take effect and be in full force five (5) days after publication of the attached summary, which is hereby approved.

APPROVED:

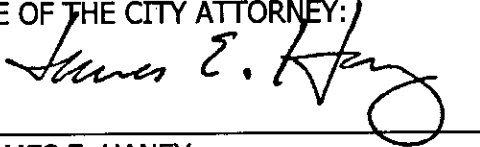


MAYOR, REBECCA ERICKSON

ATTEST/AUTHENTICATED:


CITY CLERK, JILL A. BOLTZ

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:


BY _____
JAMES E. HANEY

FILED WITH THE CITY CLERK: 08/26/2010
PASSED BY THE CITY COUNCIL: 09/01/2010
PUBLISHED: 09/10/2010
EFFECTIVE DATE: 09/15/2010
ORDINANCE NO. 2010-18

SUMMARY OF ORDINANCE NO. 2010-18

of the City of Poulsbo, Washington

On the 1st day of September 2010, the City Council of the City of Poulsbo passed Ordinance No. 2010-18. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF POULSBO, WASHINGTON, AMENDING POULSBO MUNICIPAL CODE CHAPTERS 12.30 PARK REGULATIONS AND 12.32 PARK USE PERMITS BY REPLACING IT WITH NEW AND REVISED LANGUAGE AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

The full text of this Ordinance will be mailed upon request.

DATED this 7th day of September, 2010.


CITY CLERK, JILL A. BOLTZ