

**CITY OF WEST RICHLAND
ORDINANCE NO. 21-21**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST RICHLAND,
WASHINGTON, AMENDING TITLE 12 OF THE WEST RICHLAND MUNICIPAL
CODE, TO PROHIBIT FISHING AND IN WATER ACTIVITIES IN THE LAKES AT
THE PARK AT THE LAKES;**

WHEREAS, the City has been advised by our insurance risk pool representative of potential liability of swimming, fishing, and any in water activities in the lakes at the Park at the Lakes and recommended prohibiting such uses; and

WHEREAS, the proposed recommendation has been reviewed by the City Attorney, Bronson Brown and he concurs with the proposed action; and

WHEREAS, current parks regulations are silent on this matter; and

WHEREAS, on June 28, 2021 the Parks and Recreation Board held a public meeting to review and make recommendation to council on this matter; and

WHEREAS, the City Council Community Development Subcommittee reviewed the proposed amendments in a regularly scheduled meeting on June 22, 2021; and

WHEREAS, on July 20, 2021, the City Council voted to approve the West Richland Municipal Code amendments; and

WHEREAS, the City Council finds it prudent and in the public interest to adopt the proposed amendments by ordinance;

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF WEST RICHLAND,
WASHINGTON, does hereby ordain as follows:**

SECTION 1: That West Richland Municipal Code section 12.12.030 “Park property – Regulation of use”, is hereby amended to read as follows:

“12.12.030 Park property – Regulation of use.

A. It is unlawful for any person, except for city employees and other city-authorized persons in the performance of their duties, or pursuant to a special use permit issued by the mayor or the city administrator, to violate any of the following rules and regulations, which shall apply to all public parks throughout the city of West Richland:

1. There shall be no motor vehicle allowed outside designated parking areas.
2. There shall be no destruction of vegetation and no golfing.
3. There shall be no unauthorized burning.
4. There shall be no consumption or possession of alcoholic beverages.
5. There shall be no unauthorized dumping of trash, litter or garbage brought onto the public park. All waste material and garbage from park activities must be deposited in refuse cans where provided by the city or it must be removed from the park. The dumpsters and trash receptacles provided at the park are for use by park patrons only.

6. All dogs must be in compliance with existing leash laws, and all animal refuse must be cleaned up by the owner of the animal.
7. There shall be no loud noises generated by mechanical or electrical means other than as permitted by the city.
8. There shall be no flying of remote control aircraft.
9. There shall be no use of roller blades, roller skates, skateboards or similar hard-wheeled devices on any tennis courts located within city parks.
10. There shall be no horse, mule, pony or similar riding animal allowed in any city park.
11. There shall be no use, fire or discharge or possession of fireworks.
12. There shall be no fishing, swimming, wading, boating, or any other in water use in the lakes at the Park at the Lakes.

B. Any person who violates any of the provisions of this section shall be guilty of a civil infraction and upon conviction thereof shall be punished by a fine of up to \$250.00.


Section 3. Corrections by City Clerk or Code Reviser. Upon approval of the City Attorney, the City Clerk and the Code Reviser are authorized to make the necessary corrections to this ordinance, including the correction of clerical errors; ordinance, section, or subsection numbering; or references to other local, state, or federal laws, codes, rules, or regulations.

Section 4. Severability / Validity. The provisions of this ordinance are declared separate and severable. If any section, paragraph, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance.


Section 5. Effective Date. This ordinance shall be in full force and effect five (5) days from and after its passage, approval and publication, as provided by law.

Section 6. Transmittal to State. Pursuant to RCW 36.70A.106, a complete and accurate copy of this ordinance shall be transmitted to the Department of Commerce within ten (10) days of adoption.


**PASSED BY THE CITY COUNCIL OF THE CITY OF WEST RICHLAND,
WASHINGTON, this 20th day of July, 2021.**


Brent Gerry, Mayor
Fred Brink, Mayor Pro Tem

ATTEST:


Stephanie Haug, City Clerk

APPROVED AS TO FORM:


Bronson Brown, City Attorney