

ORDINANCE O-4427

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO CROSS KIRKLAND CORRIDOR TRAIL USE REGULATIONS AND ADOPTING A CROSS KIRKLAND CORRIDOR TRAIL USER CODE OF CONDUCT.

WHEREAS, in April 2012 the City acquired a portion of the former Eastside Rail Corridor approximately 5.75 miles in length which is now known as the Cross Kirkland Corridor ("CKC"); and

WHEREAS, the City recently completed salvage of the rails, railroad ties and other track materials on the CKC; and

WHEREAS, the CKC without the rails, ties and track materials has sparked immediate use by cyclists, pet owners and pedestrians much sooner and in greater numbers than the City anticipated; and

WHEREAS, the City would like to adopt regulations governing use of trails on the CKC to ensure a safe and enjoyable experience of the CKC by all users;

NOW, THEREFORE, the City Council of the City of Kirkland ordains as follows:

Section 1. A new Kirkland Municipal Code ("KMC") Chapter 19.40, entitled "CKC Trail Use Regulations" is created to read as follows:

19.40.010 "Trail" defined.

"Trail," as used in this Chapter, means the entire width of the Cross Kirkland Corridor ("CKC"), whether or not a particular portion of the CKC contains trail improvements.

19.40.020 CKC Trail use.

A. No person shall travel on the trail at a speed greater than what is reasonable and prudent under the conditions and having regard for actual and potential hazards. In every event, speed shall be 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 result in a prima facie presumption that the person violated this section.

B. No person shall travel on the trail in a negligent manner. For the purposes of this section, "travel on the trail in a negligent manner" shall be construed to mean any form of travel on the trail in a manner 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 the trail, including but not limited to foot, bicycle, skateboard and roller skates.

D. Every person traveling on the trail shall obey the instructions of any official traffic control device applicable thereto unless otherwise directed by a police officer.

E. No motorized vehicles shall be allowed on Kirkland trails. For the purpose 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, motorcycles and electric bicycles. This section shall not apply to wheelchairs powered by electric motors, or authorized maintenance, police, fire or emergency vehicles.

F. Trails on the CKC are open to all non-motorized users unless otherwise designated and posted. Pedestrians and bicyclists are permitted on all maintained soft surface trails unless otherwise posted and designated. Horseback riding and equestrians are prohibited. Trail restrictions may be posted at appropriate locations along the CKC. Trail use designations and restrictions may be based on the the CKC master plan, resource conservation, trail user conflicts, maintenance issues, and safety hazards.

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

H. Trail User Code of Conduct:

1. USING THE TRAIL. Every person using the 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 after 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 ADJACENT PROPERTY OWNERS. Trail users should respect private lands adjacent to the trails and should stay on trails to avoid trespassing on or interfering with adjacent private property.

9. PETS ON LEASH. All pets on trails shall be kept on leash and under the control of the pet's owner or caretaker. The pet's owner or caretaker shall remove and properly dispose of all animal droppings left by the pet.

10. HOURS OF USE. Trail use shall be limited to daylight hours only.

19.40.030. Penalties for Violations.

Unless otherwise provided, violations of this Chapter constitute a civil infraction, punishable by a fine of seventy-five dollars (\$75.00).

Section 2. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance, or the application of the provision to other persons or circumstances is not affected.

Section 3. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication pursuant to Section 1.08.017, Kirkland Municipal Code in the summary form attached to the original of this ordinance and by this reference approved by the City Council.

Passed by majority vote of the Kirkland City Council in open meeting this 19th day of November, 2013.


Signed in authentication thereof this 19th day of November, 2013.


MAYOR

Attest:


City Clerk

Approved as to Form:


City Attorney

PUBLICATION SUMMARY
OF ORDINANCE O-4427

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO CROSS KIRKLAND CORRIDOR TRAIL USE REGULATIONS AND ADOPTING A CROSS KIRKLAND CORRIDOR TRAIL USER CODE OF CONDUCT.

SECTION 1. Sets forth trail regulations and a trail user code of conduct for the Cross Kirkland Corridor.

SECTION 2. Provides a severability clause for the ordinance.

SECTION 3. Authorizes publication of the ordinance by summary, which summary is approved by the City Council pursuant to Section 1.08.017 Kirkland Municipal Code and establishes the effective date as five days after publication of summary.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the 19th day of November, 2013.

I certify that the foregoing is a summary of Ordinance O-4427 approved by the Kirkland City Council for summary publication.



City Clerk