

ORDINANCE O-4583

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO PARKS AND RECREATION.

1 WHEREAS, as part of a review of the Kirkland Municipal Code
2 ("KMC") by Councilmember Toby Nixon, it was recommended that
3 Chapter 3.68 of the KMC related to Parks and Recreation be amended
4 to revise and update the name of the department, the title of the head
5 of the department, and the legal status of the City of Kirkland ("City")
6 as a non-charter code city.
7

8 NOW, THEREFORE, the City Council of the City of Kirkland do
9 ordain as follows:
10

11 Section 1. Kirkland Municipal Code Section 3.68.010 is amended
12 to read as follows:
13

14 **3.68.010 Parks and community services and recreation**
15 **department—Created.**

16 For the purpose of providing for the proper maintenance and operation
17 of public parks, playgrounds, and other recreational facilities belonging
18 to the city and to provide for the acquisition of land, structures, and
19 other facilities for the park and recreational program of the city, there
20 is hereby created and established a department of the city to be known
21 as the parks and community services municipal park and recreation
22 department, hereinafter called the "department."
23

24 Section 2. Kirkland Municipal Code Section 3.68.020 is amended
25 to read as follows:
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27 **3.68.020 Parks and community services and recreation**
28 **department—Powers and duties.**

29 The department shall have all the powers and perform all the duties
30 provided by the laws of the state of Washington relating to parks and
31 recreational facilities in non-charter code cities ~~the cities of the third~~
32 ~~class.~~ The department shall have the power to conduct any form of
33 recreation or cultural activity that will employ the leisure time of the
34 people in a constructive and wholesome manner, and shall have control
35 and supervision of all parks belonging to said city, and may plan,
36 promote, manage and acquire, construct, develop, maintain, and
37 operate, either within or without the city limits, parks, squares,
38 parkways, and boulevards, play and recreation grounds, and/or other
39 municipally owned recreation facilities, including community buildings,
40 and improve and ornament the same; with the approval of the city
41 council enter into any contract in writing, acting independently or in
42 conjunction with the United States, the state of Washington, any county,
43 city or town, park district, school district, or any such public
44 organizations for the purpose of conducting a recreation program or

45 exercising any other power granted by this section, Sections 3.68.010,
 46 3.68.030, 3.68.040 and 3.68.050; and exercise censorship over any
 47 statuary, monuments, or works of art presented to the city. The
 48 department may also solicit or receive on behalf of the city council any
 49 gifts or bequests of money or other personal property or any donation
 50 to be applied, principal or income, for either temporary or permanent
 51 use for playgrounds, parks, or other recreational purposes. Powers of
 52 the department include the authority to grant concessions and privileges
 53 herein under such restrictions and for such compensation as it shall
 54 prescribe, the revenue from which shall be used for park purposes;
 55 provided, that no concession or privilege shall be granted for a period
 56 of more than three years unless approved by ordinance. The
 57 department shall have no power to acquire land or property, or to accept
 58 gifts of real or personal property, without the approval of the city
 59 council, any property acquired shall be in the name of the city.

60
 61 Section 3. Kirkland Municipal Code Section 3.68.040 is amended
 62 to read as follows:

63
 64 **3.68.040 Director of parks and community services**
 65 **Superintendent of parks and recreation and other employees—**
 66 **Appointment—Duties.**

67 The city manager shall appoint a director of parks and community
 68 services superintendent of parks and recreation who is the best trained
 69 and qualified person available therefor, and he or she shall be the head
 70 of the department. The department shall have charge of the
 71 management of the park and playground system and of the
 72 appointment and supervision of qualified employees thereof for the
 73 effective administration, construction, and development of the public
 74 park and recreation system. The director superintendent shall have such
 75 other powers and duties as may from time to time be imposed and
 76 conferred upon him or her by law or by ordinance.

77
 78 Section 4. If any provision of this ordinance or its application to
 79 any person or circumstance is held invalid, the remainder of the
 80 ordinance or the application of the provision to other persons or
 81 circumstances is not affected.

82
 83 Section 5. This ordinance shall be in force and effect five days
 84 from and after its passage by the Kirkland City Council and publication,
 85 as required by law.

86
 87 Passed by majority vote of the Kirkland City Council in open
 88 meeting this 18th day of July, 2017.

89
 90 Signed in authentication thereof this 18th day of July, 2017.


 Amy Walen, Mayor

Attest:


Kathi Anderson, City Clerk

Publication Date: July 24, 2017

Approved as to Form:


Kevin Raymond, City Attorney