

ORDINANCE O-4596

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO CITY FLOATS, MOORAGES, AND TOUR BOAT FACILITIES.

1 WHEREAS, as part of a review of the Kirkland Municipal Code
2 ("KMC") by Councilmember Toby Nixon, it was recommended that
3 Chapter 14.36 of the KMC related to city floats, moorages, and tour boat
4 facilities be amended in certain respects to reflect current practices and
5 eliminate outdated references; and
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7 WHEREAS, it is necessary to acknowledge that commercial tour
8 boat facilities in the future may be located at city-owned piers other
9 than the Marina Park moorage pier; and
10

11 WHEREAS, references to the city-owned Marina Park moorage
12 pier no longer need to include references to its construction in 1988;
13 and
14

15 WHEREAS, it is the city's practice to allow moorage for sale or
16 commercial display if written approval from the city is first obtained; and
17

18 WHEREAS, to harmonize related sections of the KMC, including
19 KMC Section 14.36.050(b), which provides that the city's daily moorage
20 fee is due at the time a watercraft is tied up at a dock, KMC Section
21 14.36.050 should be amended to provide that such fee is not due in
22 advance, but instead at the time a watercraft is tied up at a dock and
23 by noon on each following day the watercraft remains moored at the
24 city-owned pier; and
25

26 WHEREAS, it is no longer necessary either to direct that
27 commercial tour boat passengers be transported to city-owned piers
28 exclusively by bus or van or to prohibit the arrival of passengers by
29 private car, taxi or commercial limousine.
30

31 NOW, THEREFORE, the City Council of the City of Kirkland do
32 ordain as follows:
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34 Section 1. Kirkland Municipal Code Section 14.36.010 is
35 amended to read as follows:
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37 **14.36.010 Definitions.**

38 The following definitions shall apply when used in this chapter:

- 39 (1) "Commercial tour boat facility" means the extension to the Marina
40 Park moorage pier, ~~or any other city-owned pier, constructed in 1988,~~
41 ~~and~~ that is signed for commercial tour boat usage only.
42 (2) "Marina Park moorage pier" means the city pier located in Marina
43 Park, not including the commercial tour boat facility.
44 (3) "Parks director" means the city's director of parks and community
45 services or his or her designee.

46 (4) "Second Avenue South pier" means the city-owned pier located in
47 the Second Avenue South right-of-way in Lake Washington.
48

49 Section 2. Kirkland Municipal Code Section 14.36.020 is
50 amended to read as follows:
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52 **14.36.020 Parks and community services department**
53 **responsibilities.**

54 The parks director, or his or her designee, shall be responsible
55 for the overall administration, maintenance and operation of all city
56 floats, piers and moorages, including the commercial tour boat facilities
57 (the 1988 extension of the Marina Park moorage pier).
58

59 Section 3. Kirkland Municipal Code Section 14.36.030 is
60 amended to read as follows:
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62 **14.36.030 City floats and moorage.**

63 (a) Unless posted to restrict or prohibit moorage, all city floats, piers,
64 or moorages may be used by watercraft for moorage purposes as
65 provided in this chapter. Moorage for the following purposes is
66 prohibited:

- 67 (1) Handling freight;
- 68 (2) Mooring of boats or watercraft for sale or commercial display
69 without having obtained prior written permission from the city;
- 70 (3) Receiving or discharging fee-paying or commercial passengers
71 without having obtained prior written permission from the city;
- 72 (4) Any other commercial use except for authorized use of the
73 commercial tour boat facility.

74 (b) No moorage or other tie-up by ropes, cables or other fastenings
75 shall be made except by use of tie-up cleats provided for such purposes.
76

77 Section 4. Kirkland Municipal Code Section 14.36.050 is
78 amended to read as follows:
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80 **14.36.050 Moorage prohibitions.**

81 (a) No person shall moor a watercraft at a city moorage facility
82 without registering and paying the established fee that is due at the
83 time the watercraft is tied up to the pier. The moorage rate for additional
84 days is due at noon on each day, in advance. No person shall continue
85 to moor a watercraft at a city moorage facility without paying the
86 established moorage fee as it becomes due.

87 (b) No person shall moor a watercraft in an area that has been posted
88 to prohibit moorage. No person shall, without city authorization, moor a
89 watercraft in an area that has been posted as a restricted area.

90 (c) The tying together or rafting of watercraft moored at a city
91 moorage facility is prohibited.
92

93 Section 5. Kirkland Municipal Code Section 14.36.230 is hereby
94 repealed as follows:

95 ~~**14.36.230 Commercial tour boat facility—Transportation of**~~
96 ~~**passengers.**~~

97 ~~When departing from the commercial tour boat facility, all passengers~~
98 ~~scheduled to embark shall be brought by the tour operator or sponsor~~
99 ~~to the facility by bus or van. Arrival of embarking passengers in private~~
100 ~~passenger vehicles, taxis or commercial limousines shall be prohibited.~~
101 ~~The conveying bus or van shall unload and load passengers, and park~~
102 ~~during the interim, only at a places specifically designated by the parks~~
103 ~~director.~~

104 Section 6. If any provision of this ordinance or its application to
105 any person or circumstance is held invalid, the remainder of the
106 ordinance or the application of the provision to other persons or
107 circumstances is not affected.

108 Section 7. This ordinance shall be in force and effect five days
109 from and after its passage by the Kirkland City Council and publication
110 pursuant to Section 1.08.017, Kirkland Municipal Code in the summary
111 form attached to the original of this ordinance and by this reference
112 approved by the City Council.
113

114 Passed by majority vote of the Kirkland City Council in open
115 meeting this 5th day of September, 2017.
116

117 Signed in authentication thereof this 5th day of September,
118 2017.



Amy Walen, Mayor

Attest:



Kathi Anderson, City Clerk

Publication Date: September 11, 2017

Approved as to Form:



Stephanie E. Croll, Senior Assistant City Attorney

PUBLICATION SUMMARY
OF ORDINANCE O-4596

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO CITY FLOATS, MOORAGES, AND TOUR BOAT FACILITIES.

SECTION 1. Amends Section 14.36.010 of the Kirkland Municipal Code ("KMC") by changing the definition of "commercial tour boat facility" to include any other city-owned pier.

SECTION 2. Amends KMC Section 14.36.020 related to parks and community services department responsibilities.

SECTION 3. Amends KMC Section 14.36.030 related to City floats and moorage.

SECTION 4. Amends KMC 14.36.050 related to moorage prohibitions.

SECTION 5. Repeals KMC Section 14.36.230.

SECTION 6. Provides a severability clause for the ordinance.

SECTION 7. 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 5th day of September, 2017.

I certify that the foregoing is a summary of Ordinance O-4596 approved by the Kirkland City Council for summary publication.



Kathi Anderson, City Clerk