

ORDINANCE NO. 1006

AN ORDINANCE CREATING AND ESTABLISHING A MUNICIPAL PARK AND RECREATION DEPARTMENT FOR THE CITY OF KIRKLAND; PROVIDING FOR THE POWERS AND DUTIES OF SUCH DEPARTMENT; PROVIDING FOR A SUPERINTENDENT OF PARKS AND RECREATION, AND FOR CERTAIN EMPLOYEES OF SAID DEPARTMENT; PROVIDING FOR THE SOLICITATION OF FUNDS AND ACCEPTANCE OF GIFTS AND REQUESTS FOR PARKS, PLAYGROUNDS, AND RECREATIONAL PURPOSES; PREPARATION OF A BUDGET; AND REPEALING ORDINANCES NOS. 621 & 864 OF THE CITY OF KIRKLAND AND ALL OTHER ORDINANCES IN CONFLICT THEREWITH:

THE CITY COUNCIL OF THE CITY OF KIRKLAND DO ORDAIN AS FOLLOWS:

Section 1: Park and Recreation Department, Creating of:

For the purpose of providing for the proper maintenance and operation of public parks, playgrounds, and other recreational facilities belonging to the City of Kirkland, and to provide for the acquisition of land, structures, and other facilities for the park and recreational program of the city, there is hereby created and established a department of said city to be known as the Municipal Park and Recreation Department, hereinafter called the "Department".

Section 2: Powers and Duties of the Department: The

Department shall have all the powers and perform all the duties provided by the laws of the State of Washington relating to parks and recreational facilities in the cities of the third class. The Department shall have the power to conduct any form of recreation or cultural activity that will employ the leisure time of the people in a constructive and wholesome manner, and shall have control and supervision of all parks belonging to said city, and may plan, promote, manage and acquire, construct, develop, maintain, and operate, either within or without the city limits, parks, squares, parkways, and boulevards, play and recreation grounds, and/or other municipally owned recreation facilities, including community buildings, and improve and ornament the same; with the approval of the city council enter into any contract in writing, acting independently or in conjunction with the United States, the State of Washington, any county, city or town, park district, school district, or any such public organizations for the purpose of conducting a recreation program or exercising any other power granted by this ordinance; and exercise censorship over any statuary, monuments, or works of art presented to the city. The Department may also solicit or receive on behalf of the city council any gifts or bequests of money or other personal property or any donation to be applied, principal or income, for either temporary or permanent use for playgrounds, parks, or other recreational purposes. Powers of said Department include the authority to grant concessions and privileges herein under such restrictions and for such compensation as it shall prescribe, the revenue from which shall be used for park purposes.

Provided that no concession or privilege shall ever be granted for the sale of any intoxicating liquors, beer, and/or wine in any public park, and that no concession or privilege shall be granted for a period of more than three years unless approved

by ordinance. The Department shall have no power to acquire land or property, or to accept gifts of real or personal property, without the approval of the city council, any property acquired shall be in the name of the city.

Section 3. Rules and Regulations. The Department shall have power to make rules and regulations for the government and management thereof, including the power to fix charges for the use of any municipally owned or controlled park or recreation facility. All rules and regulations and use charges and amendments and changes adopted by the Department shall be promulgated by one publication in the official newspaper of the city, and a copy thereof shall be filed in the office of the city clerk. These rules and regulations shall have full force and effect from and after the date of said publication. This ordinance and rules and regulations adopted pursuant thereto shall be enforced by the police department of the city. Violation of rules and regulations so adopted shall be a violation of this ordinance.

Section 4. Appointment and Duties of Superintendent and Other Employees. The City Manager shall appoint a superintendent of parks and recreation who is the best trained and qualified person available therefor, and he shall be the head of the Department. The Department shall have charge of the management of the park and playground system and of the appointment and supervision of qualified employees thereof for the effective administration, construction, and development of the public park and recreation system. The superintendent shall have such other powers and duties as may from time to time be imposed and conferred upon him by law or by ordinance.

Section 5. Park Budget. Annually, the Department shall submit a budget to the governing body of the city on or before the second Monday in August for its approval.

Section 6. Penalties. The violation of this ordinance or any rule or regulation adopted pursuant to Section 3 of this ordinance shall be punished by a fine not to exceed \$500.00, or by imprisonment for a period not to exceed six months, or both.

Section 7. Repealed Ordinances. Ordinance Nos. 621 & 864, and all other ordinances or parts of ordinances of the City of Kirkland in conflict are hereby repealed.

Section 8. This ordinance shall be in force and take effect five days from and after its passage by the council and publication as required.

PASSED by the Kirkland City Council in regular meeting on the 6th day of December, 1965.

SIGNED in authentication thereof on the 6th day of December, 1965.
James J. Vary
Mayor

Attest:
George E. Anderson
City Clerk

Approved as to form:
Ralph Thomas
City Attorney