

ORDINANCE NO. 2351

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO CITY DOCKS AND MOORAGE, AMENDING CHAPTERS 14.08 AND 14.36 OF THE KIRKLAND MUNICIPAL CODE AND ADDING THERETO NEW SECTIONS 14.36.015 AND 14.36.016 RELATING TO AUTHORITY TO IMPOUND WATERCRAFT AND PROHIBITION OF COMMERCIAL CRAFT AND NEW SECTION 14.40.025 RELATING TO TANDEM MOORAGE.

BE IT ORDAINED by the City Council of the City of Kirkland as follows:

Section 1. Section 14.08.060 of the Kirkland Municipal Code is hereby amended and supplemented to read as follows:

14.08.060 City docks. "City dock" means [the] all docks and moorage facilities owned and maintained by the city and located [at the] in or upon Lake Washington [end of Kirkland Avenue] and within the jurisdiction of the city.

Section 2. Section 14.36.010 of the Kirkland Municipal Code is hereby amended and supplemented to read as follows:

14.36.010 City floats and moorage. Unless posted to limit use to non-dockage purposes, all city floats, piers, or moorages now or hereafter established, [except as hereinafter specified,] may be used by watercraft for dockage purposes, [other than the handling of freight,] except as hereinafter specified, free of charge for lying time not to exceed forty-eight [consecutive hours [at any one time] in any consecutive seven-day period; PROVIDED, that the police department or port warden shall have authority to shorten or lengthen said period of time, when circumstances require such alteration in order to promote safety or protect property, FURTHER PROVIDED, moorage for the following purposes are prohibited:

1. Handling freight.
2. Mooring of boats or watercraft for sale or commercial display.
3. Receiving or discharging fee paying or commercial passengers without having obtained prior written permit from the city.
4. Any other commercial use.

No [moorage] dockage or other tie up by ropes, cables or other fastenings shall be made [to anything] except by use of tie-up [moorage] cleats provided for such purposes.

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Section 3. Chapter 14.36 of the Kirkland Municipal Code be and hereby is supplemented with the addition of two new sections to read as follows:

14.36.015 Authority to impound watercraft. Whenever there exists a probable cause to believe that a watercraft has remained moored in such a manner and for such a time as to constitute a violation of Section 14.36.010, the port warden shall have the authority to either impound-inplace said watercraft, or in the exercise of his discretion to promote safety and protect property, impound said watercraft by effecting its removal to an appropriate holding area, PROVIDED that said impound or impound-inplace shall occur only after reasonable investigation has indicated that the arrest of the proper person or issuance of citation thereto for such violation, pursuant to the purposes and provisions of Section 14.48.040, are either impossible or impracticable, PROVIDED FURTHER, that in the event an impound or impound-inplace occurs, said watercraft shall be released to its owner or his agent upon compliance with the purpose and provisions of Section 14.48.040.

14.36.016 Commercial craft prohibited. No vessel or other watercraft, which is commercially registered or licensed, shall be moored at the Kirkland city docks without prior written permit under the authority of the City Manager.

Section 4. Chapter 14.40 of the Kirkland Municipal Code be and hereby is supplemented with the addition of a new section to read as follows:

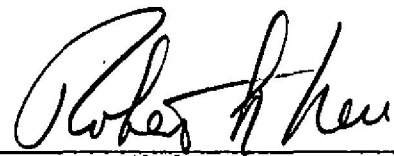
14.40.025 Tandem moorage. No more than three (3) boats or other objects may be tied or rafted together when moored, docked or berthed adjacent to a dock, pier or float subject to the provisions of this Title.

Section 5. Severability. If any provision or section of this ordinance or its application to any person or circumstance is held invalid, the remainder of the provisions, sections, or the application thereof to any persons or circumstances is not affected.

Section 6. Effective date. This ordinance shall be in force and effect five (5) days from and after its passage by the City Council and publication as required by law.

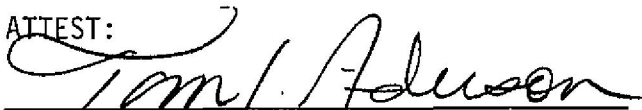
ADOPTED BY MAJORITY VOTE of the Kirkland City Council at regular meeting on the 6th day of June, 1977.

SIGNED IN AUTHENTICATION thereof on the 6th day of June, 1977.

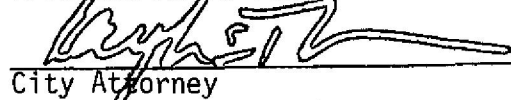


MAYOR

ATTEST:


Director of Administration and Finance
(ex officio City Clerk)

APPROVED AS TO FORM:


City Attorney