

ORDINANCE NO. 3200AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KIRKLAND
RELATING TO SKATEBOARDS

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

Section 1. Chapter 12.12 of the Kirkland Municipal Code is hereby amended by the addition of new sections to read as follows:

12.12.010 Definitions.

Words and phrases defined for the purposes of this chapter shall have the meanings set forth below, unless normal construction in context shall clearly indicate to the contrary:

(a) "Skateboard" has its ordinary meaning and includes a board of any material with wheels affixed to the underside, designed to be ridden by a person. For the purposes of this chapter the term "skateboard" shall include the terms "scooter" and "coaster".

(b) "Riding a Skateboard" means standing with one or both feet touching the skateboard, crouching, sitting or lying upon the skateboard while it is in motion.

(c) "Scooter" shall have its ordinary meaning and includes a footboard mounted upon or between two or more small wheels and controlled by an upright steering handle.

(d) "Kirkland City Hall" is located at 123 Fifth Avenue, and includes the sidewalks and parking lots that are at the boundaries of the City Hall site.

(e) "Kirkland Plaza of Champions" means that portion of the Lake Plaza parking lot in which recognition plaques are installed and members of the public may view such plaques.

12.12.030 Skateboarding prohibited in certain areas.

No person shall ride a skateboard within Peter Kirk Park, upon the Kirkland City Hall grounds, or at the Plaza of Champions. A person in

violation of this section may be cited for an infraction and the skateboard he or she was riding may be seized as evidence and held until the disposition of the charge.

12.12.040 Seizure and Forfeiture.

Whenever a law enforcement officer has probable cause to believe that a skateboard was used or is intended to be used in violation of this chapter, such skateboard is subject to seizure and forfeiture. In the event of seizure pursuant to this section, proceedings for forfeiture shall be deemed commenced by the seizure and shall be conducted as outlined in Chapter 69.50 RCW. An observation by a law enforcement officer that a skateboard is in motion upon the ground or pavement at Peter Kirk Park, the City Hall site, or the Plaza of Champions, whether or not such skateboard is accompanied by a person, shall be sufficient to establish probable cause of a violation of this chapter.

12.12.050 Negligent Skateboarding.

It is a violation of this chapter for any person to operate a skateboard in a negligent manner upon any publicly owned property or way open to the public throughout the City of Kirkland. For purposes of this section, "to operate in a negligent manner" means the riding or propelling of a skateboard in such a manner as to endanger or be likely to endanger any person or property.

12.12.060 Penalty.

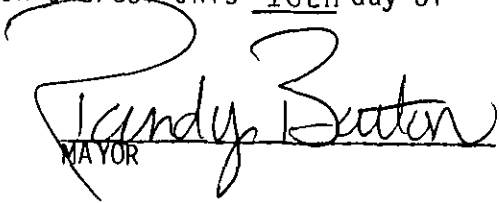
A violation of this chapter is a traffic infraction, whether or not the act at issue occurred upon a roadway. The penalty for any infraction established in this chapter shall be \$15.00.

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, as required by law.

Passed by majority vote of the Kirkland City Council
in regular, open meeting this 16th day of
January, 1990.

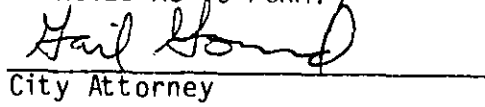
Signed in authentication thereof this 16th day of
January, 1990.


MAYOR

ATTEST:


City Clerk

APPROVED AS TO FORM:


City Attorney