

ORDINANCE 3235

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RELATING TO THE COMMERCIAL PIER.

Be it ordained by the City Council of the City of Kirkland as follows:

Section 1. Sections 14.38.020, 14.38.040 and 14.38.120 of the Kirkland Municipal Code are hereby repealed.

Section 2. Chapter 14.38 of the Kirkland Municipal Code is hereby amended by the addition of new sections to read as follows:

14.38.020 Use Requirements.

(a) The facility shall only be used by boats which are transporting passengers for commercial, charitable, or educational purposes. The facility shall not be used by boats which are being operated solely for personal pleasure purposes. Every boat using the facility, shall, at a minimum:

(1) Be covered by one million dollars marine and/or general liability insurance currently in force;

(2) Comply with applicable state and/or federal laws, such as regarding registration, licensing of crew and safety regulations;

(3) Have on file with the City a valid Kirkland Department of Parks and Recreation commercial pier user agreement;

(4) Comply with requirements for fee payment and prior reservation.

(b) In the event that these requirements are not timely fulfilled or information supplied to the City of Kirkland is not complete and accurate, the Director of Parks and Recreation may suspend

a boat and/or its owner, captain, or operator from any use of the commercial pier for a period of up to one year. During the suspension, neither the suspended boat, nor any other boat carrying suspended persons shall tie-up, moor, or otherwise use the commercial pier.

#### 14.38.040 Hours of Use.

(a) The normal hours of facility operation are from seven a.m. to midnight. The regular moorage fee shall be paid by a boat which uses the commercial pier for any portion of a day between seven a.m. and midnight.

(b) A boat which complies with all other provisions of this chapter may be at the dock overnight, that is, between the hours of midnight and seven a.m., but only on one night in any fourteen day period. Such a boat shall pay the overnight moorage fee for docking during any portion of the night hours. In addition, the Parks and Recreation Department, when specially requested, may authorize more frequent overnight moorage.

#### 14.38.120 Moorage Fee.

(a) Boats using the facility for any portion of a day between seven a.m. and midnight shall prepay to the City a moorage fee, calculated at the rate of sixty cents per foot per day.

(b) The overnight moorage fee shall be twenty-five dollars per night.

(c) The Director of the Department of Parks and Recreation shall have the authority to reduce the moorage fees for charitable or non-profit activities, for activities co-sponsored by the

City, or for usage on a frequent basis.

(d) The City Manager, acting through the Director of Parks and Recreation, may adjust the hereinabove rates without amendment of this chapter. Any change in rates shall not become effective until a notice setting forth such change has been posted in a prominent place at the commercial pier for a period of not less than ten days

Section 3. Section 14.38.130 of the Kirkland Municipal Code is hereby amended to read as follows:

14.38.130 Prior Reservation and Fee Payment Required.

~~[Prior-Reservation-Mandatory-Any-boat-desiring-to-use-the-tour-boat]~~ Any person desiring to use the facility shall make reservation therefor, and in addition to the moorage fee, pay a reservation charge of twenty-five dollars per day. Fee payments and reservations must be received by the Department of Parks and Recreation at least twenty-four hours prior to the scheduled time of arrival and tie-up at the facility [-] , or by five p.m. on the Friday preceding an arrival between seven a.m. Saturday and five p.m. Monday.

Section 4. 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.

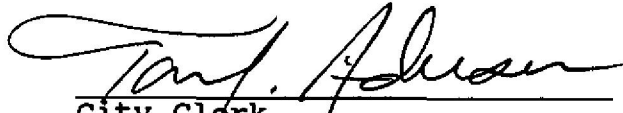
Section 5. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication, as required by law.

Passed by majority vote of the Kirkland City Council in regular, open meeting this 20 day of November, 1990.


Signed in authentication thereof this 20th  
day of November, 1990.

  
MAYOR pro tem

Attest:

  
City Clerk

Approved as to Form:

  
City Attorney

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