

ORDINANCE O-4793

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO THE CROSS KIRKLAND CORRIDOR TRAIL USE AND AMENDING KIRKLAND MUNICIPAL CODE SECTION 19.40.020.

1           WHEREAS, the Kirkland Municipal Code regulates hours of  
2 operations for certain City-owned facilities, among other matters;  
3 and

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5           WHEREAS, the Cross Kirkland Corridor is a City-owned  
6 regional transportation facility that traverses the city and passes  
7 through many residential neighborhoods; and

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9           WHEREAS, Kirkland Municipal Code currently limits use of  
10 the Cross Kirkland Corridor to "daytime hours only;" and

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12           WHEREAS, the City desires to give greater specificity to the  
13 operating hours of the Cross Kirkland Corridor; and

14  
15           WHEREAS, people commuting to and from work and school  
16 frequently do so during pre-dawn and post-dusk hours, especially  
17 during the autumn and winter seasons, and the City wishes to  
18 accommodate them;

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20           NOW, THEREFORE, the City Council of the City of Kirkland  
21 do ordain as follows:

22  
23           Section 1. Section 19.40.020 of the Kirkland Municipal  
24 Code is amended to read as follows:

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26           **19.40.020 CKC trail use.**

27 (a) No person shall travel on the trail at a speed greater than  
28 what is reasonable and prudent under the conditions and having  
29 regard for actual and potential hazards. In every event, speed  
30 shall be controlled as may be necessary to avoid colliding with  
31 others who are complying with the law and using reasonable care.  
32 Travel at speeds in excess of fifteen miles per hour shall result in  
33 a prima facie presumption that the person violated this section.

34 (b) No person shall travel on the trail in a negligent manner. For  
35 the purposes of this section, "travel on the trail in a negligent  
36 manner" shall be construed to mean any form of travel on the trail  
37 in a manner likely to endanger any persons or property.

38 (c) For the purposes of this section "travel" shall be construed  
39 to include all forms of movement or transportation on the trail,  
40 including but not limited to foot, bicycle, skateboard and roller  
41 skates.

42 (d) Every person traveling on the trail shall obey the instructions  
43 of any official traffic control device applicable thereto unless  
44 otherwise directed by a police officer.

45 (e) No motorized vehicles shall be allowed on Kirkland trails. For  
46 the purpose of this section, "motorized vehicles" means any form  
47 of transportation powered by an internal combustion or electric  
48 motor.

49 This includes but is not limited to automobiles, golf carts, mopeds,  
50 motor-driven cycles, motorized foot scooters, and motorcycles.  
51 This section shall not apply to wheelchairs powered by electric  
52 motors, electric-assisted bicycles or authorized maintenance,  
53 police, fire or emergency vehicles.

54 (f) Trails on the CKC are open to all nonmotorized users unless  
55 otherwise designated and posted. Pedestrians and bicyclists are  
56 permitted on all maintained soft surface trails unless otherwise  
57 posted and designated. Horseback riding and equestrians are  
58 prohibited. Trail restrictions may be posted at appropriate  
59 locations along the CKC. Trail use designations and restrictions  
60 may be based on the CKC master plan, resource conservation,  
61 trail user conflicts, maintenance issues, and safety hazards.

62 (g) Every person who shall use or travel on the trail shall obey  
63 the trail user code of conduct.

64 (h) Trail User Code of Conduct.

65 (1) Using the Trail. Every person using the trail shall stay as  
66 near to the right side of the trail as is safe, excepting those  
67 movements necessary to prepare to make or make turning  
68 movements, or while overtaking and passing another user moving  
69 in the same direction.

70 (2) Regard for Other Trail Users. Every user shall exercise due  
71 care and caution to avoid colliding with any other trail user. All  
72 users shall travel in a consistent and predictable manner.

73 (3) Groups on Trail. No group of trail users, including their  
74 animal(s), shall occupy more than one-half of the trail as  
75 measured from the right side, so as to impede the normal and  
76 reasonable movement of trail users.

77 (4) Audible Signal When Passing. Every user shall give an  
78 audible warning signal before passing another trail user. The  
79 signal must be produced in such a manner as to allow adequate  
80 time for response. The signal may be given by voice, bell or horn.

81 (5) Overtaking Trail Users on the Left. Any trail user overtaking  
82 another trail user proceeding in the same direction shall pass to  
83 the left of such overtaken user at a safe distance, and shall stay  
84 to the left until safely clear of the overtaken user.

85 (6) Entering and Crossing Trail. Trail users entering or crossing  
86 the trail at uncontrolled points shall yield to traffic on the trail.

87 (7) Lights on Trail Users. All bicyclists using the trail from one-  
88 half hour before sunset to one-half hour after sunrise shall equip  
89 their bicycles with a headlight visible five hundred feet to the  
90 front, and a red or amber light visible five hundred feet to the  
91 rear.

92 (8) Regard for Adjacent Property Owners. Trail users should  
93 respect private lands adjacent to the trails and should stay on  
94 trails to avoid trespassing on or interfering with adjacent private  
95 property.

96 (9) Pets on Leash. All pets on trails shall be kept on leash and  
97 under the control of the pet's owner or caretaker. The pet's owner

98 or caretaker shall remove and properly dispose of all animal  
99 droppings left by the pet.  
100 (10) Hours of Use. Trail use shall be limited to daylight hours  
101 only 5 a.m. to 11 p.m.  
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103 Section 2. If any provision of this ordinance or its  
104 application to any person or circumstance is held invalid, the  
105 remainder of the ordinance or the application of the provision to  
106 other persons or circumstances is not affected.  
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108 Section 3. This ordinance shall be in force and effect five  
109 days from and after its passage by the Kirkland City Council and  
110 publication pursuant to Section 1.08.017, Kirkland Municipal Code  
111 in the summary form attached to the original of this ordinance and  
112 by this reference approved by the City Council.  
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114 Passed by majority vote of the Kirkland City Council in open  
115 meeting this 03 day of May, 2022.  
116

117 Signed in authentication thereof this 03 day of May, 2022.

  
\_\_\_\_\_  
Penny Sweet, Mayor

Attest:

  
\_\_\_\_\_  
Kathi Anderson, City Clerk

Approved as to Form:

  
\_\_\_\_\_  
Kevin Raymond, City Attorney

Publication Date: 05/09/2022

PUBLICATION SUMMARY  
OF ORDINANCE NO. 4793

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO THE CROSS KIRKLAND CORRIDOR TRAIL USE AND AMENDING KIRKLAND MUNICIPAL CODE SECTION 19.40.020.

SECTION 1. Amends Kirkland Municipal Code Section 19.40. 020 related to the Cross Kirkland Corridor Trail hours of use.

SECTION 2. Provides a severability clause for the ordinance.

SECTION 3. 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 03 day of May, 2022.

I certify that the foregoing is a summary of Ordinance 4793 approved by the Kirkland City Council for summary publication.

  
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Kathi Anderson, City Clerk