

Chapter 9.50

PARKS

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9.50.010 Definitions.

Whenever used in this title, the following items shall be defined as indicated in this section:

Agreements

Any and all written agreements between a person or persons and the department for the purpose of specific use of certain department facilities.

Aircraft

Any machine or device designed to travel through the air, such as an airplane, helicopter, balloon, glider, ultralight, etc.

Alcoholic beverages (or "liquor")

Includes the four varieties of liquor herein defined (alcohol, spirits, wine and beer) and all fermented, spirituous, vinous, or malt liquor, or otherwise intoxicating beverages; and every liquor or solid or semisolid or other substance, patented or not, containing alcohol, spirits, wine or beer, and all drinks or drinkable liquids and all preparations or mixtures capable of human consumption, and any liquor, semisolid, solid or other substance, which contains more than one percent alcohol by weight shall be conclusively deemed to be intoxicating.

Board

The current and duly elected Kittitas board of county commissioners.

Boat

Any floating device, powered by internal combustion engine or human power, capable of traveling on or under water.

Camper

A motorized vehicle containing sleeping and/or housekeeping accommodations, and shall include a pickup truck with camper, a van-type body, a converted bus, or any similar type vehicle.

Camping

Erecting a tent or shelter or arranging bedding or both, for the purpose of, or in such a way as will permit remaining overnight, or parking a trailer, camper, or other vehicle for the purpose of remaining overnight.

Department

The Kittitas County department of public works.

Director

The director of the Kittitas County department of public works.

Discrimination

Any action or practice which prohibits participants based on sex, age, race, color, national origin, marital status, or the presence of any sensory, mental or physical handicap.

Drugs

Any mind or mood altering substance which is illegal for consumption.

Facilities

Any building, structure, roadway, trail, path, equipment or area operated by the Kittitas County department of public works.

Facility manager

The duly appointed Kittitas County public works employee serving as a manager of a county park.

Fee

The currently adopted fee schedule for use of Kittitas County park facilities.

Motor vehicle

Any self-propelled device capable of being moved upon a road, and in, upon, or by which any persons or property may be transported or drawn, and shall include, but not be limited to, four-wheel drive vehicles, two-wheel drive vehicles, three-wheelers, motorcycles, and snowmobiles, whether or not they can legally be operated upon the public highways, whether licensed or unlicensed.

Permit

Any and all permits, licenses, or approvals required by federal or state law, or required by county ordinance or the Kittitas County public works department.

Person

All natural persons, firms, partnerships, corporations, clubs and all associations or combination of persons whenever acting for themselves or by an agent, servant, or employee.

Reservation

Any and all written reservations for a person or persons for the purpose of specific use of certain department facilities.

Trail

Any path or track designed for use of pedestrians, bicycles, motorcycles, jeeps or equestrians; and which is not of sufficient width, nor graded or paved with concrete, asphalt, gravel or similar substance, so as to permit its use by standard passenger automobiles, or other right-of-way specifically designated and posted for non-vehicular use.

Trailer

A towed vehicle which contains sleeping, housekeeping accommodations or material transporting capabilities.

Kittitas County park area

Any area under the ownership, management, or control of Kittitas County.

(Ord. 99-09, 1999; Ord. 95-4, 1995).

9.50.020 Purpose.

The park playgrounds, passive use areas, special use areas, roads, paths, trails, activity centers and other park facilities of the department are established by law for public recreation purposes. Public recreation consists of passive use, appropriate to the facility, initiated by individuals, families or small groups with or without reservations and permits; or, large group activities planned by groups and brought under the control of the department when authorized by and conducted under reservation, permit, agreement or contract with the department. (Ord. 99-09, 1999; Ord. 95-4, 1995).

9.50.030 Hours.

The director of public works shall establish for each Kittitas County park area according to existing conditions, times and periods when the park area will be open or closed to the public. Such times and periods shall be posted at the entrance to the Kittitas County park area affected and at the park office. Park hours are subject to current conditions and may vary by season. Park front gates and offices may be open during normal business hours but the park area may be closed to public use when so posted. No person shall enter or be present at a Kittitas County park area after closing time, or when the park area is closed, except persons camping in a designated camping area who have paid the applicable use fee; or persons who have a reservation or are associated with the person or persons having a reservation at a department facility. (Ord. 99-09, 1999; Ord. 95-4, 1995).

9.50.040 Park facilities - Liability.

A person or persons using facilities by reservation or agreement may be required to protect and save Kittitas County, its elected and appointed officials and employees while acting within the scope of their duties as such, harmless from and against all claims, demands, and causes of action of any kind or character, including the cost of defense thereof, arising in favor of the persons, employees or third parties on account of personal injuries, death or damage to property arising out of the premises, or in any way arising out of the acts or omissions of the person and/or his agents, employees or representatives. Users of any and all Kittitas County park facilities or areas do so at their own risk. Kittitas County assumes no liability or responsibility due to accidents or injury through authorized or unauthorized use of department facilities. (Ord. 99-09, 1999; Ord. 95-4, 1995).

9.50.050 Park facilities - Liability insurance.

A person or persons using facilities by reservation or agreement may be required to obtain and maintain during all periods of use public liability insurance acceptable to the county and/or other insurance

necessary to protect the public and the county on premises reserved, with coverage of liability not less than combined single limit personal injury and/or personal damage liability of \$300.00 per occurrence. The group shall provide a certificate of insurance or an insurance binder prior to the reservation and upon written request of the county, a duplicate of the policy, as evidence of the insurance protection provided. This insurance shall not be cancelled or reduced without prior written notice to the county, 30 days in advance of the cancellation or reduction. (Ord. 99-09, 1999; Ord. 95-4, 1995).

9.50.060 Park facilities - Cleanup.

All groups must leave the facility or area in a condition considered satisfactory to the manager in charge. No group shall conduct activities causing extra custodial work unless previous arrangements have been made to pay for such work and are so stated in the reservation agreement. Causing extra custodial work without previous arrangements may subject the group to mandatory cleanup fees as listed in the currently adopted fee schedule. (Ord. 99-09, 1999; Ord. 95-4, 1995).

9.50.070 Concessions.

Kittitas County reserves all concession rights in county-owned parks. Nonprofit groups and organizations may sell or arrange for a concessionaire to sell concessions to members of their group or organization using a park facility and to spectators at that facility; provided, that arrangements and fees to the department are agreed upon in writing prior to the event(s). (Ord. 99-09, 1999; Ord. 95-4, 1995).

9.50.080 Park misuse.

The misuse of a park facility or the failure to conform with these regulations will be sufficient reason for denying any future application for use of park facilities. (Ord. 99-09, 1999; Ord. 95-4, 1995).

9.50.090 Motor vehicles - Parking.

No operator of any automobile, trailer, camper, boat trailer, or other motor vehicle, shall park such vehicle in any Kittitas County park area other than designated motor vehicle parking area, except where the operator is using the area for a designated recreational purpose and the vehicle is parked either in a designated parking area for the event, or in another area with the permission of the facility manager. No person shall park, leave standing, or abandon a motor vehicle, camper or trailer, in any Kittitas County park area after closing time, except when camping in a designated area, or with permission of the manager. Any vehicle found parked in violation of this section may be towed away at the owner's or operator's expense. (Ord. 99-09, 1999; Ord. 95-4, 1995).

9.50.100 Camping - Authorization.

No person shall camp in any Kittitas County park area except when specifically authorized by the facility manager or the director. (Ord. 99-09, 1999; Ord. 95-4, 1995).

9.50.110 Camping - Occupancy policy.

Occupancy of camping facilities shall be limited to the conditions of the group reservation, agreement, or contract; or limited to occupancy related to an event and so posted at the park. (Ord. 99-09, 1999; Ord. 95-4, 1995).

9.50.115 Swimming in boat launch areas prohibited.

No person shall swim or sunbathe in any designated boat launching area, except by permit issued by the department of public works. (Ord. 99-09, 1999; Ord. 95-4, 1995).

9.50.120 Game fish.

All laws, rules and regulations of the State Game Commission relating to season, limits, and methods of fishing are applicable to fishing for game fish in Kittitas County park areas. No person may fish for, or possess any fish taken from any dam, dike, bridge, dock, boat landing, or beach, which is posted with a sign prohibiting fishing. (Ord. 99-09, 1999; Ord. 95-4, 1995).

9.50.125 Food fish.

All laws, rules and regulations of the State Department of Fisheries relating to season, limits, and methods of taking are applicable to the taking of food fish in Kittitas County park areas except that in addition to such laws, the department, upon its finding and for good cause may close certain Kittitas County park areas for specific periods of time, to the taking of fish. Such closed areas shall be posted. (Ord. 99-09, 1999; Ord. 95-4, 1995).

9.50.130 Damage to park property prohibited.

No person shall cut down, destroy or in any way injure or damage any shrub, tree, vine, grain, grass or crop, standing or growing or which has been cut down, in any Kittitas County park area unless authorized to do so by the department. No person shall deface, damage or destroy any property, material, equipment or facility which is under the jurisdiction of the department. (Ord. 99-09, 1999; Ord. 95-4, 1995).

9.50.135 Removal of park property.

No person shall change the position of or remove any property, material, or equipment from its original position on or from any area under the jurisdiction of the Kittitas County parks department. (Ord. 99-09, 1999; Ord. 954, 1995).

9.50.140 Outside household or commercial waste.

No person shall deposit any household or commercial garbage, refuse, waste, or rubbish which is brought as such from any private property, in any Kittitas County park area garbage can or other receptacle designated for rubbish collection. (See Chapter 8.20 KCC, Depositing Garbage in Designated Places, for penalties.) (Ord. 99-09, 1999; Ord. 95-4, 1995).

9.50.145 Rubbish.

No person shall leave, deposit, drop or scatter bottles, broken glass, ashes, waste paper, cans or other rubbish, in a Kittitas County park area, except in a garbage can or other receptacle designated for such purposes. (See Chapter 8.20 KCC, Depositing Garbage in Designated Places, for penalties.) (Ord. 99-09, 1999; Ord. 95-4, 1995).

9.50.150 Waste from vehicles.

No person shall in any Kittitas County park area, drain or dump refuse, oil, gas or waste from any trailer, camper, automobile, or other vehicle, except in designated disposal areas or receptacles. (See Chapter 8.20 KCC, Depositing Garbage in Designated Places, for penalties.) (Ord. 99-09, 1999; Ord. 95-4, 1995).

9.50.155 Dumping in water prohibited.

No person shall pollute, or in any way contaminate by dumping or otherwise depositing therein any waste or refuse of any nature, kind or description, including human or bodily waste, in any stream, river, lake or other body of water running in, through or adjacent to any Kittitas County park area. (See Chapter 8.20 KCC, Depositing Garbage in Designated Places, for penalties.) (Ord. 99-09, 1999; Ord. 95-4, 1995).

9.50.160 Solicitation.

No person shall solicit, sell, or peddle any goods, wares, merchandise, liquids, or edibles for human consumption or distribute or post any handbills, circulars, or signs, or use any loudspeakers or other amplifying device in any Kittitas County park area, except by concession contract or by permission by the department. (Ord. 99-09, 1999; Ord. 95-4, 1995).

9.50.165 Alcoholic beverages - Minors.

No person who has not reached his or her twenty-first birthday shall be in possession of or consume of any alcoholic beverage in a Kittitas County park facility or area. (Ord. 99-09, 1999; Ord. 95-4, 1995).

9.50.170 Fires.

Open fires and portable units using flammable material are restricted to designated park areas, fireplaces, fire rings or grills. (Ord. 99-09, 1999; Ord. 95-4, 1995).

9.50.175 Area closures.

Areas designated by signs or barricades are closed to public access or use. (Ord. 99-09, 1999; Ord. 95-4, 1995).

9.50.180 Violation - Penalty.

Every person who violates any of the provisions of this chapter shall be guilty of a misdemeanor and shall, upon conviction, be punished by a fine of not more than \$1,000 and/or by imprisonment in a county jail for not more than 90 days. In addition, every person failing to comply with any provision of this chapter shall be subject to immediate ejection from the Kittitas County park area. The Kittitas County public works director, public works employees, and other law enforcement officers are authorized and directed to enforce the provisions of this chapter. (Ord. 99-09, 1999; Ord. 95-4, 1995).

9.50.190 City of Ellensburg Park Impact Fees adopted within the City's Urban Growth Area.

Pursuant to Kittitas County Resolution 2022-013 and consistent with Ellensburg City Code (ECC) Chapter 14.02 Park Impact Fees, Kittitas County agrees to collect park impact fees as described at ECC 14.02.150. Collection of the park impact fee shall occur when application is made for a building permit; provided, however, fees applicable to a single-family subdivision may be subject to an in-lieu-of fee arrangement at the preliminary plat stage.