

**CITY OF MARYSVILLE AGENDA BILL**

**EXECUTIVE SUMMARY FOR ACTION**

**CITY COUNCIL MEETING DATE: October 24, 2016**

<b>AGENDA ITEM:</b>	
Ordinance Amending Park Code	
<b>PREPARED BY:</b>	<b>DIRECTOR APPROVAL:</b>
Jim Ballew	
<b>DEPARTMENT:</b>	
Parks, Culture and Recreation	
<b>ATTACHMENTS:</b>	
Amending Ordinance	
<b>BUDGET CODE:</b>	<b>AMOUNT:</b>
<b>SUMMARY:</b>	

The definition of “park” in section 6.82.020 of the municipal code does not fully reflect the current character of parks in the city and section 6.82.070 prohibiting the discharge of weapons in parks contains language inconsistent with current intended park uses. Updating these provisions will enhance public safety and welfare and clarify the application of the park code.

This amendment has been discussed through the City’s Public Safety Committee and Parks and Recreation Advisory Board and approved for consideration by the City Council

**RECOMMENDED ACTION:**

Staff recommends the City Council consider approval of the amending Ordinance to further define “Parks” in our community and authorize the Mayor to sign the amending Ordinance.

CITY OF MARYSVILLE  
Marysville, Washington

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MARYSVILLE, WASHINGTON, AMENDING THE PARK CODE, CHAPTER 6.82 OF THE MUNICIPAL CODE, UPDATING THE DEFINITION OF "PARK" AND UPDATING LANGUAGE REGARDING THE DISCHARGE OF WEAPONS IN PARKS.**

WHEREAS, the definition of "park" in section 6.82.020 of the municipal code does not fully reflect the current character of parks in the city; and

WHEREAS, section 6.82.070 prohibiting the discharge of weapons in parks contains language inconsistent with current intended park uses; and

WHEREAS, updating these provisions will enhance public safety and welfare and clarify the application of the park code.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MARYSVILLE, WASHINGTON, DO ORDAIN AS FOLLOWS:

SECTION 1. Amendment of Municipal Code. The municipal code is amended as set forth in Exhibit "A".

SECTION 2. Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this ordinance.

SECTION 3. Effective Date. This ordinance shall become effective five days after the date of its publication by summary.

PASSED by the City Council and APPROVED by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

CITY OF MARYSVILLE

By \_\_\_\_\_  
JON NEHRING, MAYOR

Attest:

By \_\_\_\_\_  
APRIL O'BRIEN, DEPUTY CITY CLERK

Approved as to form:

By \_\_\_\_\_  
JON WALKER, CITY ATTORNEY

Date of publication: \_\_\_\_\_

Effective Date (5 days after publication): \_\_\_\_\_

## EXHIBIT "A"

### 6.82.020 Definitions.

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The terms herein used, unless clearly contrary to or inconsistent with the context in which used, shall be construed as follows:

- (1) "Park board" means the members of the parks and recreation board of the city.
- (2) "Park" means and includes all city parks, public squares, park drives, parkways, boulevards, docks, piers, boat launches, moorage buoys and floats, golf course, park museums, zoos, ~~bathing~~-beaches, trails, open space, and play and recreation grounds ~~under the jurisdiction of the park board owned by the city and intended for use by the public for recreational or cultural purposes~~.
- (3) "Director" means the director of the city of Marysville parks and recreation department or his/her designee.
- (4) "Department" means the city of Marysville parks and recreation department.

### 6.82.070 Weapons.

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It is unlawful to shoot or fire any firearm, air gun, bows and arrows, B.B. gun or use any slingshot in any park; provided, this section shall not apply to law enforcement personnel or to department of parks and recreation employees acting pursuant to and in accordance with rules and regulations of the director; and provided further, that this section shall not apply to participants in a parks and recreation program which, as a component of the program, includes the use of such weapons; ~~and provided further, that this section shall not apply to hunters accessing areas designated for purposes of hunting in accordance with Washington State Department of Fish and Wildlife regulations.~~