

Key Peninsula Metropolitan Park District
Db a Key Pen Parks



Resolution No R2021-04

A RESOLUTION OF THE BOARD OF PARK COMMISSIONERS OF THE KEY PENINSULA METROPOLITAN PARK DISTRICT ADOPTING PARK POLICY GUIDELINES WITH RULES FOR PARK FACILITIES OWNED AND OPERATED BY THE DISTRICT

WHEREAS the Park District owns, operates, and maintains a system of public parks; and

WHEREAS the District seeks consistent rules and regulations within the properties and facilities owned and operated by the District.

NOW THEREFORE, BE IT RESOLVED by the Board of Park Commissioners of Key Pen Parks adopts the attached Park Policy Guidelines (Attachment "A") and authorizes the Executive Director (or designee) to create and maintain policies and procedures to operate the Park System in accordance with these guidelines.

PASSED AND ADOPTED by Board of Park Commissioners of Key Pen Parks at a Regular Meeting held via Zoom due to the Covid-19 public health restrictions held this 14th day of June 2021.

Attest:

Key Pen Parks
Board of Park Commissioners
Pierce County, Washington

Edward Robison, President

Shawn Jensen, Vice-President

Kip Clinton, Clerk

Mark Michel, Member-at-Large

Linda Parry, Member-at-Large

Attachment "A"

Definitions

The terms used in Resolution 2021-04, unless clearly contrary to or inconsistent with the context in which used, shall be:

- "Aircraft" means any contrivance now known, or hereafter invented, used or designed for navigation of or flight in the air.
- "Animal" means any nonhuman mammal, bird, reptile, fish or amphibian.
- "Camp" means erecting a tent or shelter or arranging bedding or both, for the purpose of, or in such a way that permits remaining overnight, or parking a trailer, camper, or other vehicle for the purpose of remaining overnight.
- "District" means the Key Peninsula Metropolitan Park District (Key Pen Parks)
- "Director" means the Executive Director of Key Pen Parks or designee.
- "Facilities" means any equipment, building, structure, roadway, trail, path, or area operated by Key Pen Parks.
- "Fee" means the currently adopted fee schedule for use of or by Key Pen Parks
- "Park" means and includes all parks, meridians, trails, linear corridors, parkways, boulevards, beaches, playfields, and recreation areas and facilities comprising the parks and recreation system of Key Pen Parks and under the management and control of the District.
- "Permit" means any and all permits, licenses, or approvals required by federal or state law, or required by Key Pen Parks.
- "Person" means all natural persons, firms, partnerships, entities, corporations, clubs and all associations or combination of persons whenever acting for themselves or through an agent, servant or employee.
- "Sheriff" means and includes the Pierce County Sheriff and deputies and all members of the law enforcement agencies within Pierce County.
- "Trail" means:
 - Any way identified as a "trail" or "path" at paved or graded prepared entrance points; or
 - Any way that is not marked parking area or highway as defined in Title 46 RCW; or
 - Any way not of sufficient width or grading to permit its safe use by standard passenger automobiles moving in both directions simultaneously along its entire length.
- "Vehicle" means any self-propelled device capable of being moved, and in, upon, or by which any person or property may be transported or drawn and shall include, but not be limited to, automobiles, trucks, motorcycles, motorscooters, All Terrain Vehicles, go-carts, jeeps or similar type four-wheel drive vehicles and snowmobiles, whether or not they can be legally operated upon the public highways.

Permits Required for Certain Activities

It shall be prohibited in any park, without first securing a permit from the Director or designee, for any person to:

- Use a public address system or other sound amplifying device;

- Use, place or erect any signboard, sign, billboard, bulletin board, post, pole or device of any kind for advertising in any park or to attach any notice, bill, poster, sign, wire, rod or card to any tree, shrub, railing, post or structure, or erect a structure of any kind;
- Sell refreshments or merchandise or engage in any business or occupation;
- Use any park facility for the purpose of having any watercraft for hire;
- Take up collections or to act as or apply the vocation of a solicitor, agent, peddler, beggar, strolling musician, exhorter, barker or showman within a park;
- Hold any organized runs, walks, races, trials, or competitions;
- Hold any shows, festivals, fund raisers, carnivals, parades, or similar activities;
- Fly aircraft, model rockets, hot air balloons, other than in designated areas;
- Parachute;
- Hang glide;
- Para-sail;
- Moor watercraft, other than in designated areas;
- Engage in paint balling or survival games;
- Participate in archery; or
- Engage in disaster drills; or
- Operate a motorized foot scooter, or any other motorized vehicle other than in designated areas except for approved maintenance purposes and emergency vehicles.

If the Director or designee finds that the safety, comfort, and convenience of the public in the use of the parks, or in the use of the area adjacent to the park, would be unduly disturbed, the Director or designee may deny the application, impose restrictions upon the permit or issue a permit for a different date, time, park, or park area to alleviate such disturbance.

The Director or designee may issue a permit for use of the park during hours when the park is closed.

Permit Administration and General Requirements.

- Any person who has obtained a permit from the Director or designee must produce and exhibit such permit upon request.
- No person under the age of 21 may sign for a reservation or obtain a permit.
- The Director or designee reserves the right to cancel a permittee's activity.
- All permittees must leave the facility in a condition considered satisfactory to the Director or designee. No group shall conduct activities causing extra custodial work unless previous agreement has been made to pay for such work.
- At all assemblies of minors under 18 years of age, responsible adults must be present throughout the entire function.
- A person using facilities by reservation or agreement may be required to protect and save Key Pen Parks, 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 due to 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 their agents, employees, or representatives. Users

of any and all park facilities or areas do so at their own risk. Key Pen Parks assumes no liability or responsibility due to accidents or injury through authorized or unauthorized use of District facilities.

Prohibited Activities.

It is unlawful for any person to:

- Cut, remove, damage, destroy, mutilate, mark, or deface any turf, tree, plant, shrub, flower, structure, monument, statue, vase, fountain, wall, fence, railing, vehicle, bench, utility system, irrigation system, facilities, or other property in any park;
- Leave, deposit, drop or scatter bottles, broken glass, ashes, wastepaper, cans or other rubbish in a park except in a garbage can or other receptacle designated for such purposes;
- Deposit any household or commercial garbage, refuse, waste or rubbish which is brought from any private property in any garbage can or other receptacle designated for such purpose located within a park;
- Drain or dump refuse or waste from any trailer, camper or vehicle;
- Pollute or in any way contaminate by dumping or otherwise depositing therein any waste or refuse of any nature, kind or description including human waste or bodily waste in any stream, river, lake or other body of water running in, through or adjacent to any park;
- Clean or wash any vehicle in any park;
- Possess, discharge, set off or cause to be discharged in or into any park, any firecracker, torpedo, rocket, firework, explosive or other substance harmful to the life or safety of persons or property. Legal fireworks as part of a permitted function which are licensed and in compliance with State regulations may be discharged in a manner meeting all safety requirements if authorized by the Director or designee and if handled by a licensed professional;
- Discharge across, in or into any park a firearm, air or gas weapon, or any device capable of injuring or killing any person or animal or damaging or destroying any public or private property;
- Annoy, bother, molest, insult or offer an affront to any other person within a park;
- Practice or play golf, baseball, cricket, lacrosse, polo, archery, hockey, tennis or other games of like character or to hurl or propel any missile except at places set apart for such purposes by the Director or designee;
- Possess, display or open and/or consume alcoholic beverages in a park, except that such beverages may be opened, served and consumed at designated locations within the Key Pen Parks system by persons who have obtained all requisite permits including, but not limited to, the Washington State Liquor Control Board Banquet Permit and with the written permission of the Executive Director or designee;
- Smoke, including tobacco, vape fluid, marijuana or any similar substance in any park.
- Interfere with any park personnel in the exercise of his or her official duties;
- Have open fires, portable units using flammable material, barbeques, or grills, except in designated park areas, or unless approved by the Director or designee;
- Blow, spread, or place any nasal or other bodily discharge, or spit, urinate, or defecate on the floors, walls, partitions, furniture, fittings, or any portion of any park or facility, except directly into the particular fixtures provided for that purpose;

- Make any public disturbance noise, or public nuisance noise unless such noise is necessary to a permitted activity or function;
- Use an e-bike classified as 2 and 3 unless posted otherwise.

Animals

- Pets and domesticated animals such as dogs, cats and horses are permitted in any Key Pen Parks park and must be kept on a leash no longer than 8' (eight feet), and under control at all times.
- It is unlawful for a person to fail to have in his/her possession the equipment necessary to remove his/her animal's fecal matter, when accompanied by an animal in any park.
- Any person with an animal in his or her possession or control in any park shall be responsible for the conduct of the animal and for removing from the park grounds feces deposited by such animal.
- Horse feces must be removed from parking lots and trail head areas. It is not necessary for horse riders to carry a manure and bedding fork or similar item while riding on trails, however manure should be removed from trails when practical. Manure should be near the edge of the trail or just off the edge of the trail.
- Animals are not permitted on any designated swimming beach in any park, on the Splash Pad area, or in any sports field area, or in any public building unless authorized by the Director or designee; provided, that this policy shall not apply to guide or Service dogs.
- No person shall allow an animal in his or her possession or control to bite or in any way molest or unreasonably annoy other park visitors. The owner or other person having control of any dog or other animal that bites or causes injury to a human or domestic animal which is acting in a lawful manner is in violation of Pierce County Code 6.03.070.
- No person shall allow an animal in his or her possession or control to bark continuously or otherwise unreasonably disturb the peace or tranquility of the park.
- Horses shall be permitted in any park where suitable trails exist for riding. Horses shall not be permitted on any designated swimming area, campground, picnic area, or sports field. This regulation may be waived by the Director or designee for special events conducted by organized groups.
- No person shall ride any horse or other animal in such a manner that might endanger life or limb of any person or animal, and no person shall allow a horse or other animal to stand unattended or insecurely tied.
- No person shall in any manner tease, annoy, disturb, molest, catch, injure or kill, or throw any stone or missile of any kind at or strike with any stick or weapon any animal, bird or fowl; or catch any fish or feed any fowl or animal except at places and times designated for such purposes by the Director or designee and so posted by signs. No person shall give, offer or attempt to give to any animal or bird within the park any tobacco, drink or other article known to be noxious to animals or birds.
- Owners of dogs, horses or other animals that damage or destroy park property will be held liable for the full value of the property damaged or destroyed in addition to impounding fees and the penalty imposed for violation of these provisions.
- All laws, rules and regulations of the State of Washington relating to season limits and methods of fishing are applicable to fishing or gamefish in all Key Pen Parks' parks. 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.

- All laws, rules and regulations of the State of Washington relating to season limits and methods of taking are applicable to the taking of shellfish or food fish in parks except that in addition to such laws, the Director or designee may, upon finding good cause, close certain park areas for specific periods of time to the taking of shell fish. Such closed areas shall be posted with appropriate signs.

Camping Areas

- No person shall camp in any park excluding Maple Hollow, except with written permission of the Director or designee.
- Camping in Maple Hollow is limited to the 2 designated camp sites, accessible by water only.
- Fees for the use of camp or trailer sites are due and payable as part of an event or other written agreement. The daily fee covers use of facilities until the vacating time of 3 p.m. of the following day.
- Occupants shall vacate camping facilities by removing their personal property therefrom prior to 3 p.m. if the applicable use fee has not been paid or if time limit for occupancy of the campsite has expired. The occupants may, however, remain in other areas of the park for purposes other than camping until normal closing time of the park. Failure to vacate upon expiration of the time limit for occupancy shall subject the occupant to the payment of additional use fees.

Parking

- It is unlawful to park any vehicle, trailer, camper, or watercraft trailer in any area of a park not designated for parking, or in violation of signs or pavement markings, or where prohibited by signs or pavement markings, except with the permission of the Director or designee.
- No person shall park, leave standing or abandon a vehicle, trailer, camper, or watercraft trailer in any park after closing time except when camping in a designated area or with permission from the Director or designee.
- Any vehicle, trailer, camper, or watercraft trailer found parked in violation may be cited and/or towed away at the owner's or operator's expense.

Speed

- No person shall drive a vehicle within any park at a speed greater than 10 mph unless otherwise posted, having due regard for the traffic and the surface and width of the travel way, and in no event at a speed which endangers the safety of persons, property or wildlife.
- It is unlawful to enter or leave a park by other than established entrances and exits.
- The washing and servicing of vehicles within a park is prohibited, including oil changes, other than emergency repairs.
- It is unlawful to engage in, conduct, or hold any trials or competitions for speed, endurance, or hill climbing involving any vehicle.

- All vehicle regulations contained in the Pierce County Code or the Revised Code of Washington shall apply to all roads, highways, parking lots, or parking areas within Key Pen Parks.

Aircraft within Designated Areas

- All persons flying model aircraft shall abide by the official American Model Academy (AMA) safety code.
- All persons flying drones shall abide by Federal Aviation Administration (FAA) regulations.
- No person shall fly or land hot air balloons in any Key Pen Parks' park unless authorized to do so by the Director or designee.

Park Hours

- All parks are open from 7:00 AM Pacific Time to legal sunset.
- Except in the case of prearranged, special group activities or regularly established concessions authorized by the Director or designee, no person shall remain in or enter a Key Pen Parks' park after posted park hours.
- In other areas, no person shall be present nor shall vehicles be allowed to remain parked in park facilities after legal sunset without written permission from the Director or designee.

Any person failing to comply with any provision of these regulations, any applicable Pierce County Code or the Revised Code of Washington while in a Key Pen Parks' park, shall be subject to immediate ejection from the Key Pen Parks' park area. The Director or designee and the Pierce County Sheriff's Department are authorized and directed to enforce the provisions of this resolution.