

TOWN OF EATONVILLE

Agenda Staff Report

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| Agenda Item No.: | _____ | Meeting Date: | <u>November 10, 2014</u> |
| Subject: | <u>Ordinance No. 2014-16 Amending EMC</u> | Prepared by: | <u>Gregory A. Jacoby</u> |
| | <u>12.20.010 to Expand the Definition of</u> | | <u>Town Attorney</u> |
| | <u>"Park" to Include Trails</u> | Atty Routing No: | _____ |
| | _____ | Atty Review Date: | <u>November 6, 2014</u> |

Summary: For several years, the Town of Eatonville has been working on a non-motorized trail system throughout the Town with regional connections to nearby attractions and points of interest. It has come to staff's attention that the definition of "Park" in the Eatonville Municipal Code does not include trails. By including trails in the definition of "Park," all of the rules and restrictions relating to parks set forth in Chapter 12.20 EMC (such as closing hours, no fireworks or firearms, no liquor, etc.) would also apply to trails.

Recommendation: Staff recommends adoption of Ordinance No. 2014-16

Motion for consideration: I move to adopt Ordinance No. 2014-16 amending Eatonville Municipal Code by expanding the definition of "Park" set forth in Section 12.20.010 to include trails.

Fiscal Impact: None.

Attachments: Ordinance No. 2014-16

ORDINANCE NO. 2014-16

**AN ORDINANCE OF THE TOWN OF EATONVILLE, WASHINGTON,
AMENDING EATONVILLE MUNICIPAL CODE TO EXPAND THE
DEFINITION OF "PARK" SET FORTH IN SECTION 12.20.010 TO
INCLUDE TRAILS**

WHEREAS, for several years the Town of Eatonville has been working on a non-motorized trail system throughout the Town with regional connections to nearby attractions and points of interest; and

WHEREAS, the Town staff has recommended that the definition of "Park" set forth in Eatonville Municipal Code 12.20.010 be expanded to include "trails;" now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF EATONVILLE AS FOLLOWS:

Section 1. Eatonville Municipal Code Section 12.20.010 is hereby amended to read:

12.20.010 Definitions.

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

"Off-leash area" means an area where licensed dogs excluding dangerous dogs as listed in EMC 6.30.240 may be allowed to be accompanied by their owner in town parks without being tethered to a leash.

"On-leash area" means an area of town parks where all pets must be kept on a leash no longer than eight feet in length at all times.

"Park" means and includes all parks, squares, drives, parkways, boulevards, rivers, playgrounds, trails, and recreation areas of the town. The term also includes any area, indoor or outdoor, within a park.

"Person" shall have the same meaning as RCW 1.16.080. Whenever consistent with the context of this chapter, words in the present, past or future tenses shall be construed to be interchangeable with each other; and words in the singular number shall be construed to include the plural.

Section 2. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or

otherwise invalid for any reason, or should any portion of this Ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 3. This ordinance shall take effect after publication of a summary, consisting of the title, pursuant to RCW 35.27.300.

1ST READING: 11/10/2014
2ND READING: / /2014

PASSED by the Town Council of the Town of Eatonville and attested by the Clerk in authentication of such passage this ____ day of November 2014.

Mike Schaub
Mayor

ATTEST:

Kathy Linnemeyer
Town Clerk

APPROVED AS TO FORM:

Gregory A. Jacoby
Town Attorney