



CITY OF KIRKLAND

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MEMORANDUM

To: Dave Ramsay, City Manager

From: Jennifer Schroder, Director
Michael Cogle, Park Planning Manager

Date: April 8, 2009

Subject: Proposed Ordinance Restricting Access by Boats and Swimmers to Juanita Bay Park Wildlife Habitat Area

RECOMMENDATION:

The Park Board recommends that the City Council adopt the attached ordinance relating to watercraft violating the "No Boats" restricted area at Juanita Bay Park.

BACKGROUND DISCUSSION:

The Parks and Community Services Department has been working with the King County Marine Patrol, the Kirkland Police Department and the City Attorney's Office to address the ongoing problem of occasional watercraft entering Juanita Bay between the "No Boats" buoy line at Juanita Bay Park and the shoreline.

Proposed Section 14.16.050 to the Kirkland Municipal Code has been created to supplement the City's existing regulations for better protection of the Juanita Bay Park wildlife habitat areas. It is intended that the new ordinance be referenced in education letters sent to owners of boats observed beyond the buoy line by our volunteer Juanita Bay Park Rangers. It will also give the King County Marine Patrol the authority to issue warnings or misdemeanor citations to boaters when they are able to respond to incidents.

Attachment

ORDINANCE NO. 4192

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO RESTRICTING ACCESS BY BOATS AND SWIMMERS TO THE JUANITA BAY WILDLIFE HABITAT AREA.

The City Council of the City of Kirkland do ordain as follows:

Section 1. A new Section 14.16.050 of the Kirkland Municipal Code is hereby adopted to read as follows:

14.16.050 Juanita Bay Park Wildlife Habitat Area

The waters that comprise Juanita Bay Park and the waters adjacent to Juanita Bay Park are a wildlife habitat area. The boundaries of Juanita Bay Park Wildlife Habitat Area shall be marked by warning signs posted on buoys that restrict access to the area. Any person entering the Juanita Bay Park Wildlife Habitat Area, whether by boat (whether motorized or non-motorized), personal watercraft, raft, floatation device or swimming, shall be guilty of a misdemeanor; provided that City employees and volunteers may, with the authorization of the Parks Director, to enter the Wildlife Habitat Area for maintenance, inspection of habitat and similar purposes.

Section 2. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance, or the application of the provision to other persons or circumstances is not affected.

Section 3. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication, as required by law.

Passed by majority vote of the Kirkland City Council in open meeting this ____ day of _____, 2009.

Signed in authentication thereof this ____ day of _____, 2009.

MAYOR

Attest:

City Clerk

Approved as to Form:

City Attorney