



**CITY OF KIRKLAND**  
Department of Parks & Community Services  
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## MEMORANDUM

**To:** Dave Ramsay, City Manager

**From:** Eric Olsen, Police Chief  
Jennifer Schroder, Director, Parks & Community Services

**Date:** June 4, 2009

**Subject:** Limited Commission / Off-Leash Enforcement

### **Recommendation**

City Council adopt Ordinance No. 4195, amending Kirkland Municipal Code 3.16.020. This amendment allows the Director of the Police Department to issue limited commissions to persons outside the police department for the purpose of allowing enforcement capabilities to areas such as animal control and parks.

### **Background**

On June 21, 2005 City Council authorized the City Manager to execute an agreement with King County Animal Control (KCAC) to provide an enhanced off-leash enforcement program. Over the past 4 years the City has entered into contracts with King County for animal enforcement services. The contract value has remained the same however, due to the increased expense from King County, the amount of hours provided for this contract have decreased. For example, in 2005, the City's investment with King County gave us over 300 hours of service. Currently, for the 2009 contract, this same investment will provide us only 164 hours of service.

This program has been instrumental in helping us educate and enforce our leash law. Progress has been made over the past four years. However, with diminished service levels, and lack of consistency and continuity of this program, there have been more citizen concerns in regards to public safety in our parks. In an effort to make our investment in the off-leash program as efficient and effective as possible, establishing a limited commission would allow us to leverage our existing resources to provide a higher service level.

This ordinance will allow the Director of the Police Department to issue a limited commission to persons outside the police department to have limited enforcement capabilities in areas such as, but not limited to, parking, parks, and animal control. These limited commissions will specifically state the areas for which the holder may issue citations for civil infractions. The limited commission may be revoked at any time by the Director of the Police Department.

Specifically, this ordinance will allow the City to hire a non-commissioned animal enforcement employee directly, without paying large administrative overhead costs to King County. This will increase the service level for off leash enforcement within our current budget.

ORDINANCE NO. 4195

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO THE GRANT OF AUTHORITY TO THE DIRECTOR OF THE POLICE DEPARTMENT TO ISSUE LIMITED COMMISSIONS TO THOSE OUTSIDE THE DEPARTMENT TO ISSUE CIVIL INFRACTION CITATIONS TO THOSE VIOLATING CERTAIN PROVISIONS OF THE KIRKLAND MUNICIPAL CODE.

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

Section 1. Section 3.16.020 of the Kirkland Municipal Code is hereby amended to read as follows:

**3.16.020 Police department and issuance of limited commissions.**

(a) In addition to the foregoing, there shall be a police department which shall have all of the duties designated and devolved upon such departments by state law generally, and specifically as to cities organized or chartered under either RCW Title 35 or 35A.

(b) The director of the police department may issue a limited commission to persons outside the police department who have a need to have limited enforcement capabilities such as, but not limited to, animal control, parking and parks. These limited commissions will specifically state the ordinances for which the holder may issue citations for civil infractions. The director will develop standards for the selection and training of those being granted a limited commission, which will be consistently applied. The limited commission may be revoked at any time by the director of the police department.

Section 3. 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 4. 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