



CITY OF KIRKLAND

City Attorney's Office

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MEMORANDUM

To: David Ramsay, City Manager

From: Oskar Rey, Assistant City Attorney

Date: August 3, 2009

Subject: Amending the Title of KMC 11.80.100 Regarding Business Activities in Parks

RECOMMENDATION:

Staff recommends that the Council adopt the attached Ordinance amending the title of Kirkland Municipal Code ("KMC") Section 11.80.100 regarding business activities in City parks.

BACKGROUND:

At its July 7, 2009 meeting, the Council adopted Ordinance 4197, which amended KMC 11.80.100 relating to business activities in parks. In the course of its deliberations, the Council noted that the title of KMC 11.80.100 had not been amended to reflect the changes to the text of that regulation. The attached ordinance would change the title of KMC 11.80.100 from "Selling refreshments and merchandise" to "Business activities in parks."

ORDINANCE 4203

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO BUSINESS ACTIVITY IN CITY PARKS AND AMENDING THE TITLE OF KIRKLAND MUNICIPAL CODE SECTION 11.80.100.

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

Section 1. The Title of Kirkland Municipal Code Section 11.80.100 is hereby amended to read as follows:

11.80.100 ~~Selling refreshments or merchandise~~Business activity in parks.

It is unlawful to conduct any type of business activity in any park without first entering into a concession contract according to the rules and regulations of the park and recreation department therefor with the city. As used in this Section, "business activity" shall include, but not be limited to the following:

- (1) Sale of food, beverages or merchandise;
- (2) Providing classes or other forms of instruction for a fee or other valuable consideration; or
- (3) Use of park facilities for advertising any business, product or service.

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