



KIRKLAND PARK BOARD

March 25, 2026; 7:00 p.m.

Peter Kirk Room, Kirkland City Hall
123 5th Avenue Kirkland, WA 98033

Land Acknowledgement

We acknowledge that the Southern Salish Sea region lies on the unceded and ancestral land of the Coast Salish peoples, the Duwamish, Muckleshoot, Puyallup, Skykomish, Snoqualmie, Snohomish, Suquamish and Tulalip tribes and other tribes of the Puget Sound Salish people, and that present-day City of Kirkland is in the traditional heartland of the Lake People and the River People. We honor with gratitude the land itself, the First People – who have reserved treaty rights and continue to live here since time immemorial – and their ancestral heritage.

Mission Statement

The mission of the Park Board shall be to provide policy advice and assistance to the Department of Parks and Community Services and City Council in order to ensure the effective provision of Parks and Community Services programs and facilities to the residents of the City of Kirkland.

AGENDA

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **ITEMS FROM THE AUDIENCE**
4. **APPROVAL OF MINUTES**
 - a. February 25, 2026
5. **BUSINESS ITEMS**
 - a. Kirkland Municipal Code (KMC) Updates 30 minutes
 - b. Capital Improvement Program (CIP) Project Ranking 30 minutes
 - c. CIP Dashboard Overview 10 minutes
6. **COMMUNICATIONS**
 - a. Correspondence
 - b. Park Board Member Reports
 - c. Staff Updates and Information
 - d. Comments from the Chair
7. **FUTURE AGENDA REVIEW**
 - a. 2026 Agenda Overview
8. **ADJOURNMENT**

Next Park Board Meeting: April 22, 2026

Alternate Formats: Persons with disabilities may request materials in alternative formats. Persons with hearing impairments may access the Washington State Telecommunications Relay Service at 711.

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KIRKLAND PARK BOARD
Minutes of Regular Meeting
February 25, 2026

1. CALL TO ORDER

The February 25, 2026 Park Board regular meeting was called to order at 7:01 PM by Chair Jared Silvia.

2. ROLL CALL

Members Present: Board Member Amy Ambrosini, Board Member Berenice Bortoni, Board Member Denise Lindberg, Board Member Paul Stull, Vice-Chair Juliana Born, Chair Jared Silvia

Members Absent: Board member Anika Joshi, Board member Katherine Kearny

Staff Present: Parks Superintendent Jason Filan, Parks Planning & Development Manager Mariah Gill, Events & Services Manager Maryke Burgess, Interim Recreation Manager Jairid Hoehn, Interim Senior Management Analyst Juliana da Cruz, Administrative Assistant Emily Lima Welch

Recording Secretary: Administrative Assistant Emily Lima Welch

3. ITEMS FROM THE AUDIENCE

None.

4. APPROVAL OF MINUTES

The January 28, 2026 Park Board meeting minutes were presented to the Board. Chair Silvia noted a spelling correction on the word "Market" under item 6.b. Park Board Member Reports.

The Board approved the minutes and the correction by unanimous consent.

5. BUSINESS ITEMS

a. Green Loop Update

The Park Board received a presentation on the Green Loop from Parks Planning & Development Manager Mariah Gill.

At this time, the current project timeline is to review branding and wayfinding options with Park Board in April, provide a draft implementation plan to the Board and City Council in May, with a goal to publish the plan in Summer 2026. After this point, the long-term goal would be to review and update the Green Loop Plan every 5 years.

The Board and Staff discussed.

b. Capital Improvement Projects (CIP) Overview

The Park Board received a presentation on the Capital Improvement Projects (CIP) Overview from Parks Planning & Development Manager Gill.

Parks & Community Services department leadership will provide the Park Board with a list of 20 high-priority projects. Board Members will be asked to rank these projects individually in advance of the March session. At the March 25, 2026 Park Board session, Parks Planning & Development Manager Gill will lead the group in a discussion to attempt to determine a consensus on the top 10 highest priority projects.

The Board and Staff discussed.

PARK BOARD RECESSED AT 7:51 PM
PARK BOARD RECONVENED AT 7:56 PM

c. Kirkland Municipal Code (KMC) Update

The Park Board received a presentation on the proposed Kirkland Municipal Code (KMC) 11.80 'Park Rules' updates from Interim Senior Management Analyst Juliana da Cruz. From the presented changes, the Board focused on the motor vehicle regulations on trails, the rules prohibiting the disruption or harassment of park staff, and rules regarding smoking in parks.

Interim Senior Management Analyst da Cruz asked the Park Board to seek feedback from their communities on these topics. In March, the Park Board will be asked to provide feedback on the proposed KMC 'Park Rules' updates and a recommendation to City Council. This item is currently expected to be presented to City Council in April 2026.

d. Joint Session Debrief

The Park Board discussed the feedback and outcomes they noted from Joint Session with Council which took place on February 17, 2026¹.

The Board and Staff discussed, and agreed to revisit their Work Plan in order to incorporate Council feedback later in 2026.

6. COMMUNICATIONS

a. Correspondence

None

b. Parks & Community Services 2025 Quarter 4 Report

The Park Board received a copy of the department's Parks & Community Services 2025 Quarter 4 Report².

Staff answered questions from the Board.

b. Park Board Member Reports

Chair Silvia attended the Juanita Beach Dog Park Ribbon Cutting on Friday, February 20, 2026.

No further reports were presented.

c. Staff Updates and Information

Recreation Manager Maryke Burgess reported on the completion of the 2026 Spring/Summer Recreation Guide, which will be delivered to the community by March 13, 2026. Registration is coming up in March as well. Camps and non-aquatics program registration for residents open at 7:00 AM on Tuesday March 17th, Aquatics programs registration for residents opens

¹ https://kirkland.granicus.com/MinutesViewer.php?view_id=54&clip_id=5163&doc_id=5ad373c0-111b-11f1-bb28-005056a89546

² <https://www.kirklandwa.gov/files/sharedassets/public/v/1/parks-amp-comm-services/pcs-admin/reports-studies/pcs-2025-quarter-4-report-optimized.pdf>

Wednesday March 18th, and all registrations open to residents and non-residents on Thursday March 19th.

Interim Recreation Manager Jairid Hoehn reported on the upcoming events such as the Mermaid Ball for preschoolers on Friday, March 20 and the Summer Job Fair on Saturday, March 28, 2026. Interim Manager Hoehn also responded to a question from the Board confirming that tennis/swim camp would not be held this year due to the re-stripping of the Peter Kirk tennis courts into pickleball courts. In lieu of Tennis/Swim camp, the Recreation division has added several other contracted sport camps including Skyhawks Sports and ultimate Frisbee.

Parks Superintendent Jason Filan reported that the division is prepping for spring sports, pea patches, and restroom openings, all scheduled for the beginning of March.

No further reports were presented.

d. Comments from the Chair

No reports were presented.

7. FUTURE AGENDA REVIEW

The Board reviewed the tentative agendas for the remainder of 2026.

Administrative Assistant Emily Lima Welch agreed to make slight edits to the agenda for clarity, and send the agenda to the Board for further review.

8. ADJOURNMENT

Chair Silvia adjourned the meeting at 9:14 PM by unanimous consent.

Emily Lima Welch, Recording Secretary
Parks and Community Services

Jared Silvia, Chair
Park Board



MEMORANDUM

To: Park Board

From: Juliana da Cruz, Management Analyst

Date: March 12, 2026

Subject: Review draft update to KMC 11.80 Park Rules

RECOMMENDATION:

Staff recommend that the Board review and provide feedback on the update to KMC Chapter 11.80, Park Rules. Staff recommend that the Board consider recommending adoption of the code amendments of Chapter 11.80 Park Rules to City Council.

EXECUTIVE SUMMARY:

- Staff recommend that the Board review and provide feedback on the update to KMC Chapter 11.80, Park Rules and consider recommending adoption of the changes to City Council.
- Since the February Park Board meeting, staff have made the following adjustments to the draft code:
 - Added “service animals” and “duly authorized persons” as exceptions to 11.80.060 Pets in City Parks Facilities.
 - Added human feces as a prohibited form of refuse and litter in parks.
 - Clarified that “duly authorized persons” are exempt from Parks Hours.
- Staff request Park Board feedback on the proposed code changes, particularly:
 - Community feedback on Exclusion from Parks, Smoking in Parks, Trail Use, Interference with Lifeguard Duties, and Disruption and Harassment of Parks Employees.
 - Park Board review of Practicing and Playing Games, Motorized Vehicles, and Trail Use language.
 - Board or community recommendations regarding how best to educate the community about the updated Park rules.

BACKGROUND:

Chapter 11.80 of the Kirkland Municipal Code (KMC) outlines the park rules for the city of Kirkland. Chapter 11.80 was last significantly updated in 2011. Since 2011, Kirkland parks have grown, both in use and in the size of the system overall. With this increase in park attendance, violations of existing park rules have increased. Kirkland’s existing codified Park Rules are less comprehensive than other neighboring jurisdictions, and undesirable behavior not currently prohibited by the code has become apparent as the parks system has grown and adapted to community needs. For example, challenges at waterfront parks regarding intoxication, interference with lifeguards, and swimming

equipment are not currently addressed under Chapter 11.80. These challenges pose safety concerns for park users and staff.

The Parks and Community Services Director, subject to KMC 11.80.220, has the power to promulgate and adopt reasonable rules and regulations pertaining to parks. However, some violators have expressed skepticism regarding the legitimacy of these rules. The Park Rules have stronger perceived authority when cited in code.

In addition to emerging undesirable behaviors, violations of existing Park Rules continue. The most common park violations are marijuana use, alcohol use, dogs off leash, animal waste, litter, dumping, and moorage violations. These continued violations suggest that new mechanisms are needed for enforcement of Park Rules.

Education & Enforcement

The Parks and Community Services Department has prioritized proactive education to reduce violations of park rules. This includes seasonal and permanent signage and education through the Park Ranger program.



Kirkland Park Rangers

The Park Ranger program is an important component of education and enforcement of park rules. The City employs one full-time, year-round Park Ranger and several seasonal rangers in the peak-use summer months. It should be noted that the seasonal rangers have a strong focus on the waterfront parks. As an ambassador for Parks and Community Services and the City of Kirkland, the Park Ranger provides the following services:

- Provides information about available services, parks, and special events
- Enhances public safety and security in parks by monitoring high-use sites
- Responds to calls for service
- Educates, warns, enforces, and issues tickets for non-compliance with Park Rules
- Responds to emergency situations throughout the park system
- Conducts park walkthroughs and inspections for environmental dumping, defacement, encroachments, homeless encampments, areas showing signs of illicit behavior, or unsafe conditions
- Monitors Marina docks for moorage compliance and safety

The Park Ranger program relies primarily on education and voluntary compliance with park rules. The Park Ranger receives a limited commission from the Chief of Police granting them the authority to ticket violators for off-leash dogs and non-payment of moorage. In addition, the Park Ranger collaborates with the Kirkland Police Department for enforcement of other Park Rules.

Violators have questioned the authority of the Parks Ranger to enforce these issues and the consequences of these violations. As currently written, Chapter 11.80 does not clearly classify the violations of Park Rules as misdemeanors or civil infractions. When park guests decline to comply with Park Ranger instructions, Rangers have limited enforceable options. For example, a Park Ranger may attempt to cite a violator with an off-leash dog with a ticket. If the violator declines to identify themselves, the Park Ranger is unable to write the citation and hold the violator accountable to the rule. The Park Ranger does not have the authority to compel a violator to identify themselves. Kirkland Police Department has limited capacity to respond to civil infractions, meaning that many violations of Park Rules cannot be escalated and remain unenforced. This lack of enforcement has perpetuated repeat offenders of Park Rules.

These increasing challenges with violations and enforcement prompted an update to Chapter 11.80, Park Rules. A successful update to Chapter 11.80 will ensure that Kirkland parks are safe and welcoming, and that rules and consequences are clear.

The Process

Preliminary discussions regarding an update to Chapter 11.80 began in 2024 with Parks and Community Services, City Attorney's Office, Police, and Municipal Court. These discussions centered around enforcement alternatives to police intervention in civil violations of parks rules. Staff discussed a variety of enforcement options, including designating Park Rangers as limited commission officers. As a result of these discussions, staff identified designating Park Rangers as "enforcement officers" as the most practical and lawful solution to enforce civil infraction violations of park rules.

Throughout 2025, staff conducted benchmarking and research of other cities' enforcement processes and parks rules code. In addition, staff conducted interviews with Parks field staff to identify issues and gaps with the existing code. The resulting draft update to Chapter 11.80 was returned to staff for peer review and feedback. Throughout this process, the City Attorney's office provided critical feedback and review. Staff presented the draft update of Chapter 11.80 to the Park Board on March 25 for initial review and feedback.

DISCUSSION/ANALYSIS:

This update to Chapter 11.80 involves a broad re-organization of existing code language and the addition of new code sections. The effect of these changes strengthens enforcement authority for Park Rangers and clearly delineates when Kirkland Police Department involvement is required for enforcement.

Major Changes

Enforcement Officer designation

The updated draft code declares Park Rangers to be enforcement officers pursuant to Revised Code of Washington (RCW) 7.80.040. As defined in RCW 7.80.040, "enforcement officer" means a person authorized to enforce the provisions of the title or ordinance in which the civil infraction is established. By establishing Park Rangers as enforcement officers, the Park Code update grants Parks Rangers the authority to enforce civil infractions. Correspondingly, the code separates civil infractions and criminal violations of the code so that it is clear which violations can be enforced by the Park Ranger.

Civil Infractions & Misdemeanor Classifications

A primary goal of this code update is to clarify which violations are civil infractions and which are misdemeanors. A civil infraction is a violation of a law, ordinance, or regulation that is not considered a criminal offense. Civil infractions typically result in a fine rather than jail time.

A misdemeanor is a minor criminal offense. There are two categories of misdemeanors: simple misdemeanors and gross misdemeanors. A simple misdemeanor carries penalties of up to 90 days in jail and fines of up to \$1,000. A gross misdemeanor is a more serious offense. The misdemeanors described in Chapter 11.80 Article 4 are simple misdemeanors.

By segregating the code into civil infraction and misdemeanor sections, the Park Ranger has clear authority to enforce civil infractions. Kirkland Police are responsible for enforcing misdemeanors. Some categories of infractions vary by severity (e.g. littering), but generally the violations are classified accordingly:

Civil Infractions

- Business activity in parks
- Signs, posters, and notices
- Injury to park property
- Injury to park vegetation and trees
- Pets in parks facilities
- Horses and livestock
- Teasing, annoying, injuring animals
- Public disturbance noises in parks
- Watercraft
- Emergency aid by watercraft
- Motor vehicles
- Parking
- Trucks and Commercial vehicles
- Trail use
- Camping Prohibited
- Tents and structures in parks
- Practicing and playing games
- Refuse and litter (below threshold)
- Food waste, washing of clothing, animals
- Vehicle and Animal Races prohibited
- Ice

- Moorage
- False alarm of drowning
- Designated swimming areas
- Open water swimming
- Interfering with lifeguard duties
- Disruption and Harassment of Parks Employees
- Smoking in parks
- Remote controlled models, aircraft

Misdemeanors

- Parks hours
- Aiding and abetting violations
- Refuse and Litter (above threshold)
- Waste from vehicles
- Dumping in water
- False alarm of drowning resulting in emergency response
- Alcohol and marijuana prohibited
- Intoxication
- Possession and use of controlled substances
- Trespassing
- Firearms and explosives
- Building Fires
- Encroachment in parks

Exclusion from Parks

The updated draft code creates a process to temporarily exclude violators of Park Rules from parks. This process exists in several neighboring jurisdictions, including Bellevue, Seattle, Renton, Everett, and Spokane. The draft code allows an Enforcement Officer or police officer to deliver an exclusion notice to the offender to exclude from a City park or parks anyone who violates any Park Rule as set forth in KMC 11.80 or violates any provision of the Kirkland Municipal Code or Revised Code of Washington. The exclusion is effective even if the violator refuses to supply their identifying information. Failure to comply with an exclusion from park notice constitutes criminal trespass.

The duration of exclusion depends on the severity and recurrence of the violation. For first-time violations that are not a felony or weapon violation, a violator may be excluded for 7 days. For the second violation within 1 year, the offender may be excluded for 90 days. For the third violation within 1 year or a violation that is a felony or involves a weapon, the offender may be excluded for 1 year. Exclusions longer than 7 days are eligible for appeal through a hearing with the Parks and Community Services Director.

New Code Sections

The following topics are not previously discussed in the park rules. The proposed update includes new code sections including:

- *Civil Infractions:*
 - Injury to Park vegetation and trees
 - Horses and Livestock
 - Parking

- Trucks and Commercial Vehicles
- Trail Use
- Tents and structures in parks
- Food waste, washing of clothing, animals
- Ice
- Moorage
- False alarm of drowning
- Designated swimming areas
- Open water swimming
- Interfering with lifeguard duties
- Disruption and harassment of Parks Employees
- Smoking in Parks
- Remote controlled models, aircraft
- *Misdemeanors:*
 - Waste from Vehicles
 - Dumping in water
 - False Alarm of Drowning Resulting in Emergency Response
 - Intoxication
 - Possession and use of controlled substances
 - Trespassing
 - Encroachment

Injury to Park Vegetation and Trees

Currently, Chapter 11.80.050 prohibits destruction of party property, including any “shrub, tree, fern, plant, [or] flower.” The proposed Park Rules update includes a separate new section prohibiting destruction of park vegetation. The new section includes elaboration on pruning standards and clarifies that damage caused to park vegetation as a result of pruning to vegetation that overhangs a private property is prohibited.

It is a violation of this chapter for any person, except a duly authorized person, to remove, destroy, prune, deface, mutilate, smash, trample, burn, damage or attach any object to any shrub, tree, fern, plant, flower, or any other vegetation lawfully located within any park or in public right of ways adjacent to any park. Such violation may also constitute a misdemeanor, gross misdemeanor or felony under state law.

Vegetation in parks that overhang or obstruct private property may, subject to the conditions of this provision and, where applicable, chapter 95 KZC, be trimmed by the private property owner up to the boundary line, except where branches or are more than 1.5 inches in diameter; or where trimming or pruning results in the removal of more than 25% of the living vegetative matter; or where pruning destroys the structural integrity or cosmetic symmetry of the vegetation. Pruning shall conform to the most recent version of the ANSI A300 Pruning Standards. Private property owners are liable for compensating the City for damages when pruning or damage to vegetation results in injury or death of the vegetation.

Per KZC 95.20 a public tree pruning permit may be required to trim, modify, alter, or substantially prune street trees.

Horses and Livestock

The proposed update to Park Rules includes a prohibition of horses and other such livestock in park areas or trails, except where specifically authorized by the Parks Director:

Horses, goats, cows, and other such livestock are not permitted in any park area or trails except where specifically authorized by the Department Director or their designee.

Parking

The proposed update to Park Rules clarifies that use of park parking lots is limited to when the vehicle's operator is using the park for the designated recreational purpose. Vehicles cannot be left after park closing time unless authorized by the department. Violators of these rules are subject to towing.

No operator of any motor vehicle, trailer, camper, boat trailer, or other vehicle shall park such vehicle in any city park area, except where the operator is using the area for the designated recreational purpose and the vehicle is parked either in the designated parking area, or in another area with the permission of a department employee. This section shall not apply to emergency, maintenance, or city-authorized vehicles or devices.

No person shall park, leave standing, or abandon a vehicle in any park area after closing time except persons using park facilities as part of an event authorized by the department.

It is a violation of this chapter to park a motor vehicle in a designated handicapped parking space without the officially recognized symbol on the vehicle license plate or placard. All improperly parked vehicles are subject to being towed away at the owner's or operator's expense.

In addition to any penalty provided in this chapter, any vehicle found in violation of this section may be towed away at the owner's expense. This section shall not apply to maintenance and emergency vehicles or vehicles authorized by the department.

Trucks and Commercial Vehicles

The proposed update to Park Rules includes a prohibition on the use of park areas or park roads by commercial vehicles, except with the permission of the department:

No person shall cause a truck or other vehicle while being used for commercial purpose to enter upon, use, or traverse any portion of any city park area or any park road except with the express permission of a department employee; provided, that the provisions of this section shall not apply to city roads, county roads or state highways.

Trail Use

The proposed update to Park Rules includes clarifications about appropriate use of park trails. Trail use is limited to non-motorized use except for motorized mobility devices. Nonmotorized travel on trails must be at speeds that are reasonable, prudent, and controlled and shall not exceed 15 miles per hour:

A. No person shall travel on a trail at a speed greater than is reasonable and prudent under the conditions with regard to the actual and potential hazards then existing. In every event, speed shall be so controlled as may be necessary to avoid colliding with persons or property. No person shall travel at speeds in excess of 15 miles per hour on a City of Kirkland trail.

B. No person shall travel on a trail in a negligent manner.

C. For the purposes of this section “travel” shall be construed to include all forms of movement or transportation on a trail, including but not limited to foot, bicycle, skateboard, and roller skates.

D. Every person traveling on a trail shall obey the instructions of any official traffic control device applicable thereto placed in accordance with applicable laws unless otherwise directed by a police officer.

E. No person shall operate any motor vehicle as defined by WAC 352-20-005, including but not limited to, motorized foot scooter as defined by RCW 46.04.336, moped as defined by 46.04.304, and motorcycle as defined by 46.04.330 (collectively referred to as “motor vehicles”), in a city park, including on a trail, path, or sidewalk in any city park, unless it is a designated park trail and posted for such use.

F. Regional trails, local trail corridors, and paved pathways are open to all nonmotorized users unless otherwise designated and posted. Pedestrians and non-motorized bicyclists are permitted on all maintained soft surface trails unless otherwise posted and designated. Trail restrictions may be posted at park entrances, trailheads or, in some cases, on individual trails. Trail use designations will be based on the park master plan, resource conservation, trail user conflicts, maintenance issues, and safety hazards.

Tents and structures in parks

The proposed update to Park Rules includes a prohibition of temporary structures, such as tents, kiosks, or canopies, except for permitted events:

No person shall erect and use a temporary structure, such as a tent, canopy, table or kiosk, except for permitted events.

Food waste, washing of clothing, animals

The proposed update to Park Rules includes a prohibition on cleaning food, vehicles, clothing or animals in parks, except for cleaning fish in authorized fishing areas.

No person shall clean fish in Park areas except in fishing and shell fishing areas authorized by the director and subject to rules promulgated by Washington State Fish and Wildlife Commission. No person shall clean food, or wash any vehicles, clothing or other articles for personal or household use, or wash any dog or other animal.

Ice

The proposed update to Park Rules includes a prohibition on going out onto ice in park areas, unless in areas specifically designated for that purpose.

No person shall go out onto ice in any City of Kirkland park area, except in areas specifically designated for that purpose. This includes, but is not limited to, lakes, ponds, streams, rivers, and other bodies of water.

Moorage

Kirkland Municipal Code Chapter 14.36 governs City floats and moorage. Because docks and moorage opportunities exist within Kirkland park areas, a reference to Chapter 14.36 is now included in the proposed update to Park Rules:

No person shall moor, anchor or dock a boat or other object overnight in Kirkland in violation of KMC 14.36.

No person or persons shall moor, dock, or berth a boat or other watercraft, whether motorized or nonmotorized, to a log boom or float line which delineates a swimming area in a City of Kirkland park area. No person shall launch or load a boat or other watercraft, whether motorized or nonmotorized from a dock in a designated swimming area, except at such places as shall be set apart for such purposes by the director and so designated by signs.

False alarm of drowning

The proposed update to Park Rules includes a prohibition on issuing a false alarm of drowning:

Issuing a false alarm that someone is drowning is prohibited. No person shall intentionally give or transmit a false signal or false alarm of drowning in any manner.

Designated swimming areas

The proposed update to Park Rules includes rules for the use of designated swimming areas:

*Swimmers using City parks, beaches and water resources shall obey all posted beach rules and/or the instructions of lifeguards or other City employees. At City parks, beaches and associated marine areas, swimming shall be permitted only within designated swimming areas, except as noted in KMC **11.80.XXX** (Open Water Swimming).*

(1) Designated swimming areas shall be marked with buoys, log booms, or other markers clearly designating the boundaries of such areas.

(2) In designated swimming areas, recreational flotation devices are allowed only at the lifeguards' discretion. In designated swimming areas, the use or operation of nonmotorized watercraft, including but not limited to canoes, kayaks, paddle boats and row boats, is prohibited. Hard-bottomed flotation devices or watercraft are prohibited in designated swimming areas. Propulsion devices, such as paddles, are prohibited in designated swim areas.

(3) Swimmers must stay within designated swimming areas when using flotation devices, except where equipped with a lifejacket and propulsion device.

(4) Swimming or hiding under docks in designated swim areas is prohibited. No person shall jump or launch from a dock in the designated swim area in an unsafe manner, at the discretion of lifeguards on duty.

(5) No person shall swim, sunbathe, or scuba dive in any designated boat launching area, except for a duly authorized person.

Open water swimming

The proposed update to Park Rules includes a new section on permissible open water swimming away from designated swim areas:

Swimming is permitted within a distance of fifty (50) feet from the shore or a pier when wearing a high-visibility, brightly colored swim flotation buoy or tow float and brightly colored swim cap. Swimmers may pass through designed swim beaches if necessary but must swim 50 feet away from designated swim areas and boat launch areas.

Swimming beyond fifty (50) feet from the shore or pier is permitted when wearing a high-visibility, brightly colored swim flotation buoy or tow float and brightly colored swim cap and where swimmer is accompanied by a vessel and is within twenty-five feet of such vessel, and such vessel shall have onboard a personal flotation device for each occupant of said vessel and for each accompanied swimmer.

Interfering with lifeguard duties

The proposed update to Park Rules includes a new section prohibiting interference with lifeguard duties:

Activities that endanger other beach users and interfere or tend to interfere with and distract from or obstruct the performance of lifeguarding responsibilities are prohibited. When circumstances can safely permit games that are commonly played in the water, such games may be

conducted only with the consent of a lifeguard or other department employee.

Disruption and harassment of Parks Employees

The proposed update to Park Rules includes a prohibition on the disruption or harassment of Parks employees. Abusive or threatening language may constitute a criminal violation under the RCW.

It is a violation of this code to harass or use abusive or disruptive language or conduct when engaging with a lifeguard, park ranger, or other park employee.

Smoking in Parks Prohibited

The proposed update to Park Rules includes a prohibition of smoking, vaping, and tobacco use of any kind:

Smoking and tobacco use of any kind, including but not limited to the use of cigarettes, herbal cigarettes, marijuana, cigars, pipe tobacco, smokeless tobacco, and electronic or vaporized smoking devices, is prohibited in any city park area, trail, athletic field, or recreation facility.

The City of Kirkland is committed to maintaining safe, healthy, and welcoming parks spaces. City parks are intended for the healthy enjoyment of all, but exposure to second-hand smoke is harmful for everyone. Second-hand smoke has a disproportionate health impact on vulnerable populations including children and the elderly, and may cause health issues such as acute respiratory problems, asthma attacks, heart disease, and lung cancer¹. Currently, smoking is prohibited within 25 feet of Kirkland park playgrounds. However, adults and children enjoy all spaces within Kirkland parks, including spaces outside of playground zones. Smoke-free parks policies reduce public exposure to second-hand smoke.

Discouraging tobacco use in public spaces is an integral component in public health programs which can help to prevent youth from using tobacco products and supports adults' efforts to smoke less or stop altogether.² Additionally, prohibiting smoking in parks reduces litter. According to the Washington Department of Ecology, smoking litter has increased from 1.3 pounds of litter per acre per year in 1999 to 11.3 pounds of litter per acre per year in 2022 in state and county parks³. Cigarette butts can also leach cadmium, arsenic, and other contaminants which threaten the health of local watersheds and wildlife.

Many cities and counties throughout Washington have prohibited smoking in parks¹. The proposed update to Park Rules prohibits smoking and tobacco use of any kind, including but not limited to the use of cigarettes, herbal cigarettes, marijuana, cigars, pipe tobacco, smokeless tobacco, and electronic or vaporized smoking devices in any city park area, trail, athletic field, or recreation facility.

¹ <https://cdn.kingcounty.gov/-/media/king-county/depts/dph/documents/safety-injury-prevention/tobacco-vaping/tobacco-free-parks-toolkit.pdf>

² <https://pmc.ncbi.nlm.nih.gov/articles/PMC27448/>

³ <https://apps.ecology.wa.gov/publications/documents/2307038.pdf>

Remote controlled models, aircraft

The proposed update to Park Rules prohibits the use of motorized aircraft, watercraft, or drones, except with by permit.

It is a violation of this chapter for any person to operate any motorized model aircraft drones, rocket, watercraft, or vehicles in any City of Kirkland park area except by permit obtained through the department; provided that this section does not apply to operation of motorized remote-controlled models by public law enforcement or authorized parks personnel.

Waste from Vehicles

The proposed update to Park Rules prohibits dumping waste in any park area.

No person shall drain or dump any solid or liquid refuse or waste from any trailer, camper, automobile or other vehicle in any park area.

Dumping in water

The proposed update to Park Rules prohibits dumping waste in water.

No person shall pollute or in any way contaminate by dumping or otherwise depositing any waste or refuse of any nature, kind or description, including human and bodily waste, into or near any stream, river, lake or other body of water running in, though, or adjacent to any City of Kirkland park area.

False Alarm of Drowning Resulting in Emergency Response

The proposed update to Park Rules prohibits a false alarm of drowning, which is a civil infraction. A false signal of drowning that results in an emergency response is a misdemeanor, but may also constitute a gross misdemeanor or felony per RCW 9A.84.040. This distinction is important to ensure that the City can collect damages in addition to a fine for wrongful emergency response.

No person shall intentionally give or transmit a false signal or false alarm of drowning in any manner. False alarm of drowning that results in an emergency response may constitute a felony or gross misdemeanor per RCW 9A.84.040.

Intoxication

The proposed update to Park Rules prohibits being in any City park while intoxicated.

Being or remaining in, or loitering in any City park or recreation area, while in a state of intoxication is prohibited.

Possession and use of controlled substances

Possession and use of controlled substances is government by RCW Chapter 69.50 and is referenced in the update to the Park Rules.

Possession and use of controlled substances in City parks shall be governed by Chapter 69.50 RCW, as the same now exists or as hereafter amended or superseded.

Trespassing

The proposed update to Park Rules prohibits trespassing in any park. This new section is important for the enforcement of the proposed Exclusion from Parks code.

The provisions of this section do not apply to any duly authorized person. For all others, it shall constitute a criminal trespass in a city park if any person knowingly:

- (a) Enters or remains in a park from which he or she has been excluded during the period covered by an exclusion notice pursuant to 11.80.300;*
- (b) Enters, remains in, or is otherwise present within the premises of a park during hours which the park or portion of the park is not open to the public, unless the person is present within the park to participate in an activity either conducted by the parks and recreation department or conducted pursuant to the terms of a permit issued by the parks and recreation department; or*
- (c) Enters or remains in any area of a park which has been designated and posted by the City as a closed area, using such postings as “no admittance” or “closed to use” or “no trespassing.”*
- (d) It is not a defense to the crime of trespass in parks:
 - (i) That the underlying exclusion issued pursuant to this chapter is on appeal when the excluded person is apprehended, charged, or tried under this section; nor*
 - (ii) That the excluded person entered or remained in the park pursuant to a permit that was issued in the name of another person either before or after the date of the exclusion notice.**

Any person trespassing on city park property shall be subject to arrest and prosecution for criminal trespass under RCW 9A.52.080.

Encroachment

The proposed update to Park Rules prohibits encroachment on park lands.

No person shall make unauthorized use of public lands. Any encroachment on, to, under, or over, or modification of, City owned, managed, maintained or leased lands including park, natural area or open space property, public buildings or rights-of-way will be deemed trespassing regardless of when the property was initially encroached upon.

The City will provide the violator(s) of such encroachment with a Notice of Encroachment Violation (NEV), ordering them to remove any and all encroachments to the land, to restore the land to its original condition, and if necessary to provide maintenance for three (3) years following restoration at the expense of the violator(s). The NEV shall be deemed issued after it is deposited in the U.S. mail. The NEV shall provide a deadline for compliance.

If one fails to comply with the NEV, then the City shall have the right to remove the offending encroachment and recover the landscape to its original condition. The violator shall be responsible for the costs of encroachment removal, recovery, and three (3) years of maintenance following restoration.

Code Sections Moved and Updated

Permits

Currently, Chapter 11.80.180 requires permits for assemblies. The proposed Park Rules update strikes this section and creates a broader language that clarifies that organized or exclusive use of parks areas requires a permit. A comparison of the new language and previous 11.80.180 section is provided below. New language is underlined and removed language is struck.

Groups or individuals which desire to use City park facilities for organized activities or exclusive use must be granted a permit by the department. The department reserves the right to cancel a permittee's reservation for cause or if the department wishes to make use of the facility which, in the judgment of the department, supersedes the need of the permittee. ~~*It is unlawful for any person to hold, sponsor, or participate in any organized assembly without first giving to the director notice thereof and obtaining therefrom his written permit to do so. Such notice shall be given at least seventy-two hours prior to the date established for such assembly. Pursuant to Chapter 3.68 and Section 11.80.220, the director is hereby ordered to establish forthwith such rules and regulations pertaining to the issuance of assembly permits as shall permit the fullest peaceful utilization of the parks by all of the general public (including such persons attending such assemblies and such other persons utilizing the park, but not in attendance at such assembly) as shall be reasonably possible and consistent with the health, safety, and general welfare. In this connection, and in addition to the conduct requirements of this chapter, such rules and regulations may require the deposit of "cleanup" undertakings, the furnishing of waste and sanitary conveniences and effective plans for traffic and crowd control and management. Some uses of park facilities will require a Special Event Permit, as described in KMC 19.24.*~~

Business Activity in Parks

Currently, Chapter 11.80.100 prohibits business activities in parks. The proposed Park Rules update strikes this section and creates a broader language that clarifies that business activity in parks without a permit is prohibited. A comparison of the new language and previous 11.80.100 section is provided below. New language is underlined and removed language is struck.

It is unlawful a violation of this chapter to sell, attempt to sell, solicit or peddle in any park without first obtaining a written permit from the director or their designee pursuant to Section 11.80.XXX. ~~*It is unlawful a violation of this chapter 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 parks and community services department. 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, free or paid;
- (3) Use of park facilities for advertising any business, product or service; or
- (4) Use of park facilities to distribute or post any handbills, flyers, circulars, or signs.

This provision excludes Busking, which is addressed under KMC chapter 11.85.

Pets in Park Facilities

The proposed updates to Park Rules includes clarifications that dogs must:

- Be "under control" at all times (regardless of on- or off-leash)
- Be on leash no greater than 8 ft in length, except in dog parks or designated areas
- Not be disturbing bystanders or causing physical damage

In addition, pet handlers are responsible for the animal's conduct and any damage caused by the animal. The handler is responsible for removing the animal's feces from parks. A comparison of the new language and previous KMC 11.80.060 is provided below. New language is underlined and removed language is struck.

~~The provisions of Title 8 of the Kirkland Municipal Code shall apply in all parks. It is unlawful for any person to allow or permit any animal owned by him or within his possession or under his control to run at large in any park or enter any designated swimming area located therein. The director, acting pursuant to Section 11.80.220, may adopt rules prohibiting dogs or other types of domesticated animals from entering certain parks or certain portions of parks after consultation with the city council. Provided, dogs may be allowed off-leash in designated off-leash dog parks, or in specific portions of parks designated as off-leash, or in designated parks during park hours that have been specifically designated as off-leash hours, so long as the dog is under control of the owner or handler.~~

(a) Dogs, pets, or domestic animals are not permitted on any designated swimming beach, athletic field, playground, or in any City of Kirkland building, unless specifically permitted by posting of the department; provided, that this section shall not apply to service animals as defined by KMC 8.09.120(39) and animals used by public law enforcement, Fire Department personnel, or a duly authorized person.

(b) In permissible areas, dogs, pets, or other domestic animals must be kept on a leash, tether, or chain no greater than eight feet in length. Dogs, pets, or other domestic animals must be kept under control at all times. No pets shall

be allowed which are annoying bystanders or other animals or causing physical damage.

(c) The director, acting pursuant to Section 11.80.XXX (Adoption of Rules and Regulations by Director) may adopt rules prohibiting dogs, pets, or other types of domesticated animals from entering certain parks or certain portions of parks. Provided, dogs may be allowed off-leash in designated off-leash dog parks, or in specific portions of parks designated as off-leash areas, or in designated parks during certain limited hours that have been specifically designated by the department as off-leash hours, so long as the dog is under control of the owner or handler. When permissible, off-leash dogs must be within positive voice control of their owner or handler and must respond promptly to the commands of the owner or handler. At all times, the dog must be within 35 feet of their owner or handler.

(d) Any person whose dog, pet, or other domestic animal is in any City of Kirkland park area shall be responsible for the conduct of the animal and for removing feces deposited by such animal from the park area. Any person whose dog, pet or other domestic animal is in any City of Kirkland park area shall be held responsible for any damage caused by the animal to any park area.

Any violation of this provision can be prosecuted by the City pursuant to the fines and penalties in Title 8 of the KMC, chapter 1.12 of the KMC, and/or any other applicable laws, rules and regulations.

Teasing, Annoying, or Injuring Animals

Currently, Chapter 11.80.080 prohibits teasing, annoying, or injuring animals in parks. The proposed Park Rules update strikes this section and creates a broader language that clarifies that injuring or feeding wildlife is not permitted, except for authorized shell fishing and fishing activities. A comparison of the new language and previous 11.80.080 section is provided below. New language is underlined and removed language is struck.

It is ~~unlawful~~ a violation of this chapter for any person in any park, in any manner, to tease, annoy, disturb, molest, catch, injure or kill or to throw any stone or missile of any kind at or strike with any stick or weapon any animal, bird or fowl; except for licensed fishing and shell fishing in areas authorized by the director and subject to rules promulgated by Washington State Fish and Wildlife Commission; or except a duly authorized person ~~or to catch any fish or feed any fowl except at those places as may be so designated for the catching of fish or the feeding of fowl by the director.~~

It is a violation of this chapter for any person in any City of Kirkland park area to feed wildlife, except that this prohibition does not include licensed fishing or shell fishing activity in designated areas during designated times.

All laws, rules and regulations of the Washington Department of Fish and Wildlife relating to season, limits, and methods of fishing are applicable to fishing for game fish and shellfish in City of Kirkland park areas and associated marine areas, unless in an area which is posted with a sign prohibiting fishing.

Camping Prohibited

Currently, Chapter 11.80.140 prohibits any person to “camp out” in parks unless at places designated by the director. The proposed Park Rules update strikes this section and creates a broader language that clarifies that camping is prohibited in parks. A comparison of the new language and previous 11.80.140 section is provided below. New language is underlined and removed language is struck.

It is ~~unlawful~~ a violation of this chapter for any person to ~~“camp out”~~ camp at any park ~~except at places set aside for such purposes by the director and so designated by signs.~~ It is a violation of this chapter for any person to stay overnight in City parks or parking areas, whether inside or outside of a vehicle, except as allowed by KMC 11.80.XXX (Parks Hours section).

Practicing and Playing Games

Currently, Chapter 11.80.150 prohibits any person to practice or play games in parks except in places designated by the director. The proposed Park Rules update strikes this section and creates a broader language that clarifies the types of games that are prohibited outside of designated areas. The intent of this section is not to limit community free play in parks, but to limit activities with projectiles that could be dangerous in unsuitable parks. For example, golf would be a dangerous activity in Marina Park. A comparison of the new language and previous 11.80.150 section is provided below. New language is underlined and removed language is struck.

It is ~~unlawful~~ for a violation of this chapter for any person to practice or play golf, baseball, softball, cricket, lacrosse, polo, archery, hockey, tennis, ~~badminton~~ or other games of like character or to hurl or propel any missile except at places set apart and developed for such purposes by the department of parks and recreation and so designated by the director. Organized and exclusive use of parks spaces for these purposes may require a permit, pursuant to KMC 11.80.XXX (Permits section).

Minor Changes

Definitions

New definitions were added to the definitions portion currently defined by KMC 11.80.030:

- “Camp” or “camping” means to pitch, create, use, or occupy camp facilities for the purposes of habitation, living accommodation, or dwelling, as evidenced by the storage of personal belongings in “camp facilities” or the use of “camp paraphernalia.”
- “Camp paraphernalia” includes, but is not limited to, tarpaulins, cots, beds, sleeping bags, blankets, mattresses, hammocks, or non-city-designated cooking facilities and similar equipment.

- *“Camp facilities” include, but are not limited to, tents, huts, temporary shelters, or vehicles if said vehicle is being used as a temporary living quarters.*
- *“Duly authorized person” is a duly authorized department employee in the performance of their duties, or other person duly authorized pursuant to law.*

Depositing Refuse and Litter

Currently, depositing refuse and litter is governed by KMC 11.80.160. The proposed update to Park Rules strikes this section and proposes two new sections of code for refuse and litter. Depositing refuse and litter in volume less than or equal to one cubic foot is a civil infraction. Depositing refuse and litter in volume more than one cubic foot is a misdemeanor.

Parks Hours

Currently, KMC 11.80.250 states that parks are closed between ten p.m. or eleven p.m. and dawn. The proposed update to Park Rules changes opening times from “dawn” to “five a.m.”

Open Containers of Alcoholic beverages and Marijuana prohibited

Currently, KMC 11.80.210 states that open containers of alcoholic beverages or marijuana while in parks is prohibited. The proposed update to Park Rules does not change this prohibition, but changes the title of the chapter to “Alcohol and Marijuana Prohibited” for clarity.

Park Board Feedback

During the March 25, 2026 meeting, staff will review the proposed major changes to the KMC with Park Board. Staff are especially seeking feedback on the new code sections regarding Practicing and Playing Games in parks, Exclusion from Parks, Smoking in Parks, Trail Use, Interference with Lifeguard Duties, and Disruption and Harassment of Parks Employees. Staff request that Park Board identify any other proposed changes that are needed, concerning, or confusing. Staff also request Park Board recommendations on how to best educate the community about the update to and implementation of new park rules. At the March meeting, staff request that the Park Board consider recommending that the City Council adopt these code changes.

NEXT STEPS:

Staff will incorporate Park Board feedback into the drafted Park Rules code. Pending Park Board action, staff will bring the draft code updates to City Council for consideration.

ATTACHMENTS:

Attachment A – Draft Updates to KMC 11.80

DRAFT UPDATE:

**Chapter 11.80
PARK RULES**

Article 1— General

11.80.010 Title of chapter.

.....
This chapter may be cited as the park rules for the city of Kirkland.

11.80.020 Police power.

.....
This chapter is hereby declared to be an exercise of the police power of the city for the public peace, health, safety and welfare and its provisions are to be liberally construed.

11.80.XXX Enforcement Officer

.....
Pursuant to RCW 7.80.040, City of Kirkland Park Rangers shall be enforcement officers authorized to enforce the civil infractions established in this title. Park Rangers shall be designated by a City of Kirkland Park Ranger uniform.

11.80.XXX Failure to Comply with Enforcement Officer

.....
As set forth above at KMC 11.80.0XX, park rangers are enforcement officers and have authority to enforce the provisions of this code.

Pursuant to RCW 7.80.060, a person who is to receive a notice of civil infraction under RCW 7.80.050, based upon a violation of this code, is required to identify themselves to the enforcement officer by giving their name, address, and date of birth. Upon the request of the officer, the person shall produce reasonable identification, including a driver's license, identification card, or other personal form of identification.

11.80.030 Definitions.

.....
Wherever 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.

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

(1) "Director" means the director of the parks and community services recreation department of the city as established by Chapter 3.68 of this code.

(2) "Park" means and includes all city parks and all areas within the boundaries of a city park, including structures, regardless of whether the area is under the management and control of the parks and recreation—community services department. "Park" also includes open spaces, lakes, ponds, streams, and shorelines, and natural areas managed by the parks and community services department.

(3) "Park board" means the board of park commissioners as established and created by Chapter 3.36 of this code.

(4) "Under control" means the animal is either under competent voice control or competent signal control, or both, so as to be restrained from approaching or injuring any bystander or other animal and from causing or being the cause of personal or physical property damage ~~when off a leash.~~

~~(5) Wherever 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.~~
"Camp" or "camping" means to pitch, create, use, or occupy camp facilities for the purposes of habitation, living accommodation, or dwelling, as evidenced by the storage of personal belongings in "camp facilities" or the use of "camp paraphernalia."

(6) "Camp paraphernalia" includes, but is not limited to, tarpaulins, cots, beds, sleeping bags, blankets, mattresses, hammocks, or non-city-designated cooking facilities and similar equipment.

(7) "Camp facilities" include, but are not limited to, tents, huts, temporary shelters, or vehicles if said vehicle is being used as a temporary living quarters.

(8) "Duly authorized person" is a duly authorized department employee in the performance of their duties, or other person duly authorized pursuant to law.

TITLE: Article 2 – Administration

11.80.XX Adoption of rules and regulations by director

The director shall have the power, pursuant to Chapter 3.68 of this code, to promulgate and adopt reasonable rules and regulations pertaining to the operation, management and use of the parks, and shall post the same in conspicuous places in the parks. Such rules and regulations shall include a procedure for granting permits encompassing any particulars of this chapter. Such rules and regulations may include the establishment of hours during which any park or portion thereof, as designated by signs located within the designated portion, shall be closed to the general public; such closures may be for reasons of public safety, welfare and convenience, or for reasons of park maintenance. It

is unlawful for any person to violate or fail to comply with any park rule or regulation duly adopted and posted by the department.

11.80.XXX Permits

Groups or individuals which desire to use City park facilities for organized activities or exclusive use must be granted a permit by the department. The department reserves the right to cancel a permittee's reservation for cause or if the department wishes to make use of the facility which, in the judgment of the department, supersedes the need of the permittee.

Pursuant to Chapter 3.68 and Section 11.80.XX, the director is hereby ordered to establish forthwith such rules and regulations pertaining to the issuance of assembly permits as shall permit the fullest peaceful utilization of the parks by all of the general public (including such persons attending such assemblies and such other persons utilizing the park, but not in attendance at such assemblies) as shall be reasonably possible and consistent with the health, safety, and general welfare. In this connection, and in addition to the conduct requirements of this chapter, such rules and regulations may require the deposit of "cleanup" undertakings, the furnishing of waste and sanitary conveniences and effective plans for traffic and crowd control and management. Some uses of park facilities will require a Special Event Permit, as described in KMC 19.24

TITLE: Article 3 – Penalties- Civil Infractions

11.80.XXX Civil Infractions

Failure to perform any act required or the performance of any act prohibited by Article III of this chapter will be designated as a civil infraction.

Any person found to have committed a civil infraction shall be assessed a monetary penalty of one hundred fifty dollars per violation; provided, however, that the following escalating penalties shall apply to violations of this section:

- (1) A penalty of two hundred dollars for a second violation within the same calendar year as an initial violation; and
- (2) A penalty of two hundred fifty dollars for a third or subsequent violation within the same calendar year as an initial violation.

TITLE: Rules Governing Use of Facilities – Civil Infractions

11.80.XXX Business activity in parks.

It is a violation of this chapter to sell, attempt to sell, solicit or peddle in any park without first obtaining a written permit from the director or their designee pursuant to Section 11.80.XXX. It is a violation of this chapter 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 parks and community services department. 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, free or paid;
- (3) Use of park facilities for advertising any business, product or service;
or
- (4) Use of park facilities to distribute or post any handbills, flyers, circulars, or signs.

This provision excludes Busking, which is addressed under KMC chapter 11.85.

11.80.040 Signs, posters and notices.

- (a) ~~It is unlawful~~ a violation of this chapter for any person, except a duly authorized person, without prior written permission of the director or otherwise consistent with regulations established by the director consistent with this section, to attach any notice, bill, poster, sign, wire, rod or cord to any tree, shrub, railing, post or structure within any park.
- (b) ~~It is unlawful~~ a violation of this chapter for any person, except a duly authorized person, without prior written permission of the director or otherwise consistent with regulations established by the director consistent with this section, to use, place or erect any signboard, sign, billboard, bulletin board, post, pole, or device of any kind for advertising in any park, or to place or erect in any park a permanent or temporary structure of any kind.
- (c) Before granting any such permit or other permission under this section, the director shall establish general rules and regulations pertaining hereto, including provisions pertaining to removal, protection of the city park department and its employees, and protection of the interests of the general public. The director may generally authorize the erection of temporary directional signs or decorations on occasions of public celebration and picnics within the general rules and regulations without requiring specific permit for such temporary directional signs or decorations. The director may authorize youth sports leagues, in partnership with the city, to engage in a field banner promotion program, where the league solicits community partnerships in order to keep registration fees affordable and offset the costs of equipment and uniforms and provides the community partner the opportunity to advertise its name on a banner displayed at a city field.

11.80.050 Injury to park property ~~unlawful~~.

~~It is unlawful~~ a violation of this chapter for any person, except a duly authorized person, to remove, destroy, mutilate or deface any structure, or any part of any

structure, or any fixture therein, or attached thereto, or any monument, statue, vase, fountain, wall, fence, railing, vehicle, bench, ~~shrub, tree, fern, plant, flower,~~ lighting system or sprinkling system, or any other property lawfully located within any park. Such violation may also constitute a misdemeanor, gross misdemeanor or felony under state law.

11.80.0XX Injury to park vegetation and trees

It is a violation of this chapter for any person, except a duly authorized person, to remove, destroy, prune, deface, mutilate, smash, trample, burn, damage or attach any object to any shrub, tree, fern, plant, flower, or any other vegetation lawfully located within any park or in public right of ways adjacent to any park. Such violation may also constitute a misdemeanor, gross misdemeanor or felony under state law.

Vegetation in parks that overhang or obstruct private property may, subject to the conditions of this provision and, where applicable, chapter 95 KZC, be trimmed by the private property owner up to the boundary line, except where branches or are more than 1.5 inches in diameter; or where trimming or pruning results in the removal of more than 25% of the living vegetative matter; or where pruning destroys the structural integrity or cosmetic symmetry of the vegetation. Pruning shall conform to the most recent version of the ANSI A300 Pruning Standards. Private property owners are liable for compensating the City for damages when pruning or damage to vegetation results in injury or death of the vegetation.

Per KZC 95.20 a public tree pruning permit may be required to trim, modify, alter, or substantially prune street trees.

11.80.060 Animals at large prohibited – Exceptions – Off-leash parks. Pets in City Parks Facilities

~~The provisions of Title 8 of the Kirkland Municipal Code shall apply in all parks. It is unlawful for any person to allow or permit any animal owned by him or within his possession or under his control to run at large in any park or enter any designated swimming area located therein. The director, acting pursuant to Section 11.80.220, may adopt rules prohibiting dogs or other types of domesticated animals from entering certain parks or certain portions of parks after consultation with the city council. Provided, dogs may be allowed off-leash in designated off-leash dog parks, or in specific portions of parks designated as off-leash, or in designated parks during park hours that have been specifically designated as off-leash hours, so long as the dog is under control of the owner or handler.~~

(a) Dogs, pets, or domestic animals are not permitted on any designated swimming beach, athletic field, playground, or in any City of Kirkland building, unless specifically permitted by posting of the department; provided, that this section shall not apply to service animals as defined by KMC 8.09.120(39) and

animals used by public law enforcement, Fire Department personnel, or a duly authorized person.

(b) In permissible areas, dogs, pets, or other domestic animals must be kept on a leash, tether, or chain no greater than eight feet in length. Dogs, pets, or other domestic animals must be kept under control at all times. No pets shall be allowed which are annoying bystanders or other animals or causing physical damage.

(c) The director, acting pursuant to **Section 11.80.XXX** may adopt rules prohibiting dogs, pets, or other types of domesticated animals from entering certain parks or certain portions of parks. Provided, dogs may be allowed off-leash in designated off-leash dog parks, or in specific portions of parks designated as off-leash areas, or in designated parks during certain limited hours that have been specifically designated by the department as off-leash hours, so long as the dog is under control of the owner or handler. When permissible, off-leash dogs must be within positive voice control of their owner or handler and must respond promptly to the commands of the owner or handler. At all times, the dog must be within 35 feet of their owner or handler.

(d) Any person whose dog, pet, or other domestic animal is in any City of Kirkland park area shall be responsible for the conduct of the animal and for removing feces deposited by such animal from the park area. Any person whose dog, pet or other domestic animal is in any City of Kirkland park area shall be held responsible for any damage caused by the animal to any park area.

Any violation of this provision can be prosecuted by the City pursuant to the fines and penalties in Title 8 of the KMC, chapter 1.12 of the KMC, and/or any other applicable laws, rules and regulations.

11.80.XXX Horses and livestock

Horses, goats, cows, and other such livestock are not permitted in any park area or trails except where specifically authorized by the Department Director or their designee.

11.80.080 Teasing, annoying or injuring animals

It is ~~unlawful~~ a violation of this chapter for any person in any park, in any manner, to tease, annoy, disturb, molest, catch, injure or kill or to throw any stone or missile of any kind at or strike with any stick or weapon any animal, bird or fowl; except for licensed fishing and shell fishing in areas authorized by the director and subject to rules promulgated by Washington State Fish and Wildlife Commission; or except a duly authorized person. ~~or to catch any fish or feed any fowl except at those places as may be so designated for the catching of fish or the feeding of fowl by the director.~~

It is a violation of this chapter for any person in any City of Kirkland park area to feed wildlife, except that this prohibition does not include licensed fishing or shell fishing activity in designated areas during designated times.

All laws, rules and regulations of the Washington Department of Fish and Wildlife relating to season, limits, and methods of fishing are applicable to fishing for game fish and shellfish in City of Kirkland park areas and associated marine areas, unless in an area which is posted with a sign prohibiting fishing.

11.80.090 Public disturbance noises in parks.

~~It is unlawful~~ a violation of this chapter for any person, except a duly authorized person, to cause a sound that is a public disturbance noise so as to unreasonably disturb the peaceful enjoyment of public park space. It is also a violation of this chapter to operate or use any loudspeaker or sound amplification devices in any park without first obtaining a written permit from the director. Any noise that can be heard fifty feet or more from the source is considered a public disturbance noise regardless of use of amplification or source. Sources of potentially prohibited noise include, but are not limited to, musical instruments, radios, stereos, speakers, bullhorns, amplifiers, horns, sirens, and voices including singing, shouting, yelling and whistling.

11.80.100 ~~Business activity in parks. Reserved~~

~~It is a violation of this chapter to sell, solicit or peddle in any park without first obtaining a written permit from the director. It is a violation of this chapter 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 parks 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.~~

11.80.110 Watercraft.

~~It is unlawful~~ a violation of this chapter for any person to have, keep or operate any boat, float, raft or other watercraft in or upon any bay, lake, slough, river, or creek, within the limits of any park, or to land the same at any point upon the shores thereof bordering upon any park, except at such places as shall be set apart for such purposes by the director and so designated by signs.

11.80.120 Emergency aid by watercraft.

It is unlawful a violation of this chapter for any person to land or dock a boat at any swimming dock or float, nor shall any boat be allowed within a swimming area except in an emergency involving rescue or lifesaving.

11.80.XXX Motor Vehicles

No person shall operate any motor vehicle as defined by WAC 352-20-005, including but not limited to, motorized foot scooter as defined by RCW 46.04.336, moped as defined by 46.04.304, and motorcycle as defined by 46.04.330 (collectively referred to as "motor vehicles"), in a city park, including on a trail, path, or sidewalk in any city park, unless it is a designated park trail and posted for such use. No person shall operate a motor vehicle within the boundaries of a city park area except on roads, streets, parking lots, parking areas, or where otherwise permitted by proper posting. No person shall ride or drive any motor vehicle in excess of the posted speed limit or in excess of fifteen miles per hour where no speed limit is so posted. This section shall not apply to emergency, maintenance, or city-authorized vehicles or devices.

The following are permitted within the parks: Electric personal assistive mobility devices: RCW 46.04.1695; power wheelchairs: RCW 46.04.415; and wheelchair conveyances: RCW 46.04.710.

Electric assisted bicycles are permitted upon parks pathways or trails under manual power, unless a sign designates otherwise. Electric assisted bicycles are not allowed to be ridden off of pathways or trails at any time, even under manual power. No person shall clean or wash any automobile or other vehicle in any City of Kirkland park area.

11.80.XXX Parking

No operator of any motor vehicle, trailer, camper, boat trailer, or other vehicle shall park such vehicle in any city park area, except where the operator is using the area for the designated recreational purpose and the vehicle is parked either in the designated parking area, or in another area with the permission of a department employee. This section shall not apply to emergency, maintenance, or city-authorized vehicles or devices.

No person shall park, leave standing, or abandon a vehicle in any park area after closing time except persons using park facilities as part of an event authorized by the department.

It is a violation of this chapter to park a motor vehicle in a designated handicapped parking space without the officially recognized symbol on the vehicle license plate or placard. All improperly parked vehicles are subject to being towed away at the owner's or operator's expense.

In addition to any penalty provided in this chapter, any vehicle found in violation of this section may be towed away at the owner's expense. This section shall not apply to maintenance and emergency vehicles or vehicles authorized by the department.

11.80.XXX Motor Vehicles – Trucks and Commercial Vehicles

No person shall cause a truck or other vehicle while being used for commercial purpose to enter upon, use, or traverse any portion of any city park area or any park road except with the express permission of a department employee; provided, that the provisions of this section shall not apply to city roads, county roads or state highways.

11.80.XXX Trail Use

A. No person shall travel on a trail at a speed greater than is reasonable and prudent under the conditions with regard to the actual and potential hazards then existing. In every event, speed shall be so controlled as may be necessary to avoid colliding with persons or property. No person shall travel at speeds in excess of 15 miles per hour on a City of Kirkland trail.

B. No person shall travel on a trail in a negligent manner.

C. For the purposes of this section "travel" shall be construed to include all forms of movement or transportation on a trail, including but not limited to foot, bicycle, skateboard, and roller skates.

D. Every person traveling on a trail shall obey the instructions of any official traffic control device applicable thereto placed in accordance with applicable laws unless otherwise directed by a police officer.

E. No person shall operate any motor vehicle as defined by WAC 352-20-005, including but not limited to, motorized foot scooter as defined by RCW 46.04.336, moped as defined by 46.04.304, and motorcycle as defined by 46.04.330 (collectively referred to as "motor vehicles"), in a city park, including on a trail, path, or sidewalk in any city park, unless it is a designated park trail and posted for such use.

F. Regional trails, local trail corridors, and paved pathways are open to all nonmotorized users unless otherwise designated and posted. Pedestrians and non-motorized bicyclists are permitted on all maintained soft surface trails unless otherwise posted and designated. Trail restrictions may be posted at park entrances, trailheads or, in some cases, on individual trails. Trail use designations will be based on the park master plan, resource conservation, trail user conflicts, maintenance issues, and safety hazards.

11.80.140 Camping Areas Prohibited

It is unlawful a violation of this chapter for any person to "camp-out" camp at any park except at places set aside for such purposes by the director and so

~~designated by signs.~~ It is a violation of this chapter for any person to stay overnight in City parks or parking areas, whether inside or outside of a vehicle, except as allowed by KMC 11.80.XXX.

11.80.XXX Tents and Structures in Parks

No person shall erect and use a temporary structure, such as a tent, canopy, table or kiosk, except for permitted events.

11.80.150 Practicing and playing games.

~~It is unlawful for a violation of this chapter~~ for any person to practice or play golf, baseball, softball, cricket, lacrosse, polo, archery, hockey, tennis, ~~badminton~~ or other games of like character or to hurl or propel any missile except at places set apart and developed for such purposes by the department of parks and recreation and so designated by the director. Organized and exclusive use of parks spaces for these purposes may require a permit, pursuant to KMC

11.80.XXX

11.80.160 ~~Depositing Refuse and litter~~

~~It is unlawful~~ Consistent with KMC 11.64.040, it is a violation of this chapter for any person to throw any refuse, such as but not limited to, litter, broken glass, crockery, nails, shrubbery, trimmings, junk or advertising matter in any park or to deposit any waste or abandoned material anywhere except in designated receptacles. It is a civil infraction for a person to litter in an amount less than or equal to one cubic foot. It is a misdemeanor for a person to litter in an amount greater than one cubic foot but less than one cubic yard. It is a gross misdemeanor for any person to litter in an amount of one cubic yard or more. In each case hereunder, the litter cleanup restitution payment and other obligations of KMC 11.64.040, as applicable, shall apply. It is a violation of this chapter for a person to litter in any amount whatsoever, even if such litter is less than or equal to one cubic foot. It is a violation of this chapter for a person to leave feces deposited by a dog, human, or other animal under their control in a park area, except in designated receptacles.

11.80.XXX Food Waste, washing of clothing or animals prohibited

No person shall clean fish in Park areas except in fishing and shell fishing areas authorized by the director and subject to rules promulgated by Washington State Fish and Wildlife Commission. No person shall clean food, or wash any vehicles, clothing or other articles for personal or household use, or wash any dog or other animal.

11.80.180 ~~Permit for assemblies required. Reserved~~

~~It is a violation of this chapter for any person to hold, sponsor, or participate in any organized assembly without first giving to the director notice thereof and obtaining therefrom his written permit to do so. Such notice shall be given at least~~

~~seventy two hours prior to the date established for such assembly. Pursuant to Chapter 3.68 and Section 11.80.220, the director is hereby ordered to establish forthwith such rules and regulations pertaining to the issuance of assembly permits as shall permit the fullest peaceful utilization of the parks by all of the general public (including such persons attending such assemblies and such other persons utilizing the park, but not in attendance at such assembly) as shall be reasonably possible and consistent with the health, safety, and general welfare. In this connection, and in addition to the conduct requirements of this chapter, such rules and regulations may require the deposit of "cleanup" undertakings, the furnishing of waste and sanitary conveniences and effective plans for traffic and crowd control and management.~~

11.80.XXX Vehicle and Animal Races prohibited.

~~It is unlawful a violation of this chapter for any person in any park to engage in, conduct or hold any trials or competitions for speed, endurance or hill climbing involving any vehicle, boat, aircraft or animal, except at specified places and times designated for such activities by the director upon his their determination that:~~

- ~~(1) Adequate provision has been made to ensure that the health and safety of participants in and spectators of any such activities will not be subject to undue hazard;~~
- ~~(2) Such activities will be conducted in such a manner as to minimize potential damage to public or private property;~~
- ~~(3) Such activities will not constitute a public nuisance; and~~
- ~~(4) Such activities will not unduly interfere with the use of park facilities by the general public.~~

11.80.XXX Ice

~~No person shall go out onto ice in any City of Kirkland park area, except in areas specifically designated for that purpose. This includes, but is not limited to, lakes, ponds, streams, rivers, and other bodies of water.~~

11.80.XXX Moorage

~~No person shall moor, anchor or dock a boat or other object overnight in Kirkland in violation of KMC 14.36 .~~

~~No person or persons shall moor, dock, or berth a boat or other watercraft, whether motorized or nonmotorized, to a log boom or float line which delineates a swimming area in a City of Kirkland park area. No person shall launch or load a boat or other watercraft, whether motorized or nonmotorized from a dock in a designated swimming area, except~~

at such places as shall be set apart for such purposes by the director and so designated by signs.

11.80.XXX False Alarm of Drowning

Issuing a false alarm that someone is drowning is prohibited. No person shall intentionally give or transmit a false signal or false alarm of drowning in any manner.

11.80.XXX Designated Swimming Areas

Swimmers using City parks, beaches and water resources shall obey all posted beach rules and/or the instructions of lifeguards or other City employees. At City parks, beaches and associated marine areas, swimming shall be permitted only within designated swimming areas, except as noted in KMC **11.80.XXX**.

(1) Designated swimming areas shall be marked with buoys, log booms, or other markers clearly designating the boundaries of such areas.

(2) In designated swimming areas, recreational flotation devices are allowed only at the lifeguards' discretion. In designated swimming areas, the use or operation of nonmotorized watercraft, including but not limited to canoes, kayaks, paddle boats and row boats, is prohibited. Hard-bottomed flotation devices or watercraft are prohibited in designated swimming areas. Propulsion devices, such as paddles, are prohibited in designated swim areas.

(3) Swimmers must stay within designated swimming areas when using flotation devices, except where equipped with a lifejacket and propulsion device.

(4) Swimming or hiding under docks in designated swim areas is prohibited. No person shall jump or launch from a dock in the designated swim area in an unsafe manner, at the discretion of lifeguards on duty.

(5) No person shall swim, sunbathe, or scuba dive in any designated boat launching area, except for a duly authorized person.

11.80.XXX Open Water Swimming

Swimming is permitted within a distance of fifty (50) feet from the shore or a pier when wearing a high-visibility, brightly colored swim flotation buoy or tow float and brightly colored swim cap. Swimmers may pass through designed swim beaches if necessary but must swim 50 feet away from designated swim areas and boat launch areas.

Swimming beyond fifty (50) feet from the shore or pier is permitted when wearing a high-visibility, brightly colored swim flotation buoy or tow float and brightly colored swim cap and where swimmer is accompanied by a vessel and is within twenty-five feet of such vessel, and such vessel shall have onboard a personal flotation device for each occupant of said vessel and for each accompanied swimmer.

11.80.XXX Interfering with lifeguard duties

Activities that endanger other beach users and interfere or tend to interfere with and distract from or obstruct the performance of lifeguarding responsibilities are prohibited. When circumstances can safely permit games that are commonly played in the water, such games may be conducted only with the consent of a lifeguard or other department employee.

11.80.XXX Disruption and Harassment of Parks Employees

It is a violation of this code to harass or use abusive or disruptive language or conduct when engaging with a lifeguard, park ranger, or other park employee.

11.80.XXX Smoking in Parks Prohibited

Smoking and tobacco use of any kind, including but not limited to the use of cigarettes, herbal cigarettes, marijuana, cigars, pipe tobacco, smokeless tobacco, and electronic or vaporized smoking devices, is prohibited in any city park area, trail, athletic field, or recreation facility.

11.80.XXX Remote controlled models, aircraft

It is a violation of this chapter for any person to operate any motorized model aircraft drones, rocket, watercraft, or vehicles in any City of Kirkland park area except by permit obtained through the department; provided that this section does not apply to operation of motorized remote controlled models by public law enforcement or authorized parks personnel.

TITLE: Article 4 – Penalties - Misdemeanors

Any person found guilty of violating any provision of Article IV of this chapter is guilty of a misdemeanor and upon conviction shall be punished as provided in RCW chapter 9A.20, by a fine of not more than \$1,000.00, or by imprisonment for not more than 90 days, or both.

Rules Governing Use of Facilities - Misdemeanors

11.80.XX Parks Hours

The provisions of this section shall apply to all parks, improved and unimproved, within the city or owned by the city.

(1) Except for permitted overnight moorage holders, all waterfront parks, including vehicle parking areas within the parks, within the city or owned by the city shall be closed to the general public between the hours of ten p.m. and five a.m. of the following day.

(2) Except as otherwise provided herein, all other parks, including vehicle parking areas within the parks, within the city or owned by the city shall be closed to the general public between the hours of eleven p.m. and five a.m. of the following day.

(3) It is a violation of this chapter for any person, other than a police officer, duly authorized person, or persons using park facilities as part of an event authorized by the department, to enter into or remain within a park within the city or owned by the city at any time between the closing hour designated above and five a.m. of the following day.

11.80.230 Aiding and abetting violations.

Any person participating in a violation of this chapter whether directly committing the act or omitting to do the thing constituting the offense or who aids or abets the same, and whether present or absent, and anyone who directly or indirectly counsels, encourages, hires, commands, induces, or otherwise procures another to commit such offense, shall be proceeded against and prosecuted as such.

11.80.XXX Refuse and Litter – Misdemeanor

No person shall deposit any household or commercial garbage, refuse, waste, or rubbish in a garbage can or other receptacle designated for such purpose in a City of Kirkland park area. It is a violation of this code to deposit any garbage, refuse, waster or rubbish in a city park anywhere other than in a designated receptacle. The penalties for littering set forth in KMC 11.64.040 shall apply to litter wrongfully deposited in a park.

11.80.XXX Waste from Vehicles

No person shall drain or dump any solid or liquid refuse or waste from any trailer, camper, automobile or other vehicle in any park area.

11.80.XX Dumping into water

No person shall pollute or in any way contaminate by dumping or otherwise depositing any waste or refuse of any nature, kind or description, including human and bodily waste, into or near any stream, river, lake or other body of water running in, though, or adjacent to any City of Kirkland park area.

11.80.XXX False Alarm of Drowning Resulting in Emergency Response

No person shall intentionally give or transmit a false signal or false alarm of drowning in any manner. False alarm of drowning that results in an emergency response may constitute a felony or gross misdemeanor per RCW 9A.84.040.

11.80.200 Building fires. - Reserved

~~It is a violation of this chapter for any person to build any fire in any park except in such areas as may be designated by the director and such designation is clearly defined by signs posted in such area.~~

11.80.210 ~~Open Containers of Alcoholic beverages and Marijuana prohibited.~~ Alcohol and Marijuana Prohibited

~~It is an unlawful civil infraction~~ a violation of this chapter for any person to possess an open container of any alcoholic beverage or marijuana while in any city park. Any person having an open container within one's immediate reach or control (such as at a bench, picnic table, blanket, or motor vehicle where that person is sitting) within a city park may be considered to be in possession of the container for the purposes of this section. A person is exempt from this section as it relates to alcoholic beverages to the extent that his/her actions are in accordance with a parks and community services department use permit.

11.80.XXX Intoxication

Being or remaining in, or loitering in any City park or recreation area, while in a state of intoxication is prohibited.

11.80.XXX Possession and use of controlled substances

Possession and use of controlled substances in City parks shall be governed by Chapter 69.50 RCW, as the same now exists or as hereafter amended or superseded.

11.80.XX Trespassing

The provisions of this section do not apply to any duly authorized person. For all others, it shall constitute a criminal trespass in a city park if any person knowingly:

(a) Enters or remains in a park from which he or she has been excluded during the period covered by an exclusion notice pursuant to **11.80.300**;

(b) Enters, remains in, or is otherwise present within the premises of a park during hours which the park or portion of the park is not open to the public, unless the person is present within the park to participate in an activity either conducted by the parks and recreation department or conducted pursuant to the terms of a permit issued by the parks and recreation department; or

(c) Enters or remains in any area of a park which has been designated and posted by the City as a closed area, using such postings as "no admittance" or "closed to use" or "no trespassing."

(d) It is not a defense to the crime of trespass in parks;

1. That the underlying exclusion issued pursuant to this chapter is on appeal when the excluded person is apprehended, charged, or tried under this section; nor

2. That the excluded person entered or remained in the park pursuant to a permit that was issued in the name of another person either before or after the date of the exclusion notice.

Any person trespassing on city park property shall be subject to arrest and prosecution for criminal trespass under RCW 9A.52.080.

11.80.220 Adoption of rules and regulations by director. -- Reserved

~~The director shall have the power, pursuant to Chapter , to promulgate and adopt reasonable rules and regulations pertaining to the operation, management and use of the parks, and shall post the same in conspicuous places in the parks. Such rules and regulations shall include a procedure for granting blanket permits encompassing any particulars of this chapter to locally and nationally recognized organizations or associations. Such rules and regulations may include the establishment of hours during which any park or portion thereof, as designated by signs located within the designated portion, shall be closed to the general public; such closures may be for reasons of public safety, welfare and convenience, or for reasons of park maintenance. It is a violation of this chapter for any person to violate or fail to comply with any park rule or regulation duly adopted and posted by the department.~~

11.80.250 Parks closed between ten p.m. or eleven p.m. and dawn five a.m. Reserved

~~The provisions of this section shall apply to all parks, improved and unimproved, within the city or owned by the city.~~

~~(1) Except as otherwise provided herein, all waterfront parks, including vehicle parking areas within the parks, within the city or owned by the city shall be closed to the general public between the hours of ten p.m. and dawn five a.m. of the following day.~~

~~(2) Except as otherwise provided herein, all other parks, including vehicle parking areas within the parks, within the city or owned by the city shall be closed to the general public between the hours of eleven p.m. and dawn five a.m. of the following day.~~

~~(3) It is unlawful for any person, other than a police officer or authorized park department employee, to enter into or remain within a park within the city or owned by the city at any time between the closing hour designated above and dawn five a.m. of the following day.~~

~~(4) For the purposes of this section, "dawn" means the time of official sunrise for the particular day as published by the U.S. Weather Service.~~

11.80.070 Firearms and explosives.

It is ~~unlawful~~ a violation of this chapter to shoot, fire or explode any firearms, fireworks, firecracker, torpedo or explosive of any kind or to shoot or fire any air gun, bows and arrows, B.B. gun, or use any slingshot or other propelling device wherein the applied human energy or force is artificially aided, directed or added to in any park, except in such designated recreational areas as may by the department of parks and recreation be developed and provided for such activities.

11.80.XX Building fires.

It is a violation of this chapter for any person to build any fire in any park except in such areas as may be designated by the director and such designation is clearly defined by signs posted in such area.

11.80.XX Encroachment in Parks

No person shall make unauthorized use of public lands. Any encroachment on, to, under, or over, or modification of, City owned, managed, maintained or leased lands including park, natural area or open space property, public buildings or rights-of-way will be deemed trespassing regardless of when the property was initially encroached upon.

The City will provide the violator(s) of such encroachment with a Notice of Encroachment Violation (NEV), ordering them to remove any and all encroachments to the land , to restore the land to its original condition, and if necessary to provide maintenance for three (3) years following restoration at the expense of the violator(s). The NEV shall be deemed issued after it is deposited in the U.S. mail. The NEV shall provide a deadline for compliance.

If one fails to comply with the NEV, then the City shall have the right to remove the offending encroachment and recover the landscape to its original condition. The violator shall be responsible for the costs of encroachment removal, recovery, and three (3) years of maintenance following restoration.

TITLE: Article 5 – Administrative Sanctions

A. In addition to any prescribed penalty, any person failing to comply with any provision of this chapter shall be subject to the loss of park or recreation facility use privileges and exclusion from the City of Kirkland park area, as set forth in section 11.80.XXX, below.

11.80.XXX Exclusion from Parks

A. The Enforcement Officer or a police officer may, by delivering an exclusion notice in person to the offender, exclude from a City park or parks, anyone who within a City park:

1. Violates any park rule or regulation as set forth in this Chapter, KMC 11.80; or
2. Violates any provision of the Kirkland Municipal Code or Revised Code of Washington.

The offender does not need to accept the exclusion notice or provide their identifying information for the notice to be effective. The offender need not be charged, tried, or convicted of any crime or infraction in order for an exclusion notice to be issued or effective. The exclusion may be based upon observation by the Enforcement Officer or upon the sort of civilian reports that would ordinarily be relied upon by police officers in the determination of probable cause.

B. If the offender:

1. Has not been excluded from any or all City parks by an exclusion notice issued within one (1) year prior to the violation and the current violation is not a felony violation or weapon violation, then the Enforcement Officer may exclude the offender from any or all City Parks for a period not exceeding seven (7) days from the date of the exclusion notice;
2. Has been the subject of only one (1) prior exclusion notice issued within one (1) year prior to the current violation and neither the current nor the past violation was a felony violation or weapon violation, then the Enforcement Officer shall exclude the offender from any or all City Parks for a period of ninety (90) days from the date of the exclusion notice;
3. Has been the subject of two (2) or more prior exclusion notices issued within one (1) year prior to the current violation, or if the current violation is a felony violation or weapon violation, then the Enforcement Officer shall exclude the offender from all City Parks for a period of one (1) year from the date of the exclusion notice;

C. The exclusion notice shall be in writing and shall contain the date of issuance. The exclusion notice shall specify the length and places of exclusion. It shall be signed by the issuing individual. Warning of the consequences for failure to comply shall be prominently displayed on the notice.

D. An offender receiving an exclusion notice longer than seven (7) days may seek a hearing before the Director of Parks and Community Services, or their designee, to have the exclusion notice rescinded or the period of exclusion shortened. The request for a hearing shall be delivered to the Director or postmarked no later than seven (7) days after the issuance date of the exclusion notice. The request for hearing shall be in writing and shall be accompanied by a copy of the exclusion notice on which the hearing is sought. The hearing should, if reasonably possible, occur within seven (7) days after the Director receives the request for hearing. The Director shall take reasonable steps to notify the offender of the date, time, and place of the hearing.

E. At the hearing, the violation must be proved by a preponderance of the evidence in order to uphold the exclusion notice. If the exclusion notice was issued because of the alleged violation of any criminal law, the offender need not be charged, tried, or convicted for the exclusion notice to be upheld. The exclusion notice establishes a prima facie case that the offender committed the violation as described. The Director shall consider a sworn report or a declaration under penalty of perjury as authorized by RCW 9A.72.085, written by the individual who issued the exclusion notice, without further evidentiary foundation. The Director may consider information that would not be admissible under the evidence rules in a court of law but which the Director considers relevant and trustworthy.

F. If the violation is proved, the exclusion notice shall be upheld; but upon good cause shown, the Director may shorten the duration of the exclusion or otherwise modify the exclusion. If the violation is not proved by a preponderance of the evidence, the Director will rescind the exclusion. If the Director rescinds an exclusion, the exclusion shall not be considered a prior exclusion for purposes of **KMC Section 11.80.300**.

G. The Director's decision is final. An offender seeking judicial review of the Director's decision must file an application for a writ of review in the King County Superior Court within fourteen (14) days of the date of that decision.

H. The exclusion will remain in effect during the pendency of any administrative or judicial proceeding.

I. No determination of facts made by a person conducting a hearing under this section will have any collateral estoppel effect on a subsequent criminal prosecution or civil proceeding and will not preclude litigation of those same facts in a subsequent criminal prosecution or civil proceeding.



MEMORANDUM

To: Park Board

From: Mariah Gill, Park Planning & Development Manager

Date: March 25, 2026

Subject: 2026 CIP Development Project Ranking

RECOMMENDATION:

That the Park Board confirm its recommendation of the top ten projects to prioritize for inclusion in Capital Improvement Program (CIP) budget planning.

BACKGROUND:

A Capital Improvement Project (CIP) includes major investments in public assets such as construction, land acquisition, renovation, or major equipment purchases exceeding \$50,000. These projects are intended to provide long-term community benefit by extending the useful life, capacity, or functionality of park facilities and infrastructure.

The six-year CIP serves as both a planning and funding framework, identifying and prioritizing capital projects anticipated over a six-year horizon. It helps guide investment decisions, coordinate project timelines, and align projects with available funding sources. Typically, only the first two years of the six-year CIP are funded through the adopted budget. Projects identified in years three through six remain planned but unfunded until they are included in a future budget cycle. The CIP is updated biennially and may include adding or removing projects, adjusting scopes, or modifying funding strategies.

Not all projects included in the CIP are immediately funded. Unfunded projects remain critical because they:

- Document system needs and long-term priorities
- Support grant applications and partnership opportunities
- Provide the basis for park impact fee calculations
- Maintain a pipeline of projects ready for implementation as funding becomes available

NEXT STEPS:

The upcoming CIP update will include the following phases:

- 1. Completed: Develop Complete Project List (February–March)**
 - Utilized the 2022 PROS Plan and existing CIP as a foundation
 - Audited and update the current CIP project list

- Incorporated staff and community input
- Gathered Park Board input and recommendations (February 25)

2. In Progress: Rank Projects (March)

- **Completed:** PCS staff scoring based on established evaluation criteria
 - Compiled scoring results and facilitated staff consensus
 - Identified a preliminary top 20 project list
- **In Progress:** Park Board scoring and prioritization (March 25)
 - Rankings collected via electronic survey (distributed March 20, 2026)
 - Staff will compile results and present the top ten projects for Park Board review and confirmation at the March 25 meeting
 - If consensus is not clear, staff will facilitate discussion to reach agreement

It is recommended that the Park Board identify ten priority projects for consideration by the CIP Budget Steering Committee as part of the 2026 CIP development process.

3. Staff Compile Final Project List (April)

- Refine and consolidate a list of 10+ priority projects

4. Refine Project Sheets and Costs (April–June)

- Adjust project timing, scope, and preliminary cost estimates
- Confirm funding eligibility and constraints

5. Budget Steering Review (August–September)

- Budget Steering Committee finalizes the CIP

6. Public Review and Adoption (October–December)

- Conduct public hearings
- Council review and formal adoption

ATTACHMENTS:

Attachment A – PCS CIP Top 20

Highlights the 20 projects identified by PCS leadership for further prioritization by the Park Board.

Business Item #5.b. - Attachment A.

20 High-Priority Capital Improvement Program Projects	
Project Name	Description
ADA Compliance Upgrades	Per ADA Title II Transition Plan: Phase 1-6 for barrier removal across playgrounds, fields, amenities, as well as compliance upgrades and improvements
City-School Gym Partnership (Kamiakin)	Kamiakin Gym
Crestwood Park Synthetic Turf Complex Design & Re-development	Turf all fields, add fencing between fields, and lighting, warning tracks, batting cages, upgrade restrooms, add concessions
Critical Dock & Shoreline Infrastructure Repairs and Renovations	Priorities for this Program: Dock repairs at Settler Landing, Waverly, Marsh and 2nd Ave. Sea wall/rockery repairs at Marsh, Houghton and OO Denny.
Green Loop Implementation Plan, Trail Construction & Acquisition	This would allocate additional City funding to construction and acquisition of Green Loop in addition to the appx \$13,380,000 already allocated to the project by King County Levy, CFT, and State Legislature over the next 6 years
Heritage Park Improvements	Restroom, Shelter and Paved Parking, add power to certain areas
Indoor Aquatics & Recreation Facility Construction	Pool enclosure and upgrades
JU5 (aka Wiviott Parcel) Park Development	OMA laydown yard, develop park into a pollinator (bees and butterflies) park, tot-lot playground (need theme/new play equipment)
Mark Twain Park Renovation Plan & Development	Add parking lot and access (pending Lamas acquisition), possible uses include sports court improvement/relocation, disc golf course, improve accessibility
North Kirkland Community Center (NKCC) Renovation, Expansion Plan, & Development	Development plan and expansion, include new shelter at NKCC picnic area
North Kirkland Land Acquisition and Development for a Community Park (15 Acres)	Hennig, Bedside Manor, explore other acquisitions/development in region
O.O. Denny Pedestrian Bridge Replacement	Due to tree damage in Fall 2025

20 High-Priority Capital Improvement Program Projects

Project Name	Description
Park Restrooms Renovation & Replacement Program	Priorities for program: Houghton-replace, OO Denny-expand, Marsh-renovate, Juanita Bay-renovate, explore automatic restroom locking upgrades, explore converting 3 restrooms to self cleaning
Peter Kirk Park and Lee Johnson Field Improvements (Construction)	Improvements might include: Renovate stage to make more usable (fill bowl), pickleball shade/cover, lights, stadium style seating, lee Johnson upgrades (field cover for off season, new fencing, new drainage, synthetic turf, dug outs, concessions, ADA access to field, fencing) Central way pedestrian, skate park renovation, tennis to pickleball conversion
Recreation Center (Small, Neighborhood) Development Program	Priorities for this Program: Teen Center in North Kirkland, Recreation Center in Kingsgate
Safety & Security Upgrades	Security Gates and Cameras, equipment for ranger program in parks
Snyder's Corner Park Plan & Development	Development plan to make dog park permanent, work with NSP program to improve pedestrian path and accessibility, work with PW regarding storm pond, other improvements
Totem Lake Park Boardwalk Repair & Improvements	Replace and raise pathway beside bank, this old boardwalk and old wood look out regular flood during high water events and beaver activity.
Trail Standards Plan & Improvements	Assessment/Plan, redo stairs at Crestwood Park, anti-slip mesh and other safety improvements to all City park boardwalks or wooden walk ways, gravel to high use trails and other trail improvements
Wayfinding & Park Signage Program	Expand upon Green Loop strategy and plan to meet needs of entire parks system

Park Board: Please select 10 projects from this list in the online prioritization survey
<https://cityofkirkland.research.net/r/75GTQ8T>