

# Peninsula Metropolitan Park District



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## *PARK USE REGULATIONS*

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**Cross-reference: Chapter 36.68 RCW**

### **14.08.010 Title.**

This Section shall constitute the Park Code of the Peninsula Metropolitan Park District (PenMet Parks) and may be cited as such. Conduct in all public parks shall be subject to all the general police regulations of this Section and not exclusively to the provisions of this Section.

### **14.08.020 Liberal Construction.**

This Section is an exercise of the police power of the State of Washington, Pierce County and PenMet Parks, for the public peace, health, safety and welfare, and its provisions shall be liberally construed.

### **14.08.030 Definitions.**

The terms used in this Section, unless clearly contrary to or inconsistent with the context in which used, shall be:

A. "Aircraft" means any contrivance now known, or hereafter invented, used or designed for navigation of or flight in the air.

B. "Animal" means any nonhuman mammal, bird, reptile, or amphibian.

C. "Camp" means erecting a tent or shelter or arranging bedding or both, for the purpose of, or in such a way that permits remaining overnight, or parking a trailer, camper, or other vehicle for the purpose of remaining overnight.

D. "District" means PenMet Parks.

E. "Facilities" means any equipment, building, structure, roadway, trail, path, or area operated by PenMet Parks.

F. "Fee" means the currently adopted fee schedule for use of by PenMet Parks.

G. "Park" means and includes all parks, squares, drives, community centers, recreation centers, meridians, trails, linear corridors, parkways, boulevards, golf courses, boat launching ramps, zoos, beaches, playfields, and recreation areas and facilities comprising the parks and recreation system of PenMet Parks and under the management and control of PenMet Parks.

H. "Permit" means any and all permits, licenses, or approvals required by federal or state law, or required by County Ordinance or the Pierce County Parks and Recreation Services Department or PenMet Parks.

I. "Person" means all natural persons, firms, partnerships, entities, corporations, clubs and all associations or combination of persons whenever acting for themselves or through an agent, servant or employee.

J. "Sheriff" means and includes the Pierce County Sheriff and deputies and all members of the law enforcement agencies within Pierce County.

K. "Vehicle" means any self-propelled device capable of being moved, and in, upon, or by which any person or property may be transported or drawn and shall include, but not be limited to, automobiles, trucks, motorcycles, motorscooters, bicycles, sailboards, All Terrain Vehicles, go-carts, jeeps or similar type four-wheel drive vehicles and snowmobiles, whether or not they can be legally operated upon the public highways.

L. "Watercraft" means any floating device, powered by internal combustion engine, wind or human power, capable of traveling on or under water.

#### **14.08.040 Permits Required for Certain Activities.**

It shall be unlawful in any park, without first securing a permit from PenMet Parks or designee, for any person to:

A. Use a public address system or other sound amplifying device;

B. Use, place or erect any signboard, sign, billboard, bulletin board, post, pole or device of any kind for advertising in any park or to attach any notice, bill, poster, sign, wire, rod or card to any tree, shrub, railing, post or structure, or erect a structure of any kind;

C. Sell refreshments or merchandise or engage in any business or occupation;

D. Use any park facility for the purpose of having any watercraft for hire;

E. Launch waterborne craft from any shoreline except from specifically designated areas or with specific permit. The launching of waterborne craft as provided in this Section shall be unlawful if the required fee as determined by Resolution has not been paid;

F. Take up collections or to act as or apply the vocation of a solicitor, agent, peddler, beggar, strolling musician, organ grinder, exhorter, barker or showman within a park;

- G. Hold any organized runs, walks, races, trials, or competitions;
- H. Hold any shows, festivals, fund raisers, carnivals, parades, or similar activities;
- I. Skate board, other than in designated areas;
- J. In-Line Skate, other than in designated areas;
- K. Sailboard, other than in designated areas;
- L. Fly aircraft, model aircraft, model rockets, hot air balloons, other than in designated areas;
- M. Parachute;
- N. Hang glide.
- O. Para-sail;
- P. Moor watercraft, other than in designated areas;
- Q. Engage in paint balling or survival games;
- R. Participate in archery, other than in designated areas; or
- S. Engage in disaster drills.

If PenMet Parks or designee finds that the safety, comfort, and convenience of the public in the use of the parks, or in the use of the area adjacent to the park, would be unduly disturbed, PenMet Parks or designee may deny the application, impose restrictions upon the permit or issue a permit for a different date, time, park, or park area to alleviate such disturbance.

PenMet Parks or designee may issue a permit for use of the park during hours when the park is closed.

**14.08.050 Permit Administration and General Requirements.**

- A. Any person who has obtained a permit from PenMet Parks or designee must produce and exhibit such permit upon request.
- B. No person under the age of 21 may sign for a reservation or obtain a permit under this Section.
- C. PenMet Parks or designee reserves the right to cancel a permittee's activity.
- D. All permittees must leave the facility in a condition considered satisfactory to PenMet Parks or designee. No group shall conduct activities causing extra custodial work unless previous agreement has been made to pay for such work.
- E. At all assemblies of minors under eighteen years of age, responsible adults must be present throughout the entire function.
- F. A person using facilities by reservation or agreement may be required to protect and save PenMet Parks, its elected and appointed officials and employees while acting within the scope of their duties as such, harmless from and against all claims, demands, and causes of action of any kind or character, including the cost of defense thereof, arising in favor of the persons, employees, or third parties due to personal injuries, death, or damage to property arising out of the premises, or in any way arising out of the acts or omissions of the person and/or their agents, employees, or representatives. Users of any and all park facilities or areas do so at their own risk. PenMet Parks assumes no liability or responsibility due to accidents or injury through authorized or unauthorized use of District facilities.

**14.08.060 Prohibited Activities.**

It is unlawful for any person to:

A. Cut, remove, damage, destroy, mutilate, mark, or deface any turf, tree, plant, shrub, flower, structure, monument, statue, vase, fountain, wall, fence, railing, vehicle, bench, utility system, irrigation system, facilities, or other property in any park;

B. Leave, deposit, drop or scatter bottles, broken glass, ashes, wastepaper, cans or other rubbish in a park except in a garbage can or other receptacle designated for such purposes;

C. Deposit any household or commercial garbage, refuse, waste or rubbish which is brought from any private property in any garbage can or other receptacle designated for such purpose located within a park;

D. Drain or dump refuse or waste from any trailer, camper or vehicle except in designated disposal areas or receptacles;

E. Pollute or in any way contaminate by dumping or otherwise depositing therein any waste or refuse of any nature, kind or description including human waste or bodily waste in any stream, river, lake or other body of water running in, through or adjacent to any park;

F. Clean fish or other food or wash any clothing or other articles for personal or household use or any dog or other animal except at designated areas in the park;

G. Clean or wash any vehicle in any park except in areas specifically designated for that use;

H. Possess, discharge, set off or cause to be discharged in or into any park, any firecracker, torpedo, rocket, firework, explosive or other substance harmful to the life or safety of persons or property. Legal fireworks as part of a permitted function which are licensed and in compliance with State regulations may be discharged in a manner meeting all safety requirements if authorized by PenMet Parks or designee and if handled by a licensed professional;

I. Possess a firearm with a cartridge in any portion of the mechanism, or discharge across, in or into any park a firearm, air or gas weapon, or any device capable of injuring or killing any person or animal or damaging or destroying any public or private property;

J. Annoy, bother, molest, insult or offer an affront to any other person within a park;

K. Play games and conduct general horseplay on crowded swimming beaches. At times, large un-crowded beach areas can safely permit some games. Such games will be permitted only with the consent of the Peninsula Metropolitan Park Director or designee;

L. Practice or play golf, baseball, cricket, lacrosse, polo, archery, hockey, tennis or other games of like character or to hurl or propel any missile except at places set apart for such purposes by PenMet Parks or designee;

M. Possess, display or open and/or consume alcoholic beverages in a park, except that such beverages may be opened, served and consumed at designated locations within PenMet Parks by persons who have obtained all requisite permits including, but not limited to, the Washington State Liquor Control Board Banquet permit;

N. Interfere with any park personnel in the exercise of his or her official duties;

O. Have open fires or portable units using flammable material, except in designated park areas, fireplace, fire rings, barbeques or grills, or unless approved by PenMet Parks or designee;

P. Blow, spread, or place any nasal or other bodily discharge, or spit, urinate, or defecate on the floors, walls, partitions, furniture, fittings, or any portion of any park or facility, except directly into the particular fixtures provided for that purpose;

Q. Go out onto ice in or from any Peninsula Metropolitan Park District park, except in areas specifically designated for that purpose. This includes ice on lakes, ponds, wetlands, streams, rivers, and other natural bodies of standing water;

R. Make any public disturbance noise, or public nuisance noise unless such noise is necessary to a permitted activity or function;

S. Snow sled, snow ski, or snowboard in any park except in areas specifically designated for that purpose;

T. Jump from any bridge or trestle located in a Peninsula Metropolitan Park District park.

#### **14.08.070 Animal Control.**

A. Animals are permitted in any Peninsula Metropolitan Park District park if the animals are kept on a leash no longer than eight feet, or confined, and under control at all times.

B. It is unlawful for a person to fail to have in his/her possession the equipment necessary to remove his/her animal's fecal matter, when accompanied by an animal in any park.

C. Any person with an animal in his or her possession or control in any park shall be responsible for the conduct of the animal and for removing from the park grounds feces deposited by such animal.

D. Dogs, pets or domestic animals are not permitted on any designated swimming beach in any park, on any Peninsula Metropolitan Park District golf course, or in any public building unless authorized by PenMet Parks or designee; provided, that this Section shall not apply to guide or Service dogs.

E. No person shall allow an animal in his or her possession or control to bite or in any way molest or unreasonably annoy other park visitors.

F. No person shall allow an animal in his or her possession or control to bark continuously or otherwise unreasonably disturb the peace or tranquility of the park.

G. No horses shall be permitted in any park except where designated and posted to specifically permit such activity. Horses shall not be permitted on any designated swimming area, campground or picnic area. This regulation may be waived by PenMet Parks or designee for special events conducted by organized groups.

H. No person shall ride any horse or other animal in such a manner that might endanger life or limb of any person or animal, and no person shall allow a horse or other animal to stand unattended or insecurely tied.

I. No person shall in any manner tease, annoy, disturb, molest, catch, injure or kill, or throw any stone or missile of any kind at or strike with any stick or

weapon any animal, bird or fowl; or catch any fish or feed any fowl or animal except at places and times designated for such purposes by PenMet Parks or designee and so posted by signs. No person shall give, offer or attempt to give to any animal or bird within the park any tobacco, drink or other article known to be noxious to animals or birds.

J. Owners of dogs or other animals that damage or destroy park property will be held liable for the full value of the property damaged or destroyed in addition to impounding fees and the penalty imposed for violation of these provisions.

K. All laws, rules and regulations of the State of Washington relating to season limits and methods of fishing are applicable to fishing or gamefish in all Peninsula Metropolitan Park District parks. No person may fish for or possess any fish taken from any dam, dike, bridge, dock, boat landing or beach which is posted with a sign prohibiting fishing.

L. All laws, rules and regulations of the State of Washington relating to season limits and methods of taking are applicable to the taking of shellfish or food fish in parks except that in addition to such laws, PenMet Parks or designee may, upon finding good cause, close certain park areas for specific periods of time to the taking of shell fish. Such closed areas shall be posted with appropriate signs.

#### **14.08.080 Regulation of Campgrounds and Picnic Areas.**

A. Picnicking is permitted only in designated and marked picnicking areas or in such other places within a park as may from time to time be designated by PenMet Parks or designee.

B. No person shall camp in any park except in areas specifically designated and/or marked for that purpose.

C. In order to afford the general public the greatest possible use of the parks on a fair and equal basis, continuous occupancy of camping facilities shall be limited to seven days. Shorter limitation of occupancy may be established and posted by PenMet Parks or designee at any individual facility or area.

D. The number of vehicles occupying camping facilities shall be limited to one car or one camper or one vehicle with trailer per camp or trailer site. A greater number may be authorized by PenMet Parks or designee.

E. Fees for the use of camp or trailer sites are due and payable daily. The daily fee covers use of facilities until the vacating time of 3 p.m. of the following day.

F. Occupants shall vacate camping facilities by removing their personal property there from prior to 3 p.m. if the applicable use fee has not been paid or if time limit for occupancy of the campsite has expired. The occupants may, however, remain in other areas of the park for purposes other than camping until normal closing time of the park. Failure to vacate upon expiration of the time limit for occupancy shall subject the occupant to the payment of additional use fees.

G. A trailer site, picnic area or campsite is considered occupied when it is being used for appropriate purposes by a person or persons who have paid the daily use fee when applicable. No person shall take or attempt to take possession of a campsite, trailer site, picnic area or other park facility when it is being occupied by another party or when informed by PenMet Parks or designee that such campsite, picnic area, trailer site or other facility is reserved and/or occupied.

#### **14.08.090 Regulation of Vehicles.**

A. Parking. No operator of any vehicle, trailer, camper, or watercraft trailer shall park such vehicle in any park except where the operator is using the area for a designated recreational purpose and the vehicle is parked either in a designated parking area or in another area with the permission of PenMet Parks or designee; and after required parking fees have been paid. No person shall park, leave standing or abandon a vehicle in any park after closing time except when camping in a designated area or with permission from PenMet Parks or designee. Any vehicle found parked in violation of this Section may be towed away at the owner or operator's expense.

B. Operation. No person shall operate any vehicle in any park unless such facility has been specifically designated and posted for such use. Subject to the provisions of this Section, no person shall operate a vehicle within the boundaries of a park except on roads, streets, highways, parking lots or parking areas; provided, that traveling upon such roads, streets, highways, parking lots or parking areas has not been prohibited by proper posting.

C. Speed. No person shall drive a vehicle within any park at a speed greater than 10 mph unless otherwise posted, having due regard for the traffic and the surface and width of the travel way, and in no event at a speed which endangers the safety of persons, property or wildlife.

D. It is unlawful to enter or leave a park by other than established entrances and exits.

E. The washing and servicing of vehicles within a park is prohibited, including oil changes, other than emergency repairs.

F. It is unlawful to engage in, conduct, or hold any trials or competitions for speed, endurance, or hill climbing involving any vehicle without a permit from PenMet Parks.

G. Except where specifically amended by this Section, all vehicle regulations contained in the Pierce County Code or the Revised Code of Washington shall apply to all roads, highways, parking lots, or parking areas within Peninsula Metropolitan Park District Parks.

#### **14.08.100 Aircraft.**

A. No aircraft shall land or take off from any body of water or land area in a park not specifically designated for landing aircraft.

B. Model aircraft and rockets:

1. No one shall fly rockets or model aircraft in any park except in areas specifically designated and/or posted for that purpose. A permit must be obtained to engage in this activity from PenMet Parks.

2. All engines over .25 CI used in model aircraft being flown in designated park areas shall be muffled.

3. All persons flying model aircraft in designated park areas shall abide by the official American Model Academy (AMA) safety code.

C. No person shall fly or land hot air balloons in any Peninsula Metropolitan Park District park unless authorized to do so by PenMet Parks or designee.

**14.08.110 Other Modes of Transportation.**

Skateboards, in-line skates and sail boards are prohibited in Peninsula Metropolitan Park District parks except in designated areas or as specifically permitted by PenMet Parks.

**14.08.120 Park Hours.**

In parks which are controlled by gates or other devices, normal park hours are as posted except in the case of prearranged, special group activities or regularly established concessions. In other areas, no person shall be present nor shall vehicles be allowed to remain parked in park facilities one half hour after legal sunset without a permit.

**14.08.130 Violation - Penalty.**

Every person who violates any of the provisions of this Section shall be guilty of a misdemeanor and shall, upon conviction, be punished by a fine of not more than \$1,000.00 and/or imprisonment for a term not exceeding 90 days, or by both such a fine and imprisonment. In addition, every person failing to comply with any provision of this Section shall be subject to immediate ejection from PenMet Parks park area. PenMet Parks or designee and the Pierce County Sheriff's Department are authorized and directed to enforce the provisions of this Section.

**14.08.140 Severability.**

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