

ORDINANCE NO. 2022-08

**AN ORDINANCE OF THE CITY OF RICHLAND, WASHINGTON,
AMENDING RICHLAND MUNICIPAL CODE SECTION 9.22.070
RELATED TO SPEEDS ON SHARED USE PATHWAYS.**

WHEREAS, the City has need, from time to time, to update the Richland Municipal Code (RMC) to provide clarity and address emerging issues; and

WHEREAS, RMC 9.22.070 codifies public park rules to promote the health, safety and general welfare of residents and visitors; and

WHEREAS, a variety of users enjoy the City's shared use pathways, and certain locations have recently become congested; and

WHEREAS, the City's current inventory of shared use pathways, which is always subject to change, includes Aaron Drive Trail, Bypass Shelterbelt Trail, Keene Road Trail, Riverfront Trail, Sacagawea Heritage Trail, Stevens Drive Pathway, Urban Greenbelt Trail, and the Vantage Highway Pathway; and

WHEREAS, jurisdictions commonly manage speeds on shared use pathways to encourage safe usage; and

WHEREAS, after soliciting public input, the Parks & Recreation Commission recommends that speeds on shared use pathways be limited to fifteen (15) miles per hour when other users are present unless a lower speed is posted; and

WHEREAS, the City will advance an educational campaign and install informational signage to encourage voluntary acceptance of a speed limit on shared use pathways.

NOW, THEREFORE, BE IT ORDAINED by the City of Richland as follows:

Section 1. Richland Municipal Code Section 9.22.070, entitled Park Property, as first enacted by Ordinance No. 65-80, and last amended by Ordinance No. 21-20, is hereby amended as follows:

9.22.070 Park Property.

A. Use of Park Property. It is unlawful for any person except city employees and other authorized persons in the performance of their duties or pursuant to a special permit issued by the city manager to drive, stand or park any motor vehicle or to ride any horse, except where allowed by subsection (E) of this section, upon the footpaths, bicycle paths, or any grassed or landscaped areas in any public park or other public land of the city, or to pick any flowers or plants, or to damage or mutilate any of the shrubs or trees, monuments, or works of art, or in any manner damage any property of the city in any public park or other public land of the city, or to violate any of the rules or regulations relating to the public parks. It shall be unlawful to violate any of the following rules and regulations which shall apply in all parks throughout the city of Richland:

1. There shall be no unauthorized motorized vehicles allowed in the parks.
2. The possession of weapons in the parks is prohibited including, but not limited to, air rifles, paintball guns, bows and arrows, crossbows, swords and pellet guns. This section shall not apply to the open carry of a firearm except where prohibited or to firearms permitted under Chapter 9.41 RCW.
3. There shall be no intentional dumping of personal trash, litter or garbage outside a receptacle provided by the city and/or which is appropriate for that purpose allowed in the parks.
4. There shall be no intentional destruction of vegetation.
5. There shall be no unauthorized burning.
6. There shall be no unauthorized camping per subsection (D) of this section.
7. There shall be no alcoholic beverages consumed in the parks without the appropriate permits.
8. There shall be no littering in the parks.
9. Dogs must be in compliance with existing leash law as set forth in RMC 7.03.050, or in compliance with rules established for designated off-leash dog areas within the city park system.
10. There shall be no sound made by the use of a musical instrument, whistle, sound amplifier, juke box, radio, television, iPod or other similar device so as to be audible greater than 75 feet from the device.

Any person violating any provision of this section, except subsections (B) and (C) of this section, shall be guilty of a gross misdemeanor. The above actions may be allowed under park land leases or special events when permitted at the discretion of the city manager and upon obtaining a permit from the parks and public facilities ~~recreation~~ department no later than two (2) weeks prior to the event.

B. Mooring Watercraft. It is a civil infraction for any person to moor or dock any watercraft at any city float, pier or dock (except for Marina Park docks) for a period in excess of 12 consecutive hours in any five-day period, except as permitted by prior written agreement authorized by the city manager or designee for vessels carrying more than 20 passengers. Violation of this mooring watercraft time limitation shall be ~~deemed~~ a civil infraction and carry a civil penalty of \$250.00. Each day of violation of the provisions of this subsection shall be ~~deemed~~ a separate violation. A notice of infraction may be issued by a police officer based upon the written affidavit of any individual.

C. Marina Park Overnight Moorage. It is lawful for privately owned watercraft to moor at Marina Park transient moorage docks for a period of time not to exceed 10 nights in any 365-day period. "Night" shall be considered any duration of time between 11:00 p.m. and 5:00 a.m. Overnight watercraft moorage in excess of 10 nights in any 365-day period shall be ~~deemed~~ a civil infraction

and carry a penalty of \$250.00. Each day of violation of the provisions of this subsection shall be **deemed** a separate violation. A notice of infraction may be issued by a police officer based upon the written affidavit of any individual.

D. Camping. It is unlawful to camp in any park or in or upon any public land or property of the city except at places set aside for such purpose by the city manager and so designated by signs.

E. Equestrian Use of Park Property. It is lawful for horses to be allowed on the following park properties for equestrian purposes only:

1. South Columbia Point.
2. Chamna Natural Preserve.
3. Amon Creek Natural Preserve including the natural open space set aside in Claybell Park.
4. Trailhead Park.
5. Tapteal Trail (current and future sections).
6. W.E. Johnson Park.
7. Any state or federal lands that permit equestrian use.

F. Speed on shared use pathways. Unless a lower speed is posted, speed on the city's shared use pathways is limited to not more than fifteen (15) miles per hour when one or more other users are present. For purposes of this section, the city's shared use pathways are those identified by list on the city's website.

FG. Rules and Regulations. The city manager is authorized to adopt rules and regulations for the implementation and enforcement of this section.

Section 2. This Ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

Section 3. Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, that decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

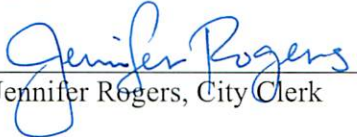
Section 4. The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including but not limited to the correction of scrivener's errors/clerical errors, section numbering, references, or similar mistakes of form.

This space intentionally left blank.

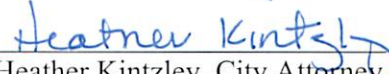
PASSED by the City Council of the City of Richland, Washington, at a regular meeting on the 1st day of March, 2022.


Michael Alvarez, Mayor

Attest:


Jennifer Rogers, City Clerk

Approved as to Form:


Heather Kintzley, City Attorney

First Reading: February 15, 2022
Second Reading: March 1, 2022
Date Published: March 6, 2022