

ORDINANCE NO. 525

AN ORDINANCE OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, AMENDING CHAPTER 15.05, UNIVERSITY PLACE MUNICIPAL CODE, REGARDING ENFORCEMENT OF PARK RULES; PROHIBITION OF ILLEGAL SUBSTANCES; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City adopted a new park code in August 2007 to provide a uniform and organized set of rules and policies to its park use; and

WHEREAS, the City wishes to amend the enforcement provisions of this code to allow more flexibility to police and staff in enforcing these rules; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Amending Chapter 15.05, Park Code, of the University Place Municipal Code. Chapter 15.05, Park Code, of the University Place Municipal Code is hereby amended by revising section 15.05.060 as follows:

15.05.060 ...

(F)(1) Illegal Substances and Alcoholic Beverages. No person shall have or be under the influence of any illegal substances. No person shall have or be under the influence of alcoholic beverage of any kind, except that alcohol may be served in conjunction with Special Event Permit of facility rental agreement.

Section 2. Amending Chapter 15.05, Park Code, of the University Place Municipal Code. Chapter 15.05, Park Code, of the University Place Municipal Code is hereby amended by revising section 15.05.160 as follows:

15.05.160 Violation – Penalty.

It is unlawful for any person to violate or fail to comply with any Park rule or regulation adopted herein or duly adopted and posted by the Director. Any violation of ~~any provision~~ sections 15.05.060(A)(1) Destruction and Removal, or 15.05.060(E)(2) Firearms, or 15.05.060(F)(1) Illegal Substances and Alcoholic Beverages, or 15.05.160(F)(2) Violence or 15.05.140 Trespass of this Chapter shall be a criminal misdemeanor ~~subject to the penalties set forth in UPMC 1.15.020~~. Any violation of 15.05.060(F)(3) Fireworks shall be a Class 1 civil non-traffic infraction. Any other violation of this Chapter shall be a Class 4 civil non-traffic infraction.

Section 3. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

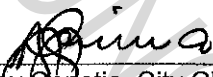
Section 4. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

PASSED BY THE CITY COUNCIL ON JUNE 16, 2008.



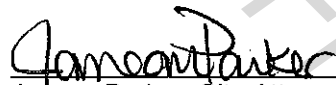
Linda Bird, Mayor

ATTEST:



Amy Geretia, City Clerk

APPROVED AS TO FORM:



Janean Parker, City Attorney

Published: 06/18/08
Effective Date: 06/23/08