

CITY OF MAPLE VALLEY, WASHINGTON

ORDINANCE NO. O-19-663

AN ORDINANCE OF THE CITY OF MAPLE VALLEY, WASHINGTON, AMENDING TITLE 7 OF THE MAPLE VALLEY MUNICIPAL CODE ENTITLED “PARKS AND RECREATION” AUTHORIZING THE USE AND CONSUMPTION OF ALCOHOL AT LAKE WILDERNESS PARK AND LAKE WILDERNESS LODGE IN CONJUNCTION WITH THE RENTAL OF SAID FACILITIES, ESTABLISHING CRITERIA FOR THE PROCESSING OF SUCH REQUESTS, AND PROVIDING FOR SEVERABILITY AN EFFECTIVE DATE AND CORRECTIONS.

WHEREAS, there are two city code provisions that pertain to alcohol use in city parks;
and

WHEREAS, section 7.05.040 of the Maple Valley Municipal Code makes it unlawful to possess or consume alcoholic beverages in a City park except in areas designated and approved by Special Use Permit; and

WHEREAS, section 7.20.050 of the Maple Valley Municipal Code makes it unlawful to possess or consume alcoholic beverages in a City park except in the Lake Wilderness Lodge designated perimeter area when in conjunction with the rental of the Lodge; and

WHEREAS, the Parks Department does not have a process in place for the submission or issuance of Special Use Permits, but does process Special Event Applications for rental of City park facilities, including the Lake Wilderness Park and portions thereof, and Facility Rental Applications for the rental of the Lake Wilderness Lodge; and

WHEREAS, in an effort to ensure consistency of City Code provisions concerning the use and consumption of alcohol at city parks and facilities, the City Council would like to revise the city code to expressly authorize the use and consumption of alcohol at Lake Wilderness Park and Lake Wilderness Lodge (including its immediate exterior perimeter) in conjunction with the rental of said facilities through the processing of both Special Event Applications and Facility Rental Applications by way of the Parks Department; and

WHEREAS, the City Council would also like to establish criteria for applicants requesting the use and consumption of alcohol associated with the rental of Lake Wilderness Park, or a portion thereof, or Lake Wilderness Lodge; and

WHEREAS, the City Council would like to require applicants to purchase Banquet Permits from the Washington State Liquor Cannabis Board and event insurance as well as execution of a hold harmless/indemnification agreement; and

WHEREAS, it is the intent of the City Council to limit the use and consumption of alcohol at city parks to Lake Wilderness Park and Lodge;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF MAPLE VALLEY, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Amendment. Section 7.05.040 entitled “No alcohol” is amended to read as follows (next text in underline, deleted text in ~~striketthrough~~):

It is unlawful to possess or consume alcoholic beverages in ~~a City park~~ except in designated areas at Lake Wilderness Park in conjunction with the rental of the Park facility, or a portion thereof. Designated areas, however, shall not include picnic shelters. Such requests shall be processed through the Parks Department through the submission of a Special Event Application and shall require the purchase of a Banquet Permit from the Washington State Liquor Cannabis Board and event insurance, as well as the execution of a hold harmless/indemnification agreement. ~~areas designated and approved by a Special Use Permit.~~

Section 2. Amendment Section 7.20.050 entitled “Alcohol requirements” shall be amended to read as follows (new text in underline, deleted text in ~~striketthrough~~):

It is unlawful to possess or consume alcoholic beverages in ~~a City park except in the Lake Wilderness Lodge, including a 60-foot radius from the south and east of the Lodge building, designated perimeter area, except~~ when in conjunction with the rental of the Lodge. Lodge rentals requesting the use or consumption of alcohol shall be processed through the Parks Department through the submission of a Facility Rental Application and shall require the purchase of a Banquet Permit from the Washington State Liquor Cannabis Board and event insurance, as well as the execution of a hold harmless/indemnification agreement. Use or consumption of alcohol at Lake Wilderness Park not in conjunction with the Rental of the Lodge shall be governed by MVMC Section 7.05.040.

Section 3. Severability. If 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 preempted by state or federal law or regulation, such decision or preemption 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, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum and shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

Section 5. Corrections by City Clerk or Code Reviser. Upon approval of the City Attorney, the City Clerk and the code reviser are authorized to make necessary non-substantive corrections to this ordinance, including the correction of clerical errors; references to other local, state or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 25TH DAY OF MARCH 2019.

CITY OF MAPLE VALLEY

Sean P. Kelly, Mayor

ATTEST/AUTHENTICATED:

Shaunna Lee-Rice, City Clerk

APPROVED AS TO FORM:

Patricia Taraday, City Attorney

Date of Publication: March 29, 2019

Effective Date: April 2, 2019