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## **Title 53 PARKS**

Chapters:

### ***Chapter 53.08 SKAMOKAWA VISTA PARK***

Sections:

#### **53.08.010 DEFINITIONS.**

Whenever used in this chapter, the following terms shall be defined as follows:

- A. "Motor vehicle" means any self-propelled device capable of being moved upon a road, and in, upon, or by which persons or property may be transported or drawn, and shall include, but not be limited to, automobiles, trucks, motorcycles, motorbikes, motor scooters, jeeps, or similar 4-wheel drive vehicles, and dune buggies, whether or not they can legally be operated upon the public highways.
- B. "Trail" means any path or track designed for use of pedestrians or equestrians and which is not of sufficient width, nor graded or paved with concrete, asphalt, gravel, or similar substance so as to permit its use by standard passenger automobiles; or any other right of way specifically designated and posted for non-vehicular use.
- C. "Manager" means the duly appointed manager of Skamokawa Vista Park as designated by the Board of Commissioners of Wahkiakum Port District No. Two.
- D. "Person" means all natural persons, firms, partnerships, corporations, clubs, and all associations or combinations of persons whenever acting for themselves or by an agent, servant, or employee.
- E. "Trailer" means a towed vehicle which contains sleeping or housekeeping accommodations.
- F. "Camper" means a motorized vehicle containing sleeping and/or housekeeping accommodations, and includes a pickup truck with camper, a van-type body, a converted bus, or any similar type vehicle.
- G. "Trailer site" means designated camping sites which have water and/or electrical facilities available for hookup, and which are designated for the use of persons with trailers or campers.
- H. "Camp site" means designated camping sites which are designed for the use of tent campers, and which have no water and/or electrical facilities available for hookup to a trailer or camper.
- I. "Camping" means erecting a tent or shelter or arranging bedding, or both, for the purpose of, or in such a way as will permit remaining overnight, or parking a trailer, camper, or other vehicle for the purpose of remaining overnight.
- J. "Park" means the Skamokawa Vista Park and includes the entire twenty-eight acres of real property owned by Port District No. Two of Wahkiakum County in Sections 7, 8, 17, and 18, in Township 9 North, Range 6 West of the Willamette Meridian in Wahkiakum County, Washington. The term, without limiting its scope, also specifically includes the pump house serving the water system for Skamokawa Vista Park and the boat ramp constructed at the end of 5th Street in the Pleasant Point Addition to Skamokawa.

(Ord. 101-82)

### **53.08.020 PARKING.**

- A. No operator of any automobile, trailer, camper, boat trailer, or other vehicle, shall park such vehicle in any area of the 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 the manager.
- B. No person shall park, leave standing, or abandon a vehicle in the Park after closing time, except when camping in a designated area, or with permission from the manager.
- C. Any vehicle found parked in violation of subsection A or B of this section may be towed away at the owner's or operator's expense.

(Ord. 101-82)

### **53.08.030 MOTOR VEHICLES ON ROADS AND TRAILS.**

- A. No person shall operate any motor vehicle on a trail within the Park unless such trail has been specifically designated and posted for such use.
- B. Subject to the provisions of subsection A of this section, no person shall operate a motor vehicle within the boundaries of the Park except on roads, streets, highways, parking lots, or parking areas.

(Ord. 101-82)

### **53.08.040 SPEED LIMITS.**

No person shall drive a motor vehicle within any area of the Park at a speed greater than is reasonable and prudent, having due regard for the traffic on, and the surface and width of the road, and in no event at a speed which endangers the safety of persons, property, wildlife, or domestic animals; provided, however, that in no event shall a vehicle be driven at a speed greater than five miles per hour in any area of the Park.

(Ord. 101-82)

### **53.08.050 OBEDIENCE TO TRAFFIC CONTROL SIGNS.**

The driver or operator of any motor vehicle within the Park shall at all times obey all traffic control signs erected by order of the Board of Commissioners of Port District No. Two of Wahkiakum County within the boundaries of the Park.

(Ord. 101-82)

### **53.08.060 CAMPING.**

- A. No person shall camp within the Park except in areas specifically designated and/or marked for that purpose.
- B. Occupants shall vacate camping facilities by removing their personal property therefrom prior to 3:00 P.M. if 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. Remaining overtime shall subject the occupant to the payment of an additional use fee.
- C. A trailer site or camp site is considered occupied when it is being used for purposes of camping by a person or persons who have paid the daily use fee within the applicable time limits. No person shall take or attempt

to take possession of a campsite or trailer site when it is being occupied by another party or when informed by the manager that such campsite or trailer site is occupied.

- D. No tent camper shall be allowed to occupy a designated trailer site except as directed by the manager. Use of trailer sites by tent campers shall be subject to payment of the trailer site fee.
- E. Fees for the use of campsites or trailer sites are due and payable daily. The daily fee covers use of facilities until the vacating time of 3:00 P.M. of the following day.
- F. Continuous occupancy of facilities by the same person shall be limited to seven days.
- G. 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 in specific areas when constructed facilities so warrant.

(Ord. 101-82)

### **53.08.070 PICNICKING.**

Picnicking is permitted only in designated and marked picnicking areas, or in such other places within the Park as may from time to time be designated by the manager.

(Ord. 101-82)

### **53.08.080 PETS.**

- A. All dogs or other pets or domestic animals must be kept on leash no greater than eight (8) feet in length, and under control at all times while in the Park.
- B. Dogs, pets, or domestic animals are not permitted on any designated swimming beach within the Park, nor in any public building unless so posted, PROVIDED, however, this subsection shall not apply to seeing eye dogs.
- C. No person shall allow his dog or other pet or domestic animal to bite or in any way molest or annoy other park visitors. No person shall permit his dog or other pet or domestic animal to bark or otherwise disturb the peace and tranquility of the park.

(Ord. 101-82)

### **53.08.090 HORSEBACK RIDING.**

- A. No horses shall be permitted within the Park, except where designated and posted to specifically permit such activity.
- B. 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.
- C. Horses shall not be permitted on any designated swimming area, campground, or picnic area.

(Ord. 101-82)

### **53.08.100 GAMES ON BEACHES.**

Playing games and general horseplay on crowded beach areas within the Park are prohibited. At such times as large uncrowded beach areas may accommodate games, such games will be permitted only with the consent of the manager.

(Ord. 101-82)

**53.08.110 DISROBING.**

- A. No person shall disrobe in public within the Park.
- B. Clothing sufficient to conform to common standards shall be worn at all times within the Park.

(Ord. 101-82)

**53.08.120 TENTS, ETC., ON BEACHES.**

No person shall erect, maintain, use or occupy any tent or shelter on any beach within the Park unless there is an obstructed view through such tent or shelter from at least two sides; provided, however, that nothing in this regulation shall be construed to authorize camping except in designated areas.

(Ord. 101-82)

**53.08.130 RESERVED.**

Editor's note(s)—Ord. No. 163-17, adopted May 16, 2017, deleted § 53.08.130, firearms, which derived from Ord. 101-82, as being preempted by State law.

**53.08.140 FIREWORKS.**

No person shall possess, discharge, set off, or cause to be discharged, in or into any area of the Park, any firecrackers, torpedoes, rockets, fireworks, explosives or substance harmful to the life or safety of persons or property.

(Ord. 101-82)

**53.08.150 RELIGIOUS SERVICES OR GROUP RALLIES.**

Religious services or group rallies may be permitted in the Park where facilities are adequate, and where such activities will not conflict in any way with normal park usage. To avoid any such conflict, permission for such activities must be obtained in advance from the manager. Permission for the use of loudspeakers by groups must also be obtained in advance from the manager.

(Ord. 101-82)

**53.08.160 RUBBISH.**

- A. No person shall leave, deposit, drop or scatter bottles, broken glass, ashes, waste-paper, cans, or other rubbish, in any area of the Park, except in a garbage can or other receptacle designated for such purposes.
- B. No person shall deposit any household or commercial garbage, refuse, waste, or rubbish, which is brought as such from any private property, in any of the Park's garbage cans or other receptacles designated for the disposal of refuse.

(Ord. 101-82)

### **53.08.170 SANITATION.**

No person shall, within any area of the Park:

- A. Drain or dump refuse or waste from any trailer, camper, automobile, or other vehicle, except in designated disposal areas or receptacles;
- B. 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;
- C. Clean or wash any automobile or other vehicle except in areas specifically designated for that use;
- D. Pollute, or in any way contaminate by dumping or otherwise depositing therein any waste or refuse of any nature, kind, or description, including human or bodily waste, any stream, river or other body of water running in, through, or adjacent to the Park.

(Ord. 101-82)

### **53.08.180 SOLICITATION.**

No person shall solicit, sell, or peddle any goods, wares, merchandise, liquids or edibles for human consumption, or distribute or post any handbills, circulars, or signs, or use any loudspeakers or other amplifying device, in any area of the Park, except by concession granted by the Board of Commissioners of Port District No. Two of Wahkiakum County.

(Ord. 101-82)

### **53.08.190 CONSUMPTION OF ALCOHOL.**

- A. Opening or consuming any alcoholic beverages in any area of the park shall be prohibited except in the following designated areas and under the following circumstances:
  1. In designated campgrounds, by registered campers or their guests;
  2. In designated picnic areas, which shall include those sites within the Park where picnic tables, benches, fireplaces, and/or outdoor kitchens are available, even though not signed as designated picnic areas; and,
  3. In any building operated and maintained under a concession agreement, wherein the concessionaire has been licensed to sell alcoholic beverages by the Washington State Liquor Control Board, and where the dispensation of such alcoholic beverages by such concessionaire has been approved by the Board of Commissioners of Wahkiakum Port District No. Two.
- B. In no event shall any person under the age of twenty-one years, possess, consume, or appear after having consumed, any alcoholic beverage, within the Park.

(Ord. 101-82)

### **53.08.200 INTOXICATION IN PARK.**

Being or remaining in, or loitering about in any area of the Park while in a state of intoxication shall be prohibited.

(Ord. 101-82)

**53.08.210 MOVEMENT OF PARK FURNISHINGS PROHIBITED.**

No person shall move any bench, picnic table, garbage receptacle, or other park furnishing, from its designated location.

(Ord. 101-82)

**53.08.220 ENTRANCE AND EXITS.**

No person shall enter into or exit from the Park except through gates or other means specifically designated as entrances or exits. The climbing over or upon park fences is prohibited.

(Ord. 101-82)

**53.08.230 DISORDERLY CONDUCT.**

No person shall engage in any disorderly conduct within the Park. A person is guilty of disorderly conduct if, with purpose to cause public inconvenience, annoyance or alarm, or recklessly or negligently creating a risk thereof, he:

- A. Engages in fighting or threatening, or in violent or tumultuous behavior; or,
- B. Makes unreasonable noise or offensively coarse utterance, gesture or display, or addresses abusive language to any person present; or,
- C. Creates a hazardous or physically offensive condition by any act which serves no legitimate purpose of the actor.

(Ord. 101-82)

**53.08.240 BOAT LAUNCH RESTRICTIONS.**

- A. No person shall block or in any way obstruct access to the boat launch.
- B. No person shall overload or otherwise misuse the boat launch in such a manner as to crack or damage the boat launch in any way.
- C. No person shall swim or sunbathe in the designated boat launch area.

(Ord. 101-82)

**53.08.250 EXPULSION FROM PARK.**

In addition to any other penalty that may be provided by law for the violation of any regulation governing Skamokawa Vista Park, failure by any person to comply with any of said regulations shall subject the person so failing to comply to immediate ejection from the park.

(Ord. 101-82)

**53.08.260 TENNIS PLAYING.**

Persons using the tennis courts in the Park shall not play more than one set when others are waiting to use a court, nor shall one person or party use a court for more than thirty consecutive minutes when other persons are waiting to use said court.

(Ord. 101-82)

**53.08.270 HANDICAPPED FACILITIES.**

Handicapped facilities provided in the Park are for the exclusive use of handicapped persons. No person not suffering from a handicap shall use facilities designated as handicapped facilities.

(Ord. 101-82)

**53.08.280 WOODCUTTING.**

No woodcutting shall be allowed in the Park except in those areas specifically designated for such purpose.

(Ord. 101-82)

**53.08.290 PENALTIES.**

Violation of this Chapter or any rule or regulation hereunder shall constitute a misdemeanor which shall be redressed in the same manner as other police regulations of the County and it shall be the duty of all law enforcement officers to enforce such regulations accordingly, PROVIDED, that violation of a regulation related to traffic including parking, standing, stopping, and pedestrian offenses shall constitute a traffic infraction, except that violation of a regulation equivalent to those provisions of Title 46 RCW set forth in RCW 46.63.020 shall remain a misdemeanor, PROVIDED FURTHER, that any violation of Sections 53.08.060, 53.08.070, 53.08.100, 53.08.120, 53.08.150, or 53.08.260 of this Chapter shall not be deemed a misdemeanor but shall be a civil offense, the maximum punishment for which shall be imposition of a civil penalty of not more than One Hundred Dollars plus costs.

(Ord. 101-82)

***Chapter 53.10 PORT DISTRICT AGREEMENT FOR PARK DEVELOPMENT***

Sections:

**53.10.010 WATER SYSTEM DEVELOPMENT.**

The County will grant to the Port District the right to explore, develop and maintain a water system for a water supply for the benefit of its park, on land of the County lying to the north thereof, and execute such easement as may at some time be required.

(Res. 3-76 § 1)

**53.10.020 USE AGREEMENT FOR PUBLIC PARKING AND BOAT LAUNCH.**

The County shall grant to the Port District a use agreement or lease of that portion of 5th Street in Pleasant Point Addition, as may be necessary or practical, for purposes of establishing access to and from the park, public parking and boat launching purposes; provided, however, that such uses shall not interfere with the public use of that certain street or alley running northerly and southerly from 4th Street in said addition to and from State Sign Route No. Four.

(Res. 3-76 § 2)

### **53.10.030 COORDINATION OF PROJECTS.**

Joint planning of the two projects shall be coordinated between the County and Port District for their mutual benefit and economy and, additionally, to better serve the public.

(Res. 3-76 § 3)

### **53.10.040 DEVELOPMENT GOALS.**

The Port District shall undertake to develop, with the cooperation of the Skamokawa Recreation District, such portions of the combined developments, including the boat launch area in said 5th Street, as may be mutually advantageous.

(Res. 3-76 § 4)

### **53.10.050 FEDERAL AND STATE ASSISTANCE.**

The Port District and the County shall individually and jointly procure such other assistance through State or Federal funds as may be necessary to develop said project and contribute therefor such local participation as may be required.

(Res. 3-76 § 5)

### **53.10.060 MEMORANDUM OF AGREEMENT.**

The resolution codified in this chapter, and a similar resolution adopted by the other party hereto, shall constitute a memorandum of agreement and principle between the County and Port District.

(Res. 3-76 § 6)

## ***Chapter 53.12 COUNTY LINE PARK***

### Sections:

#### **53.12.010 SCOPE.**

The provisions of this chapter govern specified conduct within County Line Park. For purposes of this chapter "County Line Park" means all land and water within a rectangular parcel with boundaries as follows: said area is bounded on the east by Cowlitz-Wahkiakum County line; bounded on the south by the centerline of the main shipping channel of the Columbia River (that being the boundary line between the States of Washington and Oregon); bounded on the west by that certain line dividing Government Lots 2 and 3 within Section 18, Township 8 North, Range 4 West of the Willamette Meridian, as extended to intersect with the boundary line between the States of Washington and Oregon; and bounded on the north by the southerly roadway edge or fog line of State Route No. 4. Without limiting the scope of the foregoing definition, the term "County Line Park" also specifically includes all publicly owned lands within Government Lots One and Two, together with the tidelands adjoining and abutting thereon in Section Eighteen, Township Eight North, Range Four West of the Willamette Meridian, situate in the County of Wahkiakum, State of Washington.

(Res. 113-91 § 1)

### **53.12.020 DEFINITIONS.**

Whenever used in this chapter the following terms shall be defined as follows:

- A. "Motor vehicle" means any self-propelled device capable of being moved upon a road, and in, upon, or by which persons or property may be transported or drawn, and shall include, but not limited, to automobiles, trucks, motorcycles, motorbikes, motor scooters, jeeps or similar four-wheel drive vehicles, and dune buggies, whether or not they can legally be operated upon the public highways.
- B. "Trail" means any path or track designed for use of pedestrians or equestrians and which is not of sufficient width, nor graded or paved with concrete, asphalt, gravel or similar substance, so as to permit its use by standard passenger automobiles; or any other right-of-way specifically designated and posted for nonvehicular use.
- C. "Director" means the director of the Wahkiakum County Department of Public Works or his designee.
- D. "Person" means all natural persons, firms, partnerships, corporations, clubs and all associations or combinations of persons whenever acting for themselves or by an agent, servant or employee.
- E. "Recreation vehicle" means a vehicle/trailer unit, van, pickup truck with camper, motor home, converted bus, or any similar type vehicle which contains sleeping and/or housekeeping accommodations.
- F. "Campsite" means designated camping spaces which are designated for the overnight use of persons with recreation vehicles.
- G. "Camping unit" means a group of people (one or more persons) that is organized, equipped and capable of sustaining its own camping activity.
- H. "Camping" means erecting a tent or shelter or arranging bedding, or both, or parking a recreation vehicle or other vehicle, for the purpose of remaining overnight.
- I. "Emergency area" is an area in the park separate from the designated overnight camping area, which may be used for camping between the hours of eleven p.m. and six-thirty a.m. when no alternative camping or sleeping facilities are available within reasonable driving distances.
- J. "Park" means the County Line Park as defined in Section 53.12.010 of this chapter.

(Res. 113-91 § 2)

### **53.12.030 PARKING.**

- A. No operator of any automobile, recreation vehicle, boat trailer, or other vehicle, shall park such vehicle in any area of the 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 the Director.
- B. No person shall park, leave standing or abandon a vehicle in the park after closing time, except when camping in a designated space pursuant to a temporary stay permit issued by the director.
- C. Any vehicle found parked in violation of subsections A or B of this section may be towed away at the owner's or operator's expense.

(Res. 113-91 § 3)

### **53.12.040 MOTOR VEHICLES ON ROADS AND TRAILS.**

- A. No person shall operate any motor vehicle on a trail within the park unless such trail has been specifically designated and posted for such use.
- B. Subject to the provisions of subsection A of this section, no person shall operate a motor vehicle within the boundaries of the park except on roads, streets, highways, parking lots or parking areas.
- C. Motor vehicles which are not licensed for use on public highways area prohibited from being operated within the park.

(Res. 113-91 § 4)

### **53.12.050 SPEED LIMITS.**

No person shall drive a motor vehicle within any area of the park at a speed greater than is reasonable and prudent, having due regard for the traffic on, and the surface and width of the road, and in no event at a speed which endangers the safety of persons, property, wildlife or domestic animals; provided, however, that in no event shall a vehicle be driven at a speed greater than five miles per hour in any area of the park.

(Res. 113-91 § 5)

### **53.12.060 OBEDIENCE TO TRAFFIC CONTROL SIGNS.**

The driver or operator of any motor vehicle within the park shall at all times obey all traffic control signs erected by the order of the Board of County Commissioners of Wahkiakum County within the boundaries of the park.

(Res. 113-91 § 6)

### **53.12.070 CAMPING.**

- A. No person shall camp within the park except at places set aside for such purposes by the Board of County Commissioners and so designated by signs.
- B. No person shall camp within the park without first having been issued a temporary stay permit. Temporary stay permits may be issued by the Director or a Park Host.
- C. In order to afford the general public the greatest possible use of the park, on a fair and equal basis, and to prevent residential use, camping shall be limited to a maximum of seven consecutive nights in the park, after which the camping unit must vacate the park for three consecutive nights.
- D. The number of vehicles occupying a campsite shall be limited to one car or one recreational vehicle.
- E. Occupants of a designated camping space shall vacate said space by removing their personal property therefrom prior to three p.m. on the afternoon next following the last night of permitted camping. The occupants may, however, remain in other areas of the park for purposes other than camping until the normal closing time of the park.
- F. The Board of County Commissioners may by resolution set a fee for temporary stay permits. When fees are in effect, they are due and payable upon arrival at the camping space. The daily fee covers use of the space until the vacating time of three p.m. the following day.
- G. A Park Host may be appointed by the Director to remain at the park for an extended period of time to assist park personnel by providing expanded services such as furnishing information to visitors, checking

restrooms, picking up litter, performing other minor maintenance tasks and contributing additional surveillance to reduce vandalism or potential problems. The Park Host may also be authorized by the Director to distribute temporary stay permits and to collect any fees assessed for such permits.

(Res. 123-96 § 1: Res. 113-91 § 7)

### **53.12.080 PARK CLOSURE HOURS.**

No person or motor vehicle shall enter or be present in the park during closed hours except when in a designated camping space pursuant to a temporary stay permit or when parked in an emergency area in compliance with the provisions of Section 53.12.270. Park closed hours shall be from ten p.m. to one hour before official sunrise.

(Res. 113-91 § 8)

### **53.12.090 PICNICKING.**

Picnicking is permitted only in designated and marked picnicking areas, or in such other places within the park as may from time to time be designated by the Director.

(Res. 113-91 § 9)

### **53.12.100 PETS.**

- A. All dogs or other pets or domestic animals must be kept on leash no greater than eight feet in length, and under control at all times while in the park.
- B. Dogs, pets or domestic animals are not permitted on any designated swimming beach within the park, nor in any public building unless so posted; provided, however, this subsection shall not apply to seeing eye dogs.
- C. No person shall allow his dog or other pet or domestic animal to bite or in any way molest or annoy other park visitors. No person shall permit his dog or other pet or domestic animal to bark or otherwise disturb the peace and tranquility of the park.

(Res. 113-91 § 10)

### **53.12.110 HORSEBACK RIDING.**

- A. No horses shall be permitted within the park, except where designated and posted to specifically permit such activity.
- B. 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.
- C. Horses shall not be permitted on any designated swimming area, campground or picnic area.

(Res. 113-91 § 11)

### **53.12.120 GAMES ON BEACHES.**

Playing games and general horseplay on crowded beach areas within the park are prohibited. At such times as large uncrowded beach areas may accommodate games, such games will be permitted only with the consent of the Director.

(Res. 113-91 § 12)

### **53.12.130 DISROBING.**

- A. No person shall disrobe in public within the park.
- B. Clothing sufficient to conform to common standards shall be worn at all times within the park.

(Res. 113-91 § 13)

### **53.12.140 TENTS, ETC. ON BEACHES.**

No person shall erect, maintain, use or occupy any tent or shelter on any beach within the park unless there is an unobstructed view through such tent or shelter from at least two sides; provided, however, that nothing in this section shall be construed to authorize camping except in designated areas.

(Res. 113-91 § 14)

### **53.12.150 RESERVED.**

Editor's note(s)—Ord. No. 163-17, adopted May 16, 2017, deleted § 53.12.150, firearms, which derived from Res. 113-91, as being preempted by State law.

### **53.12.160 FIREWORKS.**

No person shall possess, discharge, set off or cause to be discharged, in or into any area of the park, any firecrackers, torpedoes, rockets, fireworks, explosives or substance harmful to the life or safety of persons or property.

(Res. 113-91 § 16)

### **53.12.170 RELIGIOUS SERVICES OR GROUP RALLIES.**

Religious services or group rallies may be permitted in the park where facilities are adequate, and where such activities will not conflict in any way with normal park usage. To avoid any such conflict, permission for such activities must be obtained in advance from the Director. Permission for the use of loudspeakers by groups must also be obtained in advance from the Director.

(Res. 113-91 § 17)

### **53.12.180 RUBBISH.**

- A. No person shall leave, deposit, drop or scatter bottles, broken glass, ashes, waste paper, cans or other rubbish in any area of the park, except in a garbage can or other receptacle designated for such purposes.
- B. No person shall deposit any household or commercial garbage, refuse, waste or rubbish, which is brought as such from any private property, in any of the park's garbage cans or other receptacles designated for the disposal of refuse.

(Res. 113-91 § 18)

### **53.12.190 SANITATION.**

No person shall within any area of the park:

- A. Drain or dump refuse or waste from any recreation vehicle, automobile or other public vehicle, except in designated disposal areas or receptacles.
- B. 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.
- C. Clean or wash any automobile or other vehicle except in areas specifically designated for that use.
- D. Pollute, or in any way contaminate by dumping or otherwise depositing therein any waste or refuse of any nature, kind, or description, including human or bodily waste, any stream river or other body of water running in, through or adjacent to the park.

(Res. 113-91 § 19)

### **53.12.200 SOLICITATION.**

No person shall solicit, sell or peddle any goods, wares, merchandise, liquids, or edibles for human consumption, or distribute or post any handbills, circulars, or signs, or use any loudspeakers or other amplifying device, in any area of the park, except by concession granted by the Board of County Commissioners of Wahkiakum County.

(Res. 113-91 § 20)

### **53.12.210 CONSUMPTION OF ALCOHOL.**

- A. Opening or possessing alcoholic beverages in an open container, or consuming any alcoholic beverages, shall be prohibited within the park, except in the following designated areas and under the following circumstances:
  - 1. In designated campgrounds, by registered campers or their guests; and
  - 2. In designated picnic areas, which shall include those sites within the park where picnic tables, benches, fireplaces, and/or outdoor kitchens are available, even though not signed as designated picnic areas.
- B. In no event shall any person under the age of twenty-one years, possess, consume or appear after having consumed, any alcoholic beverage, within the park.

(Res. 113-91 § 21)

### **53.12.220 INTOXICATION IN PARK.**

Being or remaining in or loitering about in any area of the park while in a state of intoxication shall be prohibited.

(Res. 113-91 § 22)

### **53.12.230 MOVEMENT OF PARK FURNISHINGS PROHIBITED.**

No person shall move any bench, picnic table, garbage receptacle, sign or other park furnishing, from its designated location.

(Res. 113-91 § 23)

### **53.12.240 DISORDERLY CONDUCT.**

No person shall engage in any disorderly conduct within the park. A person is guilty of disorderly conduct if, with purpose to cause public inconvenience, annoyance or alarm, or recklessly or negligently creating a risk thereof, he or she:

- A. Engages in fighting, or in violent or tumultuous behavior; or
- B. Makes unreasonable noise or offensively coarse utterance, gesture or display, or addresses abusive language to any person present; or
- C. Creates a hazardous or physically offensive condition by any act which serves no legitimate purpose of the actor.

(Res. 113-91 § 24)

### **53.12.250 PEACE AND QUIET.**

To insure peace and quiet for park users:

- A. No person shall conduct himself or herself so that park users are disturbed in their sleeping quarters between the quiet hours of eleven p.m. and six-thirty a.m.
- B. No person shall, at any time, use sound-emitting electronic equipment including electrical speakers, radios, phonographs, televisions or other such equipment, at a volume which emits sound beyond the immediate individual camp or picnic site that may disturb other park users.
- C. Engine driven electric generators may be operated only between the hours of eight a.m. and nine p.m.

(Res. 113-91 § 25)

### **53.12.260 HANDICAPPED FACILITIES.**

Handicapped facilities provided in the park are for the exclusive use of handicapped persons. No person not suffering from a handicap shall use facilities designated as handicapped facilities.

(Res. 113-91 § 26)

### **53.12.270 DESIGNATION OF EMERGENCY AREA.**

In the interests of traffic safety, the Board of County Commissioners may, by resolution, set aside not to exceed four spaces within the park to be designated as an emergency area. The purpose of the emergency area is to provide a safety rest area for motorists who find themselves too tired to drive safely. The emergency area, if established, shall be so designated by signs. No person shall park a motor vehicle in the emergency area without first checking in with the Park Host in the event that a park host has been appointed. Motorists may only occupy the emergency area for the purpose of sleeping between the hours of eleven p.m. and six-thirty a.m.

(Res. 113-91 § 27)

### **53.12.280 EXPULSION FROM PARK.**

In addition to any other penalty that may be provided by law for a violation of this chapter, failure by any person to comply with any provision of this chapter shall subject the person so failing to comply to immediate ejection from the park. A person subject to ejection pursuant to this section shall immediately leave the park when ordered to leave by the Director or a peace officer. Any person who refuses to leave the park after being given such an order shall be guilty of criminal trespass in the second degree and shall be punished as provided in RCW 9A.52.080 as now or hereafter amended.

(Res. 113-91 § 28)

### **53.12.290 VIOLATIONS—PUNISHMENT.**

Unless otherwise specifically provided herein, any violation of any provision of this chapter is a civil infraction that will be heard and determined by Wahkiakum County District Court in accord with the provisions of Chapter 7.80 of the Revised Code of Washington as now or hereafter amended; provided, that any violation of a rule or regulation relating to traffic including parking, standing, stopping and pedestrian offenses is a traffic infraction, except that violation of a rule or regulation equivalent to those provisions of Title 46 RCW set forth in RCW 46.63.020 is a misdemeanor; provided further, that any violation of any provision of Sections 53.12.240, 53.12.280 and 53.12.320 shall constitute a misdemeanor and shall be punished as provided in RCW 9.92.030.

(Res. 113-91 § 29)

### **53.12.300 ENFORCEMENT OFFICERS DESIGNATED.**

For purposes of issuing a notice of civil infraction pursuant to Chapter 7.80 RCW for violations of this chapter, the following persons are designated "enforcement officers" and are hereby authorized to enforce the civil provisions of this chapter: the Sheriff of the County and his deputies, any peace officer of the State of Washington, the Director and all Park Hosts duly appointed by the Director. Only the Sheriff, his deputies and peace officers are authorized to enforce the criminal provisions of this chapter.

(Res. 113-91 § 30)

### **53.12.310 MONETARY PENALTIES.**

- A. A person found to have committed a civil infraction shall be assessed a monetary penalty (including statutory assessments) not to exceed the following amounts:
  - 1. First infraction, Seventy-five Dollars;
  - 2. Second infraction, One Hundred Fifty Dollars;
  - 3. Third and subsequent infractions, Three Hundred Dollars.
- B. There shall be an additional penalty of Twenty-five Dollars assessed for failure to respond to a notice of civil infraction. This civil penalty shall be in addition to the criminal penalties prescribed in RCW 7.80.160 for violating a written and signed promise to respond to a notice of civil infraction.

(Res. 113-91 § 31)

### **53.12.320 FAILURE TO PAY MONETARY PENALTIES—PUNISHMENT.**

Whenever a monetary penalty is imposed by the Court pursuant to this chapter and Chapter 7.80 RCW, it is immediately payable. Willful failure to pay the penalty constitutes a misdemeanor.

(Res. 113-91 § 32)

### **53.12.330 PERSONS LIABLE.**

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

(Res. 113-91 § 33)

### **53.12.340 AUTHORITY—LIBERAL CONSTRUCTION.**

This chapter is declared to be an exercise of the police power of the State of Washington and Wahkiakum County for the public peace, health, safety and welfare and its provisions shall be liberally construed.

(Res. 113-91 § 34)

### **53.12.350 SEVERABILITY.**

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

(Res. 113-91 § 35)

### **53.12.360 EFFECTIVE DATE.**

The ordinance codified in this chapter shall take effect September 1, 1991.

(Res. 113-91 § 36)

## ***Chapter 53.14 JOHNSON PARK***

### Sections:

#### **53.14.010 JOHNSON PARK BOARD ESTABLISHED.**

There is established in Wahkiakum County, Washington, a County agency or organization known as the "Wahkiakum County Johnson Park Board," which shall consist of five regular members to serve at the pleasure of the Board of County Commissioners without compensation except as provided in this Chapter. Of these members, four must be residents of Wahkiakum County. The fifth may, in the discretion of the Board of Commissioners of Wahkiakum County, reside in Pacific County, so long as that member resides within corporate limits of Naselle-Grays River Valley School District No. 155.

(Res. No. 105-07, § 1, 8-28-07; Res. No. 030-11, § 1, 3-8-11; Res. No. 174-16, 12-20-16; Res. No. 90-18, § 1, 8-7-18)

### **2.116.010 JOHNSON PARK BOARD ESTABLISHED.**

There is established in Wahkiakum County, Washington, a County agency or organization known as the "Wahkiakum County Johnson Park Board," which shall consist of five regular members to serve at the pleasure of the Board of County Commissioners without compensation except as provided in this Resolution.

(Res. No. 105-07, § 1, 8-28-07; Res. No. 030-11, § A.1, 3-8-11; Res. No. 174-16, § 1, 12-20-16)

### **53.14.020 MEMBERSHIP—APPOINTMENT—TERMS.**

- A. The membership of the Board shall be composed of five residents of Wahkiakum County. All memberships shall be "at large" positions, members may be selected from any part of Wahkiakum County. Each member shall serve a three-year term beginning January 1st of the calendar year following that member's appointment.
- B. To ensure continuity of Board membership, the terms of Board members shall be staggered. During the September 2007, Johnson Park Board meeting, the terms of office of all incumbent members shall be adjusted as follows: Board members will determine which two members will have initial one-year terms, which two members will have initial two-year terms, and the remainder shall have initial three-year terms. The newly aligned terms of office shall take effect on January 1, 2008.
- C. Upon the occurrence of a vacancy in Johnson Park Board membership, a new member shall be appointed by the Board of County Commissioners to fill the unexpired term of his or her predecessor to ensure a continuation of staggered expiration dates.
- D. Members of the Johnson Park Board shall be appointed by majority vote of the Board of County Commissioners as vacancies occur. As to each appointment, the member shall be selected from a list of all nominees who have expressed a preliminary interest in the appointment. The Johnson Park Board shall take all necessary steps to ensure proper notices, postings, and advertisements required of public bodies have been made regarding any Johnson Park Board vacancies. This list shall be submitted to the Board of County Commissioners by the Johnson Park Board. Nominees shall be sent to the Board of County Commission no later than sixty (60) days prior to that individual's end of term, if practicable.

(Res. No. 105-07, § 2, 8-28-07; Res. No. 030-11, § A.2, 3-8-11; Res. No. 174-16, § 2, 12-20-16)

### **53.14.030 EX-OFFICIO MEMBERS.**

In addition to the members of the Board herein provided, the Johnson Park Board may appoint ex officio members as deemed necessary. Each of the County Commissioners may serve as ex-officio nonvoting members of the Johnson Park Board.

(Res. No. 105-07, § 3, 8-28-07)

### **53.14.040 MEETINGS—QUORUM.**

All Johnson Park Board meetings shall be public meetings subject to the Open Meetings laws of the State of Washington. The presence of not less than two members, in addition to either the president or presiding officer, shall constitute a quorum of the Johnson Park Board and business may be conducted upon an affirmative vote of a majority of the quorum. The Johnson Park Board shall meet once a month on a regularly scheduled meeting date, place, and time, notice of which shall be given to the public as provided by law. Upon motion of the Board at any regular meeting, or on the request of not less than three Johnson Park Board members, the Johnson Park Board

may set additional meetings notice of which shall be preceded by notice of not less than twenty-four (24) hours to the members and the press, on an emergency order of the Chairman of the Board.

(Res. No. 105-07, § 4, 8-28-07)

#### **53.14.050 OFFICERS.**

The members of the Johnson Park Board shall elect from their members a President and Vice-President. The members of the Johnson Park Board may elect from their members, or appoint persons not from the membership, to serve as Secretary and Treasurer of the Johnson Park Board. Election of officers shall be held at the December meeting of each year and officers shall take office in the first meeting of January of the succeeding year. Officers shall serve until the first meeting of the succeeding year.

(Res. No. 105-07, § 5, 8-28-07)

#### **53.14.060 MEMBERSHIP—VACANCIES.**

All vacancies on the Wahkiakum County Johnson Park Board shall be filled by appointment by the Board of County Commissioners as provided in Section 2.116.020 of this Resolution.

(Res. No. 105-07, § 6, 8-28-07)

#### **53.14.070 CONFLICT OF INTEREST.**

All members of the Wahkiakum County Johnson Park Board shall be held strictly accountable to the standards of conduct set forth in RCW Chapter 42.20 and shall at all times avoid a conflict of interest and maintain appearance of fairness standards. However, Johnson Park Board Members may submit, on a case-by-case basis, requests for exceptions to established policy and procedures.

(Res. No. 105-07, § 7, 8-28-07)

#### **53.14.080 OFFICER DUTIES.**

It shall be the duty of the President of the Johnson Park Board to conduct the meetings of the Board, to report to the Board of County Commissioners on the business of the Johnson Park Board, and to represent the Johnson Park Board in matters requiring representation. It shall be the duty of the Vice President to serve in the absence or unwillingness to serve of the President. It shall be the duty of the Secretary to keep and maintain the minutes of the Johnson Park Board, which is a public record, and to correspond for the Board when correspondence is required. It is the responsibility of the Treasurer to report to the Johnson Park Board, to prepare and present vouchers for submittal for approval and signature of the Johnson Park Board and to confer with the County Auditor as to the status of the Johnson Park Budget, and to account to and deposit with the County Treasurer as to receipts obtained through both the operation of the Johnson Park and the parkgrounds properties.

(Res. No. 105-07, § 8, 8-28-07)

#### **53.14.090 JOHNSON PARK EVENT/COORDINATOR.**

The Board of County Commissioners shall annually appoint a Johnson Park Event Coordinator from a list of recommendations from the Johnson Park Board, to serve at the will of the Board of County Commissioners. The Johnson Park Event Coordinator shall be a volunteer position, as are the other board members. The Johnson Park Event Coordinator may, but need not, simultaneously hold the position of board member or officer.

(Res. No. 105-07, § 9, 8-28-07; Ord. No. 174-16, § 2, 12-20-16)

### **53.14.100 JOHNSON PARK BOARD—DUTIES AND POWERS.**

The Johnson Park Board shall be responsible for the operation, maintenance, expenditures and receipts of the Wahkiakum County Johnson Park and grounds' properties. The Johnson Park Board shall have the power to adopt formal policies, rules and regulations relative to the operation, maintenance and conduct of the Johnson Park and grounds, however Johnson Park and related properties are subject only to policies, rules, regulations, resolutions or ordinances approved by the Board of County Commissioners or laws of the State of Washington. The Johnson Park Board shall, with the advice of the event coordinator, make a preliminary budget of the Current Expense Johnson Park Budget. The budget shall then be presented to the Board of County Commissioners annually in conformity with the needs of the Johnson Park and guidelines adopted and promulgated by the County Auditor. The Johnson Park Board shall recommend to the Board of County Commissioners nominees for appointment of members to the Board when vacancies occur.

(Res. No. 105-07, § 10, 8-28-07)

### **53.14.110 RECEIPT DEPOSIT.**

All receipts from the operation of the Johnson Park and Johnson Park properties shall be deposited to the credit of the Johnson Park Fund with the County Treasurer within twenty-four (24) hours as provided by RCW 43.09.240 unless other arrangements have been made as provided by that statute.

(Res. No. 105-07, § 11, 8-28-07)

### **53.14.120 BONDS FOR RESPONSIBLE OFFICIALS.**

The Johnson Park Event Coordinator, President, Vice President, Secretary and Treasurer shall at all times keep in full force and affect a personal corporate surety bond in an amount not less than the amount annual budgeted for Johnson Park Fund.

(Res. No. 105-07, § 12, 8-28-07)

### **53.14.130 JOHNSON PARK/EVENT COORDINATOR DUTIES AND POWERS.**

The Johnson Park Event Coordinator shall be responsible for promoting events and activities of Johnson Park and Johnson Park properties and shall be responsible for carrying out Johnson Park and Johnson Park property policies, rules and regulations adopted and promulgated by the Johnson Park Board and Board of County Commissioners. The Johnson Park Event Coordinator shall attend the meetings of the Johnson Park Board and shall make recommendations regarding required rules and regulations. Johnson Park Event Coordinator shall initiate, direct and administer Johnson Park and Johnson Park related activities.

(Res. No. 105-07, § 13, 8-28-07)

### **53.14.140 COMMITTEES.**

The Johnson Park Board shall have the authority to delegate to Johnson Park Committees certain nonfinancial duties to study and investigate problems in their respective fields as they relate to the management, development and operations of the Johnson Park to report back to the Johnson Park Board with recommendations. Johnson Park Board Committees shall have authority to take full charge of and complete projects only when specifically authorized so to do by the Johnson Park Board. An Executive Committee shall be

composed of only the officers of the Johnson Park Board, one County Commissioner selected by the Board of County Commissioners, and the Johnson Park Event Coordinator as ex officio non-voting member. It shall have authority to act for the Johnson Park Board on emergency matters which require immediate attention. The remaining members of the Johnson Park Board may serve on the Executive Committee but shall not be counted for purposes of constituting a quorum.

An Executive Finance Committee is established and shall be comprised of all the Executive Committee members except the County Commissioner. The quorum for the Executive Finance Committee is defined in Section 2.116.040, above. Other committees may be established for budget, building and grounds; concessions and parking; entertainment; public relations; youth activities, and such other committees as may be established by the Johnson Park Board. Committees other than the Executive Committee may consist of committee members not members of the Johnson Park Board, and a minimum of one Johnson Park Board Members shall sit on each committee.

(Res. No. 105-07, § 14, 8-28-07)

### **53.14.150 BOARD OF COUNTY COMMISSIONERS' POWERS.**

The Board of Wahkiakum County Commissioners retains fiscal responsibility for final approval of the Johnson Park Fund Budget, Johnson Park Current Expense Budget, investment authority for the surplus moneys attributable to the Johnson Park, and the power to audit, approve or deny vouchers regularly submitted thereon. The Board of County Commissioners similarly reserves the power to approve or deny interbudgetary transfers which shall only be made upon resolutions as set forth in RCW Chapter 36.40. The Board of County Commissioners retains all powers relative to the real estate for other purposes. Capital improvements shall be made only upon the approval of the Board of County Commissioners. In the event that any Johnson Park Board member fails in continued participation in the meetings of Johnson Park Board and its committees, defined herein as absence from three consecutive Johnson Park Board or Committee meetings, the Board of County Commissioners reserves the right to declare such Johnson Park Board member position vacant. The Board shall fill the vacant position within sixty (60) days pursuant to the selection process set forth in Section 2.116.020(D), above.

(Res. No. 105-07, § 15, 8-28-07)