

ORDINANCE #511

AN ORDINANCE AUTHORIZING THE USE OF SKATEBOARDS AND OTHER NON-MOTORIZED RECREATIONAL EQUIPMENT IN DESIGNATED AREAS OF YACOLT TOWN PARK AND AMENDING THE RULES GOVERNING THE USE OF YACOLT TOWN PARK AS DESCRIBED IN ORDINANCE #422

Whereas, the rules of use for Yacolt Town Park described in Ordinance #422 do not permit the use of skateboards anywhere in the Town Park, and permit the use of rollerblades and other non-motorized recreational equipment on concrete walkways only;

Whereas, the Town of Yacolt recently installed equipment at the Town Park specifically designed for use by skateboards and other types of recreational equipment appropriate for a skate park;

Whereas, the Town of Yacolt desires to amend the rules of use for the Town Park to permit the use and enjoyment of the new skate park equipment by the general public; and,

Whereas, the Town Council of the Town of Yacolt, Washington is in regular session this 5th day of August, 2013, and all members of the Town Council have had notice of the time, place, and purpose of said meeting:

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Yacolt, Washington, as follows:

Section 1 - Purpose: The purpose of this Ordinance #511 is to amend the general rules of use for Yacolt Town Park to permit the use of skateboards, bicycles, rollerblades and similar non-motorized wheel-based recreational equipment in designated areas of the Town Park.

Section 2 - Amendment of Subsection 2.I. of Ordinance #422: Subsection 2.I. of Ordinance #422 of the Town of Yacolt, adopted on August 5, 2002 is hereby amended to read as follows:

The riding of skateboards shall be confined to specifically designated areas of the Park. The riding of skateboards is not permitted on, over or across any other Park property, paved walkways or parking areas. Violators of this provision are subject to having their skateboard(s) impounded.

Section 3 - Amendment of Subsection 2.J. of Ordinance #422: Subsection 2.J. of Ordinance #422 of the Town of Yacolt, adopted on August 5, 2002 is hereby amended to read as follows:

Bicycles, roller skates, rollerblades or scooters may be used only on concrete, paved or other established paths, walkways and trails within the Park property. Bicycles, roller skates, rollerblades or scooters may be used in other areas of the Park as may be specifically designated from time to time by the Mayor or Public Works Supervisor. Violators of this provision are subject to having their equipment impounded.

Section 4 - Addition of a New Section 11 in Ordinance #422: A new Section 11 shall be added to Ordinance #422 of the Town of Yacolt, adopted on August 5, 2002 to read as follows:

SECTION 11: No public duty created. It is expressly the purpose of this Ordinance to provide for and promote the health, safety and welfare of the general public and not to create or otherwise establish or designate any particular class or group of persons or individuals who will or should be especially protected or benefitted by the terms of this Ordinance. Nothing contained in this Ordinance is intended nor shall be construed to create or form the basis of any liability on the part of the Town of Yacolt or its officers, employees or agents for any injury or damage resulting from any action or inaction on the part of the Town related in any manner to the enforcement of this Ordinance by its officers, employees or agents.

Section 5 - Savings Clause: All terms of Ordinance #422, as amended, shall remain in full force and effect until the effective date of this Ordinance #511. As of and following the effective date of this Ordinance #511, the remaining terms of Ordinance #422 shall remain in full force and effect as amended hereby.

Section 6 - Severability: If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is declared unconstitutional or invalid for any reason by a court of competent jurisdiction, or its application to any person or circumstances is held invalid, the remaining portion of this Ordinance shall remain in full force and effect, and the application of the provision to other persons or circumstances shall not be affected.

Section 7 - Effective Date: This Ordinance shall take effect immediately upon adoption and publication of the following summary, according to law.

Town of Yacolt - Summary of Ordinance #511

The Town Council of the Town of Yacolt adopted Ordinance #511 at its regularly scheduled Town Council meeting held on August 5, 2013. The content of the Ordinance is summarized in its title as follows:

"AN ORDINANCE AUTHORIZING THE USE OF SKATEBOARDS AND OTHER NON-MOTORIZED RECREATIONAL EQUIPMENT IN DESIGNATED AREAS OF YACOLT TOWN PARK AND AMENDING THE RULES GOVERNING THE USE OF YACOLT TOWN PARK AS DESCRIBED IN ORDINANCE #422"

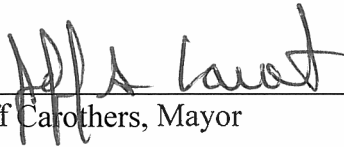
The effective date of the Ordinance is the 14th day of August, 2013.

A copy of the full text of the Ordinance will be mailed upon request to the undersigned at the Town of Yacolt Town Hall, P.O. Box 160, Yacolt, WA 98675: (360) 686-3922.

Published this 14th day of August, 2013
Cindy Marbut, Town Clerk/Treasurer

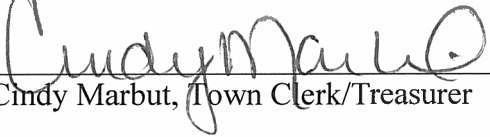
PASSED by the Town Council of the Town of Yacolt, Washington, at a regular meeting thereof this 5th day of August, 2013.

TOWN OF YACOLT




Jeff Carothers, Mayor

Attest:



Cindy Marbut, Town Clerk/Treasurer

Approved as to Form:



David W. Ridenour, Town Attorney

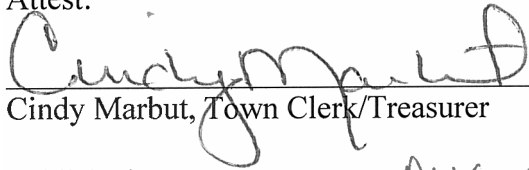
Ayes: Myers, Hancock, Urias
Nays: _____
Absent: Gerhardt, Karl
Abstain: _____

Published: AUGUST 14, 2013
Effective: AUGUST 14, 2013

TOWN CLERK'S CERTIFICATION

I hereby certify that the foregoing Ordinance is a true and correct copy of Ordinance #511 of the Town of Yacolt, Washington, entitled "AN ORDINANCE AUTHORIZING THE USE OF SKATEBOARDS AND OTHER NON-MOTORIZED RECREATIONAL EQUIPMENT IN DESIGNATED AREAS OF YACOLT TOWN PARK AND AMENDING THE RULES GOVERNING THE USE OF YACOLT TOWN PARK AS DESCRIBED IN ORDINANCE #422", as approved according to law by the Town Council on the date therein mentioned. The Ordinance has been published or posted according to law.

Attest:


Cindy Marbut, Town Clerk/Treasurer

Published: AUG 14, 2013
Effective Date: AUG 14, 2013
Ordinance Number: 511