

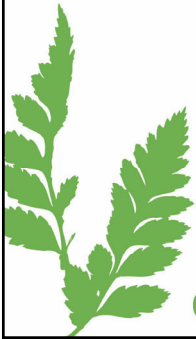


Updating TMC 8.27- Park Code

Community Vitality and Safety Committee
Metro Parks Tacoma | City of Tacoma

August 22, 2019

Item #2



CREATING HEALTHY OPPORTUNITIES TO PLAY, LEARN AND GROW.



City of Tacoma

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Overview

City of Tacoma and Metropolitan Parks District of Tacoma staff recommend updates to the Tacoma Municipal Code Title, 8 Public Safety, pertaining to the Park Code, to respond to current and emerging issues that impact patrons of the parks system in Tacoma.

Briefing Objectives

1. To increase awareness and understanding:
 - (a) for the jurisdictional responsibility and authority for consistently enforcing the Park Code and related laws;
 - (b) for the purpose of the Park Code and related laws governing the park and recreation system;
 - (c) for the philosophy and approach regarding Park Code compliance;
 - (d) for the proposed revisions to Tacoma Municipal Code (TMC) 8.27- Park Code;
 - (e) for engaging the community regarding the proposed changes and public comments received to-date;
 - (f) for the procedural steps associated with revising the TMC;
2. To address questions or concerns;
3. To identify next steps and critical path leading to adoption.

Jurisdiction & Authority

Tacoma City Charter (Section 2.16)

- “provides that the City Council shall arrange for the compilation or codification of the charter and all ordinances of a general, public or permanent nature, or imposing a fine, penalty or forfeiture...shall become the official Code of the City.”

Tacoma Municipal Code (TMC) Section 8.27

- together with other provisions of the TMC, the general police regulations of the City of Tacoma and rules adopted by MPT constitutes the park code for the City of Tacoma:
 - Regulates conduct in all public parks within the City of Tacoma
 - Exercise of police power for public peace, health, safety and welfare

Revised Code of Washington (RCW) 35.61.130- Park Commissioner's Authority

- ...”all parks, boulevards, parkways, aviation landings and playgrounds **shall be subject to the police regulations of the city within whose limits they lie**”;
 - To enable enforceable police regulations applicable within/upon park property, park rules must be adopted into the City and County codes

Park Code Goals:

- **To preserve parks and recreation assets for the health, enjoyment, safety, comfort and convenience of the community;**
 - *Regulating only to the extent necessary to prevent nuisances and protect the health, welfare and safety of the public and staff;*
- **To provide for the orderly administration of the park system**
 - *Specifying prohibited conduct that unreasonably interferes with the operations and lawful use of the system;*
 - *Providing sufficient and reasonable parameters to preserve and protect park visitors, guests, park and recreation assets and the natural environment.*

Frequency of Updates:

- As needed to address new issues;
- Last TMC 8.27 updates included:
 - June 2007- clarified enforcement authority
 - June 2009- addressed extending park exclusions
- Proposed revisions can be pursued at any time; (formal linkage w/CAPRA process- every 5 yrs)



Park Code Compliance Philosophy- *rooted in our Mission and Values*

MPT Mission: Creating healthy opportunities to play, learn and grow.

MPT Values:

- **Innovation-** creative ways to deal with issues and trends...embrace change and encourage flexibility...
- **Excellence-** strive for excellence, providing exceptional parks, facilities, programs and customer service.
- **Equity-** provide parks, facilities and programs in a just, fair and equitable manner...
- **Inclusiveness-** provide accessible, affordable, accommodating and welcoming parks and program services regardless of age, ability, race, ethnicity and income...
- **Sustainability-** all decisions will have long-term and regional impacts on the environment, society, culture, and economy...
- **Accountability-** ...responsive, transparent and accountable to the people we serve...will engage the public and make decisions in an open and candid manner responsive to the changing needs of the diverse community.
- **Safety-** ...provide safe and inviting parks, recreation facilities, and program services for social interaction, learning and enjoyment
- **Fun-** ...importance of play in the lives of residents...build community on foundation of fun



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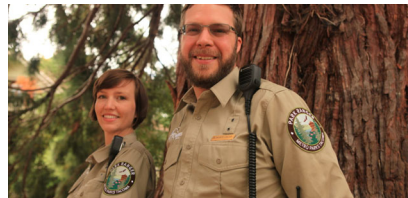
Park Code Compliance Philosophy

Philosophy:

- To emphasize education and voluntary compliance;
- To encourage social-norming- focus on positive messages about healthy and desirable behaviors and promote positive influence from peer visitors and guests;
- Not all violations:
 - Have the same degree of severity- intent is to enable discretion in response;
 - Can be given the same level of attention- the most serious violations will be priority;
 - To pursue progressive steps- commensurate with the frequency/severity of the circumstances

Strategies include:

- Visible signage
- Maps, brochures, social media, web & collateral materials
- Guest interactions
- Presence of other users and guests
- Presence of uniformed staff
 - MPT staff
 - Lifeguards
 - Park Watch Volunteers
 - Park Rangers
 - Private security
 - Town of Ruston Police
 - City of Tacoma Police
 - Pierce County Sheriff



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METRO PARKS TACOMA

Summary of Substantive Changes



- **8.27.030 Definitions**
 - Adds a new definition addressing “drones”/“unmanned aircraft systems”
 - Adds a new definition addressing “micro-mobility devices” to be inclusive of bicycles, scooters, surreys, skateboards, electric scooters, mono-wheel devices, e-bikes and other electric powered devices;
 - Adds any personal transportation device that is powered by an internal combustion engine to “Vehicle” definition- excludes micro-mobility devices;
 - Adds a new definition for “rafting”- the berthing of multiple boats;
- **8.27.050 Permits- Generally**
 - Adds language to clarify maximum sound levels at the park boundary;
- **8.27.080 Intoxicating Liquors**
 - Revises the penalty for violation to align with State law;
- **8.27.085 Smoking and vaping in parks prohibited**
 - Adds language prohibiting the use of e-cigarettes, vapor products and other nicotine containing substances;

Summary of Substantive Changes



- **8.27.130 Molesting or feeding animals**
 - Extends wildlife protections to non-domesticated animals and prohibits harassment
- **8.27.165 Moorage buoy and float regulations**
 - Clarifies continuous moorage as three non-consecutive or consecutive overnight periods within a 10 day period;
 - Adds language to include parking and launching fees that are also subject to payment;
 - Revises the penalty for violation to align with State law;
- **8.27.180 Use of certain equipment**
 - Adds sky lanterns, drones, unmanned aircraft systems and motorized models as prohibited equipment except as specifically designated or as authorized;

Summary of Substantive Changes



- **8.27.200 Vehicular and Micromobility Device standards**
 - Adds new micro-mobility devices definition to be inclusive of bicycles- prohibiting them except on designated roads, sidewalks, paths or trails; exempts accessibility devices
- **8.27.205 Entrance Fees**
 - Revises the penalty for violation to align with State law
- **8.27.210 No Structures in parks; exceptions**
 - Clarifies prohibited activities associated with the setting of structures to include erecting, installing or placing;
 - Defines structure to be inclusive of any temporary makeshift dwelling unit, lean-to, shack and trailer whether comprised of artificial or natural materials;
 - Provides exceptions to structures placed by the owner of the park or as authorized by the Director and temporary structures that have only a roof and no walls;
- **8.27.215 Parking fees**
 - Aligns discretionary authority language enabling the Director to establish fees;
 - Revises the penalty for violation to align with State law;

Summary of Substantive Changes



- **8.27.220 Opening and Closing hours, no use of parks when closed, exceptions**
 - Enables exceptions to park closure hours as determined by the Director;
 - Clarifies all equipment, personal property or structure that remains in a park after closure will be removed;
- **8.27.250 Penalty for Violations**
 - Revises the penalty for violation to align with State law
- **8.27.251 Authority to adopt a code of conduct**
 - Enables the Director to adopt a code of conduct regulating the activity and behavior in parks in order to protect the public's health and safety and preserve park property
 - Enables the creation of criteria to determine the length of any exclusion notice
- **8.27.255 Violators may be required to leave park**
 - Aligns violation of any code of conduct adopted by the Director with all other park rule violations

Community Outreach and Communications Strategy



- **Goals:**
 - Solicit community feedback on the proposed revisions and summarize comments and recommendations to inform ongoing revisions of the Park Code prior to approval and execution;
- **Strategies to include:**
 - Media release via web summarizing code changes with links to applicable documents;
 - Encourage partners and stakeholders to share the announcement with their constituents;
 - Facilitate social media engagement;
 - Share information via MPT and COT Community Liaisons to Neighborhood Councils;
 - Solicit feedback from Advisory Councils;
 - Feature code revisions at MPT's outreach booth during upcoming events;
 - Partner with the City of Tacoma to leverage their engagement resources
- **Stakeholders include:**

<ul style="list-style-type: none"> ○ Tacoma-Pierce County Health ○ Centro Latino ○ Downtown on the Go ○ Neighborhood Councils ○ Tacoma Housing Authority ○ Tacoma Chamber of Commerce ○ Downtown Business Association 	<ul style="list-style-type: none"> ○ Associated Ministries ○ Tacoma Public Schools ○ Asian-Pacific Culture Association ○ Cross-District Business Association ○ Park user groups ○ Park Watch groups ○ Park stewardship groups
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Summary of Public Comments Received To-Date

Staff will brief the Committee with comments received through August 21st, 2019

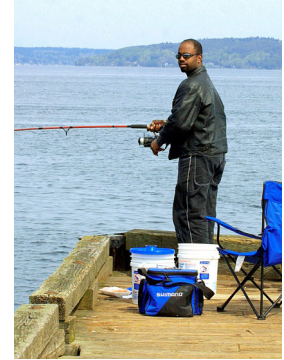
Park Code Update- Key Dates

MPT Park Board:

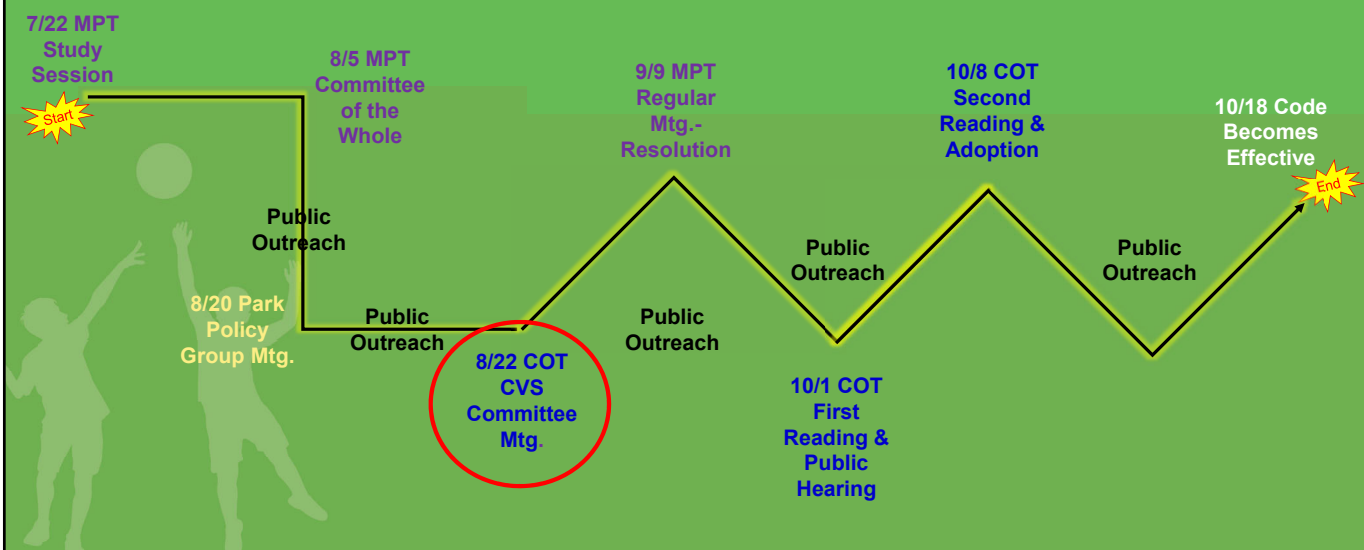
- 7/22 Study Session- Overview
- 8/5 Committee of the Whole
- 8/7-8/31 Formal Public Outreach
- 8/20 Park Policy Group Meeting- Recommended Revisions (PC Pointer; PC Reid; CM Ushka; CM Beale)
- 9/9 Regular Meeting- Resolution recommending COT adoption

COT City Council:

- 8/20 Park Policy Group Meeting- Recommended Revisions (PC Pointer; PC Reid; CM Ushka; CM Beale)
- 8/22 Community Vitality and Safety Committee
- 10/1 First Reading/Public Hearing
- 10/8 Second Reading/Adoption



Park Code Update- Anticipated Critical Path



Recommendations

Staff recommends the Community Vitality and Safety Committee forward the recommended revisions to the City Council for consideration and approval, pending:

- 1) completion of community outreach and public comment that may further inform code revisions; and,
- 2) the September 9th Park Board final review and recommendation to the City Council

