

Park Code Update

Answers to Common Questions

Why are these changes necessary?

The park code hasn't been updated in 10 years. Updates are needed to address changes in technology, reflect recent case law, incorporate new business practices, and better align the park code with other city codes and state law.

The intent of the park code is to regulate only to the extent necessary to prevent nuisances and protect the health, welfare and safety of the public and staff. It seeks to specify prohibited conduct that unreasonably interferes with the operations and lawful use of the system.

Vaping isn't the same as smoking, so why is it being added to the smoking ban?

Metro Parks Tacoma's mission is to provide healthy places for people to play, learn and grow. The district is aligning its Park Code with [current public health law](#). The Tacoma Pierce County Health Department prohibits vaping in public places, including outdoor spaces where children congregate which includes but is not limited to real property that is under the control of child care facilities or schools, playgrounds, parks, beaches, athletic fields and stadiums (TPCHD Environmental Health Code 9.5(A) & (B)).

Vapor products, also known as e-cigarettes or vape pens, represent a market that has grown exponentially since they were introduced in the mid-2000s. They are typically equipped with a battery, a heating device and a cartridge containing nicotine, flavorings, and solvents. The nicotine solution is heated to produce an aerosol that is inhaled or vaped. There are more than 400 different brands of e-cigarettes and more than 7,000 flavoring chemicals. Use of vapor products is largely unregulated and rapidly increasing, especially among youth. In addition to the nicotine, vaping may expose users and bystanders to harmful toxins like formaldehyde and heavy metals. It may take decades to fully understand long-term effects of e-cigarettes and exposure to vaporized nicotine.

Does the smoking/vaping ban apply to marijuana, or is that addressed elsewhere?

It is currently illegal to consume marijuana in view of the public (RCW 69.50.445) and Tacoma Municipal Code prohibits the smoking or ingestion of cannabis any place other than a private residence (TMC 8.30.C(6)).

What does it mean to say that drones, "sky lanterns" and motorized model aircraft are prohibited "except as specifically authorized?"

Operating a drone from within a park is prohibited, unless a permit is issued. Metro Parks is revising its permitting process to better facilitate the conditions by which such a permit may be issued.

While sky lanterns are currently regulated and generally prohibited in Washington State (RCW 19.27.031; RCW 76.04.455), Metro Parks is concerned with increased dangers of wildfires and thus desires to more closely regulate such use.

You propose adding electric scooters to the code that currently restricts bicycles to designated roads, sidewalks and paths. Did you consider banning them?

Tacoma is experiencing a significant increase in the number of people visiting the waterfront and using various types of recreational devices. It is our goal to find a balance among all user groups so everyone can recreate safely.

In fall of 2018, the City of Tacoma granted right-of-way use permits to two companies, Bird and Lime. These permits were granted with the goal of evaluating use and impacts of e-scooters and e-bikes as alternative transportation options for people traveling in and around Tacoma. Currently Lime is the only scooter share vendor in the city operating under an extended right-of-way permit through September 2019.

During this permit period, the City has held regular meetings with Tacoma Police, Metro Parks and other agencies to better understand the impacts and how such use may result in changes to Tacoma Municipal Code 8.27.200. Metro Parks regularly shares all feedback from e-scooter users and those impacted by e-scooter usage with City staff managing the program. You may also directly share your feedback with the city by submitting a comment through the city's [311 system](#).

Does limiting permissible “structures” to those that are temporary and without walls include tents?

Yes, among other structures. The code change specifically allows temporary structures with a roof and no walls. In other words, the proposed code change is designed to allow for temporary shade structures. Tents, lean-tos, shacks, trailers and other structures with walls enable criminal behavior in some circumstances, so this change provides more visibility for law enforcement.

How will you enforce these rules? Is anyone actually going to get ticketed or fined?

We maintain parks, and do not have compliance staff. Our philosophy is to emphasize voluntary compliance and encourage healthy, desirable behaviors. When people resist those efforts and engage in behaviors that create significant negative experiences for others, we work closely with the Tacoma and Ruston Police Departments and the Pierce County Sheriff's Department to enforce the park code. Law enforcement agencies have limited staff and respond to complaints on a priority basis. It should be noted the police can't respond at all if the code isn't clear about what's allowed and what is prohibited.

What are the consequences for not complying with provisions of the revised park code?

Unless otherwise noted, failure to comply with the park code is a Class 1 civil infraction, which is punishable by a maximum \$250 fine.

Do these changes affect how parks are designed and developed?

No, these changes are focused solely on behaviors that affects others' enjoyment of parks.

You don't charge for parking, so why are you including a code authorizing parking fees?

We are always evaluating the needs of our system. There are no imminent plans, however parking fees remain an option in the future to help the district manage parking or even pay for a parking structure at some point.

Can I moor my boat at a park overnight for more than three days?

Yes, however a boat cannot be moored at a park in excess of three **overnight** periods, whether continuous or not, within a 10 day period, unless authorized and only upon payment of applicable moorage fees.