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WP0084C-ORD
12/28/92

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 4481

AN ORDINANCE regarding the Parks and Recreation Department; amending Sections 1, 2, 3, 4, and 5 of Ordinance No. 124 and Bellevue City Code Sections 3.42.010, .020, .030, .040, and .050; amending Section 2 of Ordinance No. 2081 and Bellevue City Code Section 3.42.060; and repealing Section 7 of Ordinance No. 124 and Bellevue City Code Section 3.42.070.

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Section 1 of Ordinance No. 124 and Bellevue City Code Section 3.42.010 are hereby amended to read as follows:

3.42.010 Park and Recreation Department, Creation of.

For the purpose of providing for the proper maintenance and operation of public parks, playgrounds and other recreational facilities belonging to, or operated in whole or in part by, the City of Bellevue, and providing for the execution of City Ordinances and Resolutions regarding the acquisition of land, structures and other facilities for the park and recreational program of the city, there is established a department of said city to be known as the Park and Recreation Department, herein after called "the Department", whose function it shall be to administer the park and recreational program of the city.

Section 2. Section 2 of Ordinance No. 124 and Bellevue City Code Section 3.42.020 are hereby amended to read as follows:

3.42.020 Director.

The functions of the Department shall be executed under the supervision and control of a Park Director. Such Director shall be appointed by the City Manager for an indefinite term. The City Manager shall designate the number of employees of the department and, subject to the provisions of any applicable law, rule, or regulation relating to civil service then in force, the City Manager may remove the Director or any employees of the Department.

Section 3. Section 3 of Ordinance No. 124 and Bellevue City Code Section 3.42.030 are hereby amended to read as follows:

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3.42.030 Qualifications of Office.

The City Manager may prescribe regulations from time to time for determining the qualifications for the office of the Director, and prescribing additional powers and duties.

Section 4. Section 4 of Ordinance No. 124 and Bellevue City Code Section 3.42.040 are hereby amended to read as follows:

3.42.040 City Manager's Powers and Duties.

The City Manager or his or her designee as authorized by the laws for the state relating to parks or recreational facilities and, within the limits of the funds and purposes prescribed by any ordinance, shall have the power to implement recreational or cultural programs that will employ the leisure time of the public in a constructive and wholesome manner. Without limiting the generalities of the foregoing powers, and by way of illustration only, the City Manager or his or her designee shall have the power:

- A. To control and supervise all parks, public squares, parkways and boulevards, play and recreation grounds or other municipally owned recreational facilities;
- B. To plan, promote and recommend the acquisition, construction, development, maintenance or operation of such public parks, places, parkways or recreation grounds and facilities;
- C. When authorized by Resolution of the City Council, to contract in writing, acting independently or in conjunction with instrumentalities of the United States, the State of Washington, King County or adjacent city or town, park district, school district or any public organization for the purpose of acquiring a public recreation facility or conducting a recreational program, and exercising any other power authorized by Ordinance of the City of Bellevue;
- D. To exercise censorship over any statuary monuments or works of art to be displayed in public parks or recreational facilities;
- E. To solicit and receive on behalf of the City Council, any gifts or bequests or other personal property to be applied for playgrounds, parks, or recreational purposes;

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- F. To grant concessions and privileges in public parks, under such restrictions and for such compensation as may be prescribed; provided that no concession or privilege shall ever be granted for the sale of intoxicating liquors, beer or wine in any city park, and no concession or privilege shall be granted for more than three (3) years, unless approved by Ordinance.

Section 5. Section 5 of Ordinance No. 124 and Bellevue City Code Section 3.42.050 are hereby amended to read as follows:

3.42.050 Acquisition of Land.

The department shall have no power to acquire or improve land for park purposes, or to accept gifts of real property without approval of the City Council, and any property so acquired shall be taken in the name of the City.

Section 6. Section 2 of Ordinance No. 2081 and Bellevue City Code Section 3.42.060 are hereby amended to read as follows:

3.42.060 Use Charges.

The City Manager or his or her designee shall fix charges for the use of any municipally owned or controlled park or recreational facility. All use charges and amendments and changes adopted by the City Manager or his or her designee for the department shall be promulgated by one publication in the official newspaper of the city, and a copy thereof shall be filed in the office of the City Clerk.

Section 7. Section 7 of Ordinance No. 124 and Bellevue City Code Section 3.42.070 are hereby repealed.

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Section 8. This ordinance shall take effect and be in force five (5) days after passage and legal publication.

PASSED by the City Council this 25th day of January, 1993,
and signed in authentication of its passage this 25th day of
January, 1993.

(SEAL)



Cary Bozeman, Mayor

Approved as to form:

Richard L. Andrews, City Attorney



Lori Molander, Assistant City Attorney

Attest:



Myrna L. Basich, City Clerk

Published January 29, 1993.