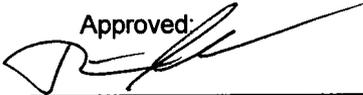




# Department Of Parks and Recreation Rule/Policy

<b>Subject:</b> Code of Conduct	<b>Number:</b> P 060 7.21.00
	<b>Effective:</b> April 1, 2010
<b>Approved:</b> 	<b>Department:</b> Parks & Recreation

## 1.0 INTRODUCTION AND PURPOSES

- 1.1 The purpose of this administrative rule is to establish a Code of Conduct to better manage the Parks and Recreation system. The Code of Conduct prohibits specified conduct to ensure that all users may have the opportunity to enjoy the amenities the parks system offers.
- 1.2 These rules apply only on property and facilities under the jurisdiction of the Department of Parks and Recreation and do not provide for a criminal or civil penalty. However, a person who violates these rules may have his or her permission to remain in the park withdrawn, and/or the person may be issued a Parks Notice of Exclusion as provided in SMC 18.12.278.

## 2.0 REFERENCES AND AUTHORITY

- 2.1 These administrative rules are authorized by and promulgated as provided in the City Administrative Code (SMC 3.26.040).
- 2.2 SMC 18.12.278 "Park Exclusion."

## 3.0 PARKS CODE OF CONDUCT

### 3.1 Violations of State and Local Laws

In addition to violating applicable law, it is also a violation of this administrative rule to engage in any conduct that would constitute a criminal or civil violation of any applicable laws, including any provision of Chapter 18.12 of the Seattle Municipal Code (the Parks Code), any other provision of the Seattle Municipal Code (SMC), or any provision of the Revised Code of Washington (RCW).

### **3.2 Violations of this Administrative Rule**

The following conduct is also expressly prohibited by this administrative rule.

- 3.2.1** Camping in any park, unless specifically approved by the Superintendent (SMC 18.12.250);
- 3.2.2** Conduct that unreasonably deprives others of their use or enjoyment of the park or park facility (Policy and Procedure 7.13.1);
- 3.2.3** Disrupting Department of Parks and Recreation business, events, or other sponsored activities;
- 3.2.4** Disposing of unwanted items anywhere but in a designated trash or recycling receptacle, dumping, or creating unsanitary conditions or health hazards on park property that violate public health rules of Seattle and King County (i.e. littering) (SMC 18.12.260);
- 3.2.5** Violation of the laws requiring that dogs or other pets be leashed and licensed and that owner carry and use equipment for removing feces (SMC 18.12.080);
- 3.2.6** Dogs or other pets, whether on or off leash, at athletic fields, beaches, or children's playgrounds (SMC 18.12.080);
- 3.2.7** Possession of glass containers at athletic fields, beaches or children's playgrounds;
- 3.2.8** Posting of signs, posters, or notices in any park, unless otherwise permitted by the Superintendent (SMC 18.12.050);
- 3.2.9** Behavior that impedes the use of a restroom by park visitors or users of park facilities;
- 3.2.10** Smoking, chewing, or other tobacco use within 25 feet of other park patrons and in play areas, beaches, playgrounds, or picnic areas;
- 3.2.11** Distribution of handbills, circulars, or signs in any park in any manner that interferes with normal passage of people or vehicles, unless otherwise permitted by the Superintendent (SMC 18.12.060);

- 3.2.12** Leaving packages, backpacks, luggage, or other personal items unattended while the owner is not in the same area of the park or inside the facility (Policy and Procedure 2.7.3);
- 3.2.13** Urinating or defecating, except in designated restroom fixtures (SMC 18.12.145);
- 3.2.14** Possession of liquor without all applicable permits (SMC 18.12.255 and .257);
- 3.2.15** Blocking entrances, exits, fire exits, handicap access areas, public walkways, or roadways, or obstructing pedestrian traffic or otherwise interfering with the provision of services or the use of park property (SMC 18.12.070(c));
- 3.2.16** Conduct that creates an unreasonable and substantial risk of harm to any person or property (i.e. dangerous activity);
- 3.2.17** Presence in a park or area within a park without a permit when the park or area within the park is not open to the public (SMC 18.12.070; Policy and Procedure 7.1.2);
- 3.2.18** Igniting or maintaining a fire or use of flammable liquids, except in designated barbecues, grills, and fire rings (SMC 18.12.270);
- 3.2.19** Using park property without a permit for a use that requires a permit or requires City services (for example, use of amplified sound without a permit) (SMC 18.12.275);
- 3.2.20** Capturing, annoying, or disturbing any animal, wildlife, waterfowl, etc. (SMC 18.12.100);
- 3.2.21** Removing, destroying, or mutilating, or any way altering lawn, shrubs, plants, flowers, sand, soil, or a habitat area without proper authorization (SMC 18.12.070(a));
- 3.2.22** Driving a motor vehicle anywhere in a park except on public roadways and parking lots (SMC 18.12.235);
- 3.2.23** Abusive or harassing behavior, including obscene language or gestures (SMC 12A.06);
- 3.2.24** Sale, possession, use, or discharge of any fireworks or pyrotechnics special effects, except where authorized by a Seattle

Fire Department permit (Seattle Fire Code);

**3.2.25** Possession of explosives, acid, or any other article or material capable of causing serious harm to others;

**3.2.26** Illegal gambling (RCW 9.46);

**3.2.27** Possession, sale, or use of illegal drugs (RCW 69.50);

**3.2.28** Defacing, destroying, or otherwise vandalizing park property, including buildings, fixtures, grounds, signs, or other structures (SMC 18.12.070(b));

**3.2.29** Sexual misconduct, such as indecent exposure, offensive touching, sexual acts, or prostitution (various RCWs);

**3.2.30** Assault or fighting (SMC 12A.06);

**3.2.31** Firearms violations under RCW Chapter 9.41.

### **3.3 Violations of Additional Rules**

Unless provided otherwise in a specific applicable rule, failure to comply with any other rule relating to the use of property or facilities when the substance of such rule is indicated to the public by means of signs or signals, as provided in SMC 3.02.020(E)(4).

## **4.0 ENFORCEMENT**

### **4.1 Violations of Law (Rule Section 3.1, 3.2)**

Conduct that would constitute a violation of civil or criminal law may result in: 1) citation or arrest as provided under applicable law; 2) issuance of a Parks Exclusion Notice as provided in SMC 18.12.278 and Department Policy and Procedure 060-P 7.15 (adopted in 1997); and/or, 3) an authorized City employee's notification to a person that his or her permission to remain on the premises has been withdrawn for up to 24 hours.

#### **4.2. Violations of these Rules.**

Conduct that would not constitute a violation of civil or criminal law, but that does violate these administrative rules, may result in: 1) issuance of a Parks Exclusion Notice as provided in SMC 18.12.278 and Department Policy and Procedure 060-P 7.15 (adopted in 1997); and/or, 2) an authorized City employee's notification to a person that his or her permission to remain on the premises has been withdrawn for up to 24 hours.

#### **4.3 Violation of a Lawful and Authorized Directive**

A violation of or failure to comply with a lawful directive issued by an authorized Parks and Recreation Department employee or agent may result in withdrawal of the violator's permission to remain in the park or park facility for a period of up to 24 hours.

#### **4.4. Criminal Trespass**

Entering or remaining in an area not open to the public, violating a Parks Notice of Exclusion, or remaining on the premises after being notified that permission to remain has been withdrawn, may subject the violator to arrest and prosecution for criminal trespass.

#### **4.5 Parks Exclusion Notices**

Parks Exclusion Notices shall be issued as provided in SMC 18.12.278, and as provided in the applicable Code of Conduct Length of Exclusion Guidelines.

### Code of Conduct Length of Exclusion Guidelines

Duration 1st Offense under 16/16 & over**	2nd Offense* under 16/16 & over	3rd Offense* under 16/16 & over	Violation Type	
Warning / 24 hours	1 day / 7 days	7 days / 30 days	Camping	3.2. 1
Warning / 24 hours	1 day / 7 days	7 days / 30 days	Disruptive conduct - other visitors	3.2. 2
Warning / 24 hours	1 day / 7 days	7 days / 30 days	Disruptive conduct - park business	3.2. 3
Warning / Warning	1 day / 7 days	7 days / 30 days	Littering	3.2. 4
Warning / 24 hours	1 day / 7 days	7 days / 30 days	Off-leash Dog	3.2. 5
Warning / 24 hours	1 day / 7 days	7 days / 30 days	Dog at fields, beaches, playgrounds	3.2. 6
Warning / 24 hours	1 day / 7 days	7 days / 30 days	Possession of glass containers	3.2. 7
Warning / 24 hours	1 day / 7 days	7 days / 30 days	Posting of signs, etc.	3.2. 8
Warning / 24 hours	1 day / 7 days	7 days / 30 days	Restroom Misuse	3.2. 9
Warning / 24 hours	1 day / 7 days	7 days / 30 days	Smoking and other tobacco use	3.2. 10
Warning / 24 hours	1 day / 7 days	7 days / 30 days	Distribution of materials, soliciting or survey	3.2. 11
Warning / 24 hours	1 day / 7 days	7 days / 30 days	Unattended items	3.2. 12
1 day / 7 days	45 days / 90 days	1 year	Urinating or defecating	3.2. 13
7 days	45 days / 90 days	1 year	Possession of alcohol without permits	3.2. 14
1 day / 7 days	45 days / 90 days	1 year	Blocking access	3.2. 15
1 day / 7 days	45 days / 90 days	1 year	Dangerous or threatening activity	3.2. 16
1 day / 7 days	45 days / 90 days	1 year	In park when closed, in non-public area	3.2. 17
1 day / 7 days	45 days / 90 days	1 year	Fire and use of flammable liquids	3.2. 18
1 day / 7 days	45 days / 90 days	1 year	Using park without a permit	3.2. 19
30 days / 60 days	45 days / 90 days	1 year	Capturing, annoying, disturbing an animal	3.2. 20
30 days / 60 days	45 days / 90 days	1 year	Destroying plant material/habitat	3.2. 21
30 days / 60 days	45 days / 90 days	1 year	Driving off-roadways	3.2. 22
30 days / 60 days	45 days / 90 days	1 year	Harassment (discriminatory, obscene, profanity)	3.2. 23
30 days / 60 days	45 days / 90 days	1 year	Illegal fireworks, firecrackers, explosive device	3.2. 24

**Code of Conduct Length of Exclusion Guidelines**

Duration 1st Offense under 16/16 & over**	2nd Offense* under 16/16 & over	3rd Offense* under 16/16 & over	Violation Type	
30 days / 60 days	45 days / 90 days	1 year	Possession of explosives	3.2. 25
30 days / 60 days	45 days / 90 days	1 year	Illegal gambling	3.2. 26
45 days / 90 days	90 days	1 year	Drug Activity - Signs of Influence	3.2. 27
45 days / 90 days	90 days	1 year	Property Damage - under \$250	3.2. 28
180 days / 1 year	1 year	1 year	Drug Possession, Sale or Use	3.2. 27
180 days / 1 year	1 year	1 year	Property Damage - over \$250.00	3.2. 28
180 days / 1 year	1 year	1 year	Indecent Exposure or Lewd Conduct	3.2. 29
180 days / 1 year	1 year	1 year	Assault / Fighting	3.2. 30
1 Year	Additional Year	Additional year	Weapons Violation or Any Felony	3.2. 31
30 days / 60 days	45 days / 90 days	1 year	Remain on Property Following Order of Exclusion (i.e. refuse to leave)	

\* Means second (or third) violation of the same rule within a one-year period.

\*\* Individuals under age 16 will receive the shorter Notice of Exclusion period. The individual must show proof of age either at the time the Notice of Exclusion is issued or during an administrative review.

\*\*\* Multiple Notices of Exclusion must be served consecutively - not concurrently.

