

CITY OF BLACK DIAMOND
WASHINGTON
ORDINANCE NO. 12-992

**AN ORDINANCE OF THE CITY OF BLACK DIAMOND,
WASHINGTON, AMENDING BLACK DIAMOND
MUNICIPAL CODE 10.04.100 RELATING TO PAYMENT
OF PARKING FEE OR ANNUAL PASS; AND
ESTABLISHING AN EFFECTIVE DATE**

WHEREAS, the Black Diamond City Council wishes to amend Section 10.04.100 of the vehicle and traffic code to define “vehicle” and to establish new fees for payment of a parking fee or annual pass for Lake Sawyer Boat Launch; and

WHEREAS, the City Council considers the adoption of this Ordinance to be in the best interests of the City and in furtherance of the public health, safety, and welfare;

NOW, THEREFORE, the City Council of the City of Black Diamond, Washington, do ordain as follows:

Section 1. Amendment of BDMC 10.04.100 (Payment of parking fee or annual pass required). Section 10.04.100 of the Black Diamond Municipal Code shall be amended to read as follows:

10.04.100 - Payment of parking fee or annual pass required.

A. A vehicle for the purpose of this section is defined as:

1. A motor vehicle as defined in RCW 46.04.320 as now or hereafter amended;
2. Boat trailer is defined as a trailer under RCW 46.04.620 as now or hereafter amended and is designed or used to haul or transport any motorized or non-motorized watercraft
3. A motor vehicle with a boat trailer attached;
4. A boat trailer, without an attached vehicle.

B. A vehicle may park in the City of Black Diamond at Lake Sawyer Boat Launch Park on SE 296th Street only if the required parking fee is paid in advance or the vehicle prominently displays, in the manner directed by the city, a current, valid annual parking pass that has been issued for that vehicle. Failure to pay the vehicle parking fee as required herein or

clearly display a current, valid annual parking pass issued for that vehicle is a civil infraction subject to a one hundred dollar civil penalty.

C. Parking fee. A daily fee shall be paid in advance for each vehicle parking at Lake Sawyer Boat Launch Park. The fee shall be established by Resolution of the city council. The city will provide a pay station in which the fee shall be deposited. Payment of the fee will entitle the vehicle to be parked for a continuous twelve-hour period in a single calendar day, subject to such park hours of operation and closure as are prescribed by the city. If a vehicle leaves the parking area and then returns, another parking fee shall be paid in full.

D. Annual pass.

1. In lieu of paying the daily parking fee set forth above, an annual parking pass may be purchased from the city for a specific vehicle and prominently displayed on such vehicle, in the manner directed by the city, while the vehicle is parked at Lake Sawyer Boat Launch Park.

2. Duration. An annual pass will be valid until December 31st of the year in which it is issued.

3. Fee. An annual pass for vehicle parking will be issued for a vehicle upon payment of the appropriate annual pass fee. The fee shall be established by resolution of the city council and may include a fee for replacement of lost or stolen passes.

4. Proof of identity. A person must prove they are the registered or legal owner of the vehicle by showing identification and registration at the time of purchase of the annual pass.

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 3. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 20TH DAY OF DECEMBER, 2012.

CITY OF BLACK DIAMOND



Rebecca Olness, Mayor

ATTEST/AUTHENTICATED:

Brenda L. Martinez
Brenda L. Martinez, City Clerk

Approved as to form:

Chris D. Bacha,
Kenyon Disend PLLC
City Attorney

Filed with the City Clerk: 12/31/2012
Passed by the City Council: 12/30/2012
Ordinance No. 12-992
Date of Publication: 12/28/2012
Effective Date: 1/2/2013