

ORDINANCE NO. 2013-04-01

AN ORDINANCE relating to the establishment and revision of fees for the usage of parks; amending Clark County Code 9.05.235 to authorize the Board of County Commissioners of Clark County to establish fees for the usage of parks and participation in parks and recreational activities; and establishing an effective date.

WHEREAS, in September, 2012 the Board of County Commissioners of Clark County (Board) adopted new chapter 9.05 of the Clark County Code (CCC) as an update and overall revision to former chapter 9.04 CCC; and

WHEREAS, existing CCC 9.05.235 provides that fees for using parks are to be set by the county director of the Vancouver-Clark Parks and Recreation Department, subject to the consideration, review and approval of the parks and recreation advisory committee; and

WHEREAS, prior to the adoption of chapter 9.05 CCC, the authority to establish parks fees rested with the Board; and

WHEREAS, the Board desires to promote the quality of life in Clark County by setting park fees according to the best interests of county citizens, and finds that the adoption of this ordinance will further the public health, safety and welfare of the citizens of Clark County; and

WHEREAS, the Board has considered this ordinance at a duly advertised public hearing; now, therefore,

BE IT RESOLVED, ORDERED AND DECREED BY THE BOARD OF COUNTY COMMISSIONERS, STATE OF WASHINGTON, AS FOLLOWS:

Section 1. Amendatory. Section 3 of Ordinance 2012-09-02 and codified as CCC 9.05.235 are each hereby amended to read as follows:

9.05.235 Fees for parks and programs.

- (1) The ~~director~~ board of county commissioners has authority to establish fees for the use of parks, and for participation in parks and recreational activities; provided, that ~~such fees must be based on~~ the board must consider the policies set forth below.
- (2) The policies for setting fees authorized by this chapter are as follows:
 - (a) County policy is to finance through its tax base a reasonable balance of parks and recreation services that meets the needs of the general citizenry. This financing should be directed to assure the overall administration and coordination of leisure services and for the provision of parks, open space, landscapes, parks improvements, recreation facilities, and their adequate maintenance.
 - (b) As it relates to recreation activities, the county, through user fees and charges, may charge an amount to cover direct program costs for labor, leadership, supplies, materials, and service charges that benefit identifiable and specific groups, i.e., enrichment classes, sports leagues.
 - (c) When unusual or hardship circumstances apply, the county may make some compensatory efforts to support special service needs, i.e., persons of disability or low income.
 - (d) When the operation of facilities requires special operational costs involving materials, supplies, supervision, and services, additional fees may be appropriate. The fee amount will take into consideration the goal of making the facility self-supporting.
 - (e) ~~The director shall provide to the parks and recreation advisory commission, for their consideration, review and approval, the annual/biennial park fee schedules.~~ An applicant for a park and facility use permit will be charged a fee pursuant to ~~these policies~~ this section. (Sec. 3 of Ord. 2012-09-02)
 - (f) —

Section 2. Effective Date. This ordinance will become effective immediately upon passage.

Section 3. Instructions to Clerk. The Clerk to the Board shall:

1. Record a certified copy of this Ordinance with the Clark County Auditor.
2. Transmit a copy of this ordinance to the Washington State Department of Commerce within ten (10) days of its adoption, pursuant to RCW 36.70A.106.
3. Transmit a copy of the adopted ordinance to Code Publishing Inc. to update the electronic version of the Clark County Code.

ADOPTED this 2nd day of April, 2013.

Attest:

BOARD OF COMMISSIONERS
FOR CLARK COUNTY

Rebecca Fitor
Clerk to the Board

By: _____
Steve Stuart, Chair

Approved as to form only:
ANTHONY F. GOLIK
Prosecuting Attorney

By: Tom Mielke
Tom Mielke, Commissioner

By: Christine Cook
Christine Cook,
Deputy Prosecuting Attorney

By: DM
David Madore, Commissioner