

ORDINANCE NO. 1593
AN ORDINANCE OF THE CITY OF LYNDEN, COUNTY OF WHATCOM,
AMENDING CHAPTER 12.24 OF THE LYNDEN MUNICIPAL CODE

WHEREAS, RCW 67.20.10 expressly authorizes local governments to acquire and operate parks and other recreational facilities; and

WHEREAS, the City desires to establish uniform hours of operation for city parks during which members of the public may access and remain in city parks; and

WHEREAS, the City also desires to specify certain exceptions to said hours of operation; and

WHEREAS, the City finds there is a public benefit in having clearly established hours of operation for city parks; and

WHEREAS, the foregoing recitals are material findings and declarations of the Lynden City Council;

NOW THEREFORE, BE IT ORDAINED as follows:

Section 1: Lynden Municipal Code Section 12.24.005 is hereby added to the Lynden Municipal Code as follows:

12.24.005 – Park hours.

City parks are open to the public from dawn until dusk, and are closed to the public from dusk until dawn, with only the following exceptions:

- A. Persons attending or participating in an event or game at a city park for which the Parks Department issued a permit or approved the scheduling thereof, may remain in that park for the duration of the event or game.
- B. Persons utilizing a city park facility in accordance with a valid reservation may remain in and around that facility until the conclusion of the reservation period.
- C. City Park contains lighted tennis courts; the tennis courts may be used after dusk until the lights are turned off.
- D. When a city park is closed to the public, the trails through it shall remain open, but may only be used for the purpose of moving through the park. Loitering on or deviating from trails through a park when the park is closed is prohibited.

E. The director of the Parks Department may post different hours at individual city parks and trails on a temporary basis, which shall supersede this section.

Section 2. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases has been declared invalid or unconstitutional, and if, for any reason, this ordinance should be declared invalid or unconstitutional, then the original ordinance or ordinances shall be in full force and effect.

Section 3. Any ordinance or parts of ordinances in conflict herewith are hereby repealed.

Section 4. This ordinance shall be in full force and effect five (5) days after its passage, approval and publication as provided by law.

PASSED by the City Council this 21st day of October 2019 and signed by the Mayor on the 22nd day of October 2019.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney