

CITY OF FIFE, WASHINGTON

ORDINANCE NO. 1962

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FIFE, PIERCE COUNTY, WASHINGTON, MERGING THE PARKS, RECREATION AND COMMUNITY SERVICES DEPARTMENT AND THE AQUATIC SERVICES DEPARTMENT TO BE CALLED THE PARKS, RECREATION AND AQUATICS DEPARTMENT AND AMENDING THE FIFE MUNICIPAL CODE ACCORDINGLY

WHEREAS, due to decreases in City revenues, the City has been forced to make reductions in all departments to reduce expenses and balance the budget; and

WHEREAS, these reductions have included combining of positions in the clerk's office and community development department, elimination of a management position in the police department, the elimination of a court position, elimination of the jail, and not filling the assistant city manager position; and

WHEREAS, combining the department director position of two departments into one provides for streamlined management while preserving frontline positions; now therefore

THE CITY COUNCIL OF THE CITY OF FIFE, PIERCE COUNTY, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. The title to chapter 2.45 of the Fife Municipal Code is hereby amended to read "Parks, Recreation and Aquatics Department."

Section 2. A new Section 2.45.005 is hereby added to the Fife Municipal Code to read as follows:

2.45.005 Parks, Recreation and Aquatics Department established.

The parks, recreation and aquatics department is hereby established. The department shall be responsible for the administration of the parks, recreation, community services, and aquatics programs of the City and such other functions as may be assigned by the city manager.

Section 3. Section 2.45.010 of the Fife Municipal Code is hereby amended to read as follows:

2.45.010 Position created.

There is hereby created the position of parks, recreation and aquatics director. The position of parks, recreation and aquatics director shall be appointed by the city manager. The parks, recreation and aquatics director shall be an at-will employee, to serve at the pleasure of the city manager.

Section 4. Section 3.10.010 of the Fife Municipal Code is hereby amended to read as follows:

3.10.010 Authority to establish fees and charges.

The city manager is authorized to establish reasonable charges for providing copies of city documents, and to establish fees and charges for providing all city services for which the city is authorized by law to impose a fee or charge and such fee or charge is not set elsewhere in the Fife Municipal Code. The city manager shall annually review the schedule of fees and charges established under this section and amend it as necessary, to assure that the city recovers its costs for providing such documents and services. When setting fees and charges for services provided by the parks, recreation and aquatics department, the city manager may also take into account the reasonable and fair market value of those services, but in any event the fee shall not be set higher than the reasonable estimate of the cost to the city of providing the service. The initial schedule of fees and charges established under this section was approved by the city council by the adoption of Resolution 1489.

Section 5. Section 4.12.020 of the Fife Municipal Code is hereby amended to read as follows:

4.12.020 Membership.

The city tree advisory board shall be composed of five voting members, at least three of which shall be residents of the city of Fife. The public works director, community development director and the parks, recreation and aquatics director, or their designees, shall be available on an as-needed basis to provide technical knowledge and/or support. In no way shall their time be allowed to become a financial burden on the city. Members shall serve without pay. Vacancies shall be filled by the city council from a list of nominees nominated by council members. Members shall show an interest in accomplishing the purposes of the board. Membership should include people with expertise in arboriculture, local business persons, utility representatives and residents.

Section 6. Section 4.14.020 of the Fife Municipal Code is hereby amended to read as follows:

4.14.020 Purpose.

The purpose of the advisory board is to advise the city of Fife parks, recreation and aquatics department director on policy and administrative issues regarding facilities, activities, budgets and fees.

Section 7. Section 4.14.030 of the Fife Municipal Code is hereby amended to read as follows:

4.14.030 Duties.

The advisory board, in carrying out their designated purpose, shall have the following duties:

- A. Provide general advice to the parks, recreation and aquatics department director;
- B. Assess existing and proposed facilities, services and programs;
- C. Identify unmet needs and offer recommendations for meeting needs or improving services or programs;
- D. Assist the city in identifying funding sources and securing funding for the city's parks, recreation and community services programs;
- E. Assist the parks, recreation and aquatics department director in communicating parks, recreation and community services needs, services and programs to the public, governmental agencies, the city manager and the city council; and
- F. Act on behalf of the tree advisory board, Chapter 4.12 FMC, if no quorum or board membership exists.

Section 8. Section 4.18.020 of the Fife Municipal Code is hereby amended to read as follows:

4.18.020 Membership.

The youth commission shall be comprised of residents of the city of Fife or those that reside within the boundaries of the Fife School District and who are high school or junior high school students. The youth commission shall be comprised of up to nine voting members, at least one of which may be a member of the Puyallup Tribe of Indians, no more than three shall reside outside the city limits of Fife, and no more than three shall be in junior high school (grade eight or nine). The parks, recreation and aquatics director, or their designees, shall be available on an as-needed basis to provide technical knowledge and/or support. In no way shall their time be allowed to become a financial burden on the city. Vacancies shall be filled by the city council from a list of nominees nominated by council

members. Members shall show an interest and participate in accomplishing the purposes of the commission.

Section 9. Section 5.01.050 of the Fife Municipal Code is hereby amended to read as follows:

5.01.050 Exemptions.

A. Any business qualifying as nonprofit shall be exempt from paying a business license fee; provided, however, an application shall be required and an exempt business license must still be obtained. In order to qualify for nonprofit fee exemption, proof of such nonprofit status must be provided at time of application to the license officer. The only acceptable proof is the tax exempt letter referenced in FMC 5.01.010 under the definition of "nonprofit."

B. No business license shall be required of vendors not otherwise engaged in business in the city who rent a booth or space, or are otherwise a participant, at a city-sponsored event with a duration of less than 24 hours or a city-operated farmers' market.

C. Pursuant to RCW 36.71.090, no business license shall be required of any farmer, gardener or other person to sell, deliver or peddle any fruits, vegetables, berries, eggs or any farm produce or edibles raised, gathered, produced or manufactured by such person.

D. No business license shall be required of minors (persons under 18) doing business or operating a business concern where no other person is employed by the minor, such as babysitting, lawn mowing, car washing, and similar activities.

E. No business license shall be required for casual or isolated sales or services made by persons who are not engaged in the ongoing business of selling the type of property involved. "Casual or isolated" is defined as not more than four such sales, not exceeding four consecutive days each, made during any calendar year. Examples include garage sales, yard sales, rummage sales, and bake sales by residents of a household where the exempt activity is taking place. Unless otherwise provided for in this section, vendors at flea markets, swap meets or other similar activities shall not be exempt.

F. Any independent contractor that provides instruction or teaches classes in a parks, recreation and aquatics department sponsored program, and who is not otherwise engaged in business in the city, shall be exempt from paying a business license fee; provided, however, an application shall be required and an exempt business license must still be obtained.

Section 10. Section 12.22.010 of the Fife Municipal Code is hereby amended to read as follows:

12.22.010 Definitions.

As used in this chapter, the following terms shall have the meanings indicated, unless the context clearly requires otherwise:

A. "Park" means and includes all city parks, public squares, pools, and play and recreational grounds under the management and control of the park and recreation department.

B. "Parks director" means the parks, recreation and aquatics director of the city as established by Chapter 2.44 FMC, or his or her designee.

C. Low Impact Development. See FMC 15.32.020.

D. Low Impact Development Facilities. See FMC Title 21.

E. Low Impact Development Techniques. See FMC Title 21.

Section 11. Section 12.32.060 of the Fife Municipal Code are hereby amended to read as follows:

12.32.060 Signing.

Following selection of a name for a park, trail or recreation facility by the city council, the parks, recreation and aquatics department will identify the specific park, trail or facility by appropriate signing specifying the name.

Section 12. Section 18.05.070 of the Fife Municipal Code are hereby amended to read as follows:

18.05.070 Administrative review.

The director shall solicit the comments of the public works director, city engineer, parks, recreation and aquatics director, building official, any other appropriate city department, local utility provider, local school district, and any other appropriate public or private entity concerning the proposed subdivision. Comments received in a timely manner, as well as any written comments received in response to a notice of public hearing, shall either be transmitted to the hearing examiner or incorporated into a report prepared by the director and submitted to the hearing examiner, prior to the scheduled public hearing.


Section 13. Repealer. Chapter 2.44 of the Fife Municipal Code is hereby repealed.

Section 14. Each and every provision of this Ordinance shall be deemed severable. In the event that any portion of this Ordinance is determined by final order of a court of competent jurisdiction to be void or unenforceable, such determination shall not affect the validity of the remaining provisions thereof provided the intent of this Ordinance can still be furthered without the invalid provision.

Section 15. This Ordinance shall be in full force and effect five (5) days after publication as required by law. A summary of this Ordinance may be published in lieu of the entire Ordinance, as authorized by State law.

Introduced the 11 day of July, 2017.

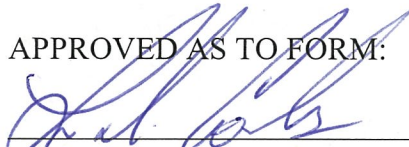
Passed by the City Council on the 8 day of August, 2017.


Subir Mukerjee, City Manager

ATTEST:


Angela Woods, City Clerk

APPROVED AS TO FORM:


Loren D. Combs, City Attorney

Published: 8/10/17
Effective Date: 8/15, 2017