Park Rules Update
(Proposed revisions to SMC 12.06A.040)
Briefing Paper/Talking Points
Updated: October 16, 2020

Background

- Three basic issues have caused Parks & Recreation to review and update the park rules.
- Lack of Clarity: Current park rules are silent with respect to events and other activities that commonly occur in city parks. Some activities are prohibited by law while others, including many events, require a permit or reservation. Certain laws and rules would benefit from clearer communication.
- Lack of Coordination and Resource Management: The Parks Division has a process for permitting and/or reserving events occurring in the park, yet current park rules provide no mention of the process. City services are often required to manage the noise, traffic control, litter cleanup, and other impacts of special events.
- Lack of Follow-Thru: Current park rules lack a framework for follow-through between event organizers and Parks, including cost recovery for city services that are sometimes needed to manage activities that have broad or adverse impact, or accountability for those opting not to follow the permit process.
- To address these gaps, the ordinance makes important changes to the park rules, as summarized below.
- These are currently standard practice, but are unenforceable since they aren't part of the rules.

Goals

- Increase communication, coordination and follow-through between the City and organizers of events that take place in parks
- Allow Parks to see proposals of park events ahead of time
- Allow Parks to identify any impacts and additional resources needed
- Allow Parks to communicate any impacts with the neighborhood
- Establish common-sense cleanup guidelines that ensure our parks remain clean and beautiful for all
- Increase accountability of restoring the park/facility back to its existing condition, reducing the burden to other park users, staff, and other event organizers

Permits & Reservations

- There are no new fees associated with this rules update
- Many permits or reservations are no-cost, but are still required for the goals mentioned above
- For events, permits and reservations are currently standard practice
- This proposal in no way limits gatherings in the park, nor does it infringe on free speech or freedom to assemble. It creates no new criminal penalties, nor does it criminalize public gatherings, keeping First and Fourteenth Amendment rights secure.

Overview of Changes

1. Drug paraphernalia: Clarifies that drug paraphernalia may not be used or distributed in a public park (or on sidewalks or in parked vehicles on the street adjacent to the park). This new rule matches current law and creates no new crime, but it clarifies an important restriction on an activity that has had a staggeringly negative impact on neighborhoods with nearby parks. Restates the law that distributing drug paraphernalia is a class 1 civil infraction, but adds that violators may be subject to exclusion from one or more city parks for one year.

2. Food: Clarifies that food vendors must follow the permitting requirements under the existing framework in the Municipal Code (Chapter 10.51 SMC) unless subject to an exemption as defined by the chapter. Clarifies that distribution of food for >15 people requires a clean-up plan and may be subject to cost recovery.
3. Permits and Reservations: Clarifies that special events must obtain a special event permit, and recognizes current Parks Division procedures for special events as outlined on the Parks website. Provides a process for a non-complying individual or group to be served with written notice of the requirement to obtain a special event permit. Also clarifies when a park reservation is needed for events that don't meet the definition of a special event.
4. Clean-up: Allows the City to require that a special event applicant submit an operational plan that addresses cleanup. This ensures that the event or activity organizer understands their cleanup responsibilities in hosting or sponsoring the event or activity.
5. Cost recovery: Provides a framework for the City to recover costs associated with clean-up or other services required for that activity, including from those who have been served with notice and choose not to obtain permission for their high-impact activities.
6. Exclusion: Adds the penalty of exclusion from the parks for those who choose not to comply with park rules requiring a special event permit.

Next Steps

- Park Board action item in November, a resolution supporting the rules revisions
- City Council would need to adopt the rules revisions, as they are the only body who can modify the Spokane Municipal Code
- One-sheet that overviews step-by-step process for those interested in holding events
- Internal coordination of process to ensure consistency
- Public outreach/education around events in parks