

ORDINANCE NO. _____

AN ORDINANCE of the City Council of the City of SeaTac, Washington amending Section 2.45.156 to the SeaTac Municipal Code related to boat regulations on Angle Lake for public safety training purposes.

WHEREAS, the City Council has determined that for public safety training purposes, a waiver of boat speeds, boat occupancy limits, and noise standards on Angle Lake when a Special Use Permit has been obtained;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON, DO ORDAIN as follows:

Section 1. Section 2.45.156 of the SeaTac Municipal Code to amended to read as follows:

2.45.156 Temporary Waiver of boat speeds, boat occupancy limits and noise standards - Angle Lake--Special Use Permits for Public Safety Training.

A. The Director may authorize public safety training involving boats or other watercraft on Angle Lake, at speeds in excess of five (5) knots per hour, no more than two (2) calendar days per month, provided that a Special Use Permit is obtained in accordance with SMC 2.45.050. Special Use Permits may cover use of both Angle Lake and City facilities.

B. A Special Use Permit issued pursuant to this Section is valid for a maximum time period of one (1) calendar year, and must be obtained by submitting a written application to the Parks and Recreation Department at least ninety (90) calendar days prior to the first day of the intended use, unless a shorter time period is allowed by the Director. The application shall contain such information as the Director shall deem necessary.

C. Any Special Use Permit issued pursuant to this Section may provide for a temporary waiver of City Ordinances as determined by the Director, including but not limited to, Noise (SMC 8.05.360), Boat Speed limits (SMC 2.45.220), and Boat Occupancy limits (SMC 2.45.260).

D. At a minimum, any applicant for a Special Use Permit issued pursuant to this Section must furnish liability insurance or self insurance (including watercraft liability) as required by any public safety services contract with the City or as approved by the City's Risk Manager and the Legal Department.

E. A Special Use Permit may not be issued pursuant to this Section without a signed waiver and hold harmless agreement, as approved by the City's Risk Manager and Legal Department.

F. The Director shall have authority to approve a permit subject to the applicant meeting reasonable conditions as deemed appropriate, in the Director's sole discretion.

G. No less than thirty (30) days after receipt of an application, the Director shall either deny or issue preliminary approval of an application. A preliminary decision of approval, with proposed conditions, shall be mailed to all property owners within three hundred (300) feet of the ordinary high water mark of Angle Lake and shall provide a fifteen (15) day public comment period. Based upon public comment, the Director may modify proposed conditions of approval or deny the application.

H. Applications will be denied, approved or approved with conditions no less than thirty (30) calendar days prior to the date scheduled for the event. Denial of applications may be based on one or more of the following:

1. Non-compliance with any of the provisions of this Section.
2. The public safety training for which the permit is sought would, because of its time, place or nature, obstruct or substantially interfere with the enjoyment and use of the lake and/or City facilities by the general public.
3. The public safety training for which a permit is sought is in violation of any applicable ordinances, laws or regulations in which the Director determines, in his/her sole discretion, that a waiver is not appropriate.
4. The public safety training conflicts with other events being held on or near Angle Lake, or at City facilities.

I. The decision to approve, approve with conditions, or deny a Special Use Permit under this Section is final.

Section 2. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances shall not be affected.

Section 3. This Ordinance shall be in full force and effect thirty (30) days after passage and publication as required by law.

ADOPTED this _____ day of _____, 2017, and signed in authentication thereof on this _____ day of _____, 2017.

CITY OF SEATAC

Michael Siefkes, Mayor

ATTEST:

Kristina Gregg, City Clerk

Approved as to Form:

Mary E. Mirante Bartolo, City Attorney

[Effective Date: _____]

[Public Safety Training—Angle Lake]