

ORIGINAL

ORDINANCE 2011 - 10

**AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF SUNNYSIDE, WASHINGTON, AMENDING
CHAPTER 12.06 OF THE SUNNYSIDE MUNICIPAL CODE TO
AUTHORIZE THE CITY MANAGER TO WAIVE CERTAIN
PARKS AND RECREATION FEES**

WHEREAS, pursuant to Chapter 35A.13 of the Revised Code of Washington, the City Council is charged with the legislative authority of the City of Sunnyside;

WHEREAS, pursuant to section 12.06.030 of the Sunnyside Municipal Code, certain fees and charges are established by the City Council for use of parks and recreation facilities and participation in Parks and Recreation programs, but there is no provision authorizing that such fees and charges may be waived when in the best interest of the City or its residents;

WHEREAS, the City Council has determined that revising Chapter 12.06 of the Sunnyside Municipal Code to authorize the waiver of such fees and charges under limited circumstances is in the best interest of the residents of the City of Sunnyside and will promote the general health, safety and welfare;

**NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF
THE CITY OF SUNNYSIDE, WASHINGTON, as follows:**

Section 1. A new Sunnyside Municipal Code Section 12.06.040 is hereby adopted as follows:

12.04.040 Waiver of fees and charges.

Upon recommendation of the Board of Parks and Recreation, the City Manager or the City Manager's designee may waive fees and charges for the use of City parks and recreation facilities and participation in Parks and Recreation programs for non-profit or governmental entities when he or she determines a waiver of such fees and/or charges is in the best interest of the City of Sunnyside. Such waiver shall not waive any applicable insurance requirements. Such waiver shall be granted only for activities that benefit the community at large and promote the general health, safety or welfare of the City's residents. Such waiver shall be in writing, a copy of which shall be provided to the City Council at its next regularly scheduled meeting.

Section 2. Except as amended herein, Chapter 12.06 of the Sunnyside Municipal Code shall remain unchanged.

Section 3. This ordinance shall be effective five days after passage, approval and publication as required by law.

PASSED this 8th day of August, 2011.



NICK PAULAKIS, DEPUTY MAYOR

ATTEST:



DELILAH SAENZ, CITY CLERK

APPROVED AS TO FORM:



MENKE JACKSON BEYER EHLIS & HARPER, LLP
Attorneys at Law