

# Ordinance No. 00242

[Council Meeting Minutes 00/08/07](#)

ORDINANCE NO. 242

AN ORDINANCE of the City Council of the City of Lakewood, Washington, relating to liability insurance for city park use

WHEREAS, in connection with the assumption of responsibilities involved in operating municipal parks in the City of Lakewood, the City Council adopted and promulgated park code regulations, geared to determine and regulate issues with respect to use of the park; and,

WHEREAS, among the provisions of the park code were provisions requiring, under certain circumstances, liability insurance for groups using the facility; and,

WHEREAS, the liability insurance provisions included waivers where, under certain circumstances, individuals and non-profit organizations could be exempted from the insurance requirements; and,

WHEREAS, based upon the City's experience in managing the park facilities through the park code, there are circumstances and there are occasions when consideration would be warranted in granting further waiver of the insurance requirements; and,

WHEREAS, in order to guide and assist the decisions in applying the insurance waivers, it would be appropriate to describe additional criteria that would be considered.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON, DO ORDAIN as Follows:

Section 1. That section 8.76.110 of the Lakewood Municipal Code be, and the same hereby is amended to read as follows:

8.76.110 Liability Insurance.

During all periods of use, persons using facilities by permit shall obtain and maintain public liability insurance acceptable to the City and/or other insurance necessary to protect the public and the City on premises to be used, with limits of liability not less than:

\$500,000 each person personal injury;

\$500,000 each occurrence personal injury;

\$300,000 each occurrence property damage;

or a combined single limit personal injury and/or property damage liability of \$1,000,000 per occurrence.

The City shall be named as an additional insured in connection with any such insurance policy, unless waived in writing by the City. The City shall be provided with a certificate of insurance, or, upon written request of the City, a duplicate of the policy, as evidence of the insurance protection provided. This insurance shall not be canceled or reduced without prior written notice to the City at least thirty days in advance of the cancellation, with this provision being included in the insurance policy.

It is provided, however, that in the case of permits for use of park facilities by ~~small groups or by~~ recognized non-profit organizations, or by small, neighborhood or family groups, depending on the type and nature of the use, the extent to which park facilities are to be used, the amount of time the facilities are to be used and the number of persons involved in the use, and the level of liability exposure involved in the use, the City Manager or designee may waive some or all of the insurance requirements hereof, and/or may require lesser limits of liability than the amounts identified hereinabove this Section. (Ord. 126 Â§ 1 (part), 1997.)

Section 2. Severability. If any portion of this Ordinance or its application to any person or circumstances 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. Effective Date. That this Ordinance shall be in full force and effect five (5) days after publication of the Ordinance Summary.

ADOPTED by the City Council this 7th day of August, 2000.

CITY OF LAKEWOOD

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Bill Harrison, Mayor

Attest:

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Alice M. Bush, CMC, City Clerk

Approved as to Form:

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Daniel B. Heid, City Attorney

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