

ORDINANCE NO. 1968-19

AN ORDINANCE OF THE CITY OF MILTON, WASHINGTON, REVISING CHAPTER 10.24 OF THE MILTON MUNICIPAL CODE AS IT RELATES TO PARKING REGULATIONS; ENTERING LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City currently enforces parking code pursuant to Chapter 10.24 of the Milton Municipal Code; and

WHEREAS, this code is outdated and needs revisions; and NOW THEREFORE,

WHEREAS, the city hopes to maintain the health, safety and security of the residents of the city of Milton and

WHEREAS, improper vehicular parking can impede safety and emergency response with the city; and

WHEREAS, improperly parked vehicles can further complicate utility maintenance and leads to unnecessary expenditure of city resources;

THE CITY COUNCIL OF THE CITY OF MILTON, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Findings. The recitals set forth above are hereby adopted as the Milton City Council's findings in support of this ordinance.

Section 2. Section 10.24 is hereby amended in its entirety to read as follows:

10.24.010 Definitions

- A. "Park or parking" means the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers.
- B. "Person" means and includes any individual, firm, co-partnership, or corporation.
- C. "Stand or standing" means the halting of a vehicle, whether occupied or not, otherwise than for the purpose of and while actually engaged in receiving or discharging passengers.
- D. "Street" means any public street, avenue, road, boulevard, highway or other public place located in the city and established for the use of vehicles.
- E. "To park (or stand) a vehicle" means there is a prima facie presumption that the registered owner of a violator vehicle was the person who parked such vehicle.
- F. "Recreational vehicle" means an enclosed piece of equipment dually used as both a vehicle, a temporary travel home or a full-time home.

G. "Truck" means any of various motor vehicles with a weight capacity in excess of 10,000 pounds, or exceeding seven and one-half feet in width, or exceeding 20 feet in length, designed for carrying or pulling loads, or truck-trailer combinations, including without limitation those commonly known as "semi-trucks."

H. "Vehicle" means every device capable of being moved upon a public highway and in, upon, or by which any persons or property is or may be transported or drawn upon a public highway, including bicycles, boats, recreational vehicles and trailers. The term does not include devices other than bicycles moved by human or animal power or used exclusively upon stationary rails or tracks.

10.24.020 Model Traffic Ordinance superseded.

The requirements of this section supersede any conflicting provisions in the Model Traffic Ordinance, as adopted by MMC 10.04.010, as now or hereafter amended.

10.24.030 Highway 99.

It is unlawful for any person to stop, stand or park any vehicle on the highway right-of-way of that section of Pacific Highway 99 that lies within the corporate limits of the city.

10.24.040 Milton Way – Business district (B) zone.

It is unlawful for any person to park any vehicle on the arterial right-of-way, except emergency parking, of Milton Way that is zoned (B) business district or mixed-use town center (MX) as defined in Chapters 17.28 and 17.30 MMC and the current city of Milton zoning map.

10.24.050 Extended parking prohibited.

It is unlawful to park any vehicle upon the rights-of-way of the city for more than 72 consecutive hours in any 80-hour period, even if the vehicle is moved from one portion of any right-of-way to another.

10.24.060 Obstruction of traffic.

No person shall park any vehicle upon a street, other than an alley, in such a manner or under such conditions as to leave available less than eight feet of the width of the roadway in each direction of travel for a total of 16 feet for free movement of vehicular traffic.

10.24.070 Parking in alleys.

No person shall park a vehicle within an alley in such a manner or under such conditions as to leave available less than eight feet of the width of the roadway for the free movement of vehicular traffic, and no person shall stop, stand, or park a vehicle within an alley in such position as to block the driveway entrance to any abutting property.

10.24.080 Parking for certain purposes prohibited.

No person shall park a vehicle upon any roadway for the principal purpose of:

- (1) Displaying such vehicle for sale or for advertising services for vehicles;
- (2) Washing, greasing, or repairing such vehicle except repairs necessitated by an emergency.

10.24.090 On narrow streets.

(1) The Public work Director is authorized to erect signs indicating no parking upon both sides of a street when the width of the improved roadway does not exceed 26 feet, or upon one side of a street as indicated by such signs when the width of an improved roadway is between 26 and 34 feet.

(2) When official signs prohibiting parking are erected upon narrow streets as authorized herein, no person shall park a vehicle upon any such street in violation of any such sign.

10.24.100 Near hazardous or congested places.

(1) The Public work Director is authorized to determine and designate by proper signs, places not exceeding 200 feet in length in which the stopping, standing, or parking of vehicles would create an especially hazardous condition or would cause unusual delay to traffic.

(2) When official signs are erected as hazardous or congested places as authorized herein, no person shall stop, stand, or park a vehicle in any such designated place.

10.24.110 Proximity to curb and prohibited parking in specific places.

(1) No person shall stand or park a vehicle in a roadway other than parallel with the edge of the roadway headed in the direction of lawful traffic movement and with the wheels of the vehicle on that side which is consistent with the lawful movement of traffic within 12 inches of the curb or edge of the roadway except as otherwise provided in this chapter.

(2) Except as otherwise provided for in this chapter, or when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a police officer, or official traffic control device, no person shall stop, stand, or park a vehicle:

- (a) On the roadway side of any vehicle stopped or parked at the edge or curb of a street;

- (b) On a sidewalk or street planting strip;
- (c) Any city ditch or trench connected to a storm drainage system;
- (d) Within an intersection;
- (e) On a crosswalk;
- (f) Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless official signs or markings indicate a different no-parking area opposite the ends of a safety zone;
- (g) Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic;
- (h) Upon any bridge or other elevated structure upon a highway or within a highway tunnel;
- (i) On any railroad tracks;
- (j) In the area between roadways of a divided highway including crossovers; or
- (k) At any place where official signs prohibit stopping.

(3) Except as otherwise provided for in this chapter or in compliance with the directions of a police officer, no person shall stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger or passengers:

- (a) In front of a public or private driveway or within five feet of the end of the curb radius leading thereto;
- (b) Within 15 feet of a fire hydrant;
- (c) Within 20 feet of a crosswalk;
- (d) Within 30 feet upon the approach to any flashing signal, stop sign, yield sign, or traffic control signal located at the side of a roadway;
- (e) Within 20 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within 75 feet of said entrance when properly signposted; or
- (f) At any place where official signs prohibit standing.

(4) Except as otherwise provided for in this chapter or in compliance with the directions of a police officer, park a vehicle, whether occupied or not, except temporarily for the purpose of and while actually engaged in loading or unloading property or passengers:

- (a) Within 50 feet of the nearest rail of a railroad crossing; or
- (b) At any place where official signs prohibit parking.

(5) No person shall move a vehicle not lawfully under his or her control into any such prohibited area or away from a curb such a distance as is unlawful.

10.24.120 Angle parking – Street determination.

The Public work Director shall determine upon what streets other than those forming a part of the primary or secondary state highways angle parking shall be permitted.

10.24.130 Angle parking – Obedience.

Upon those streets which have been signed or marked for angle parking, no person shall park or stand a vehicle other than at the angle to the curb or edge of the roadway indicated by such signs or markings.

10.24.140 Loading or unloading at an angle to the curb.

The Public work Director is authorized to issue special permits to permit the backing of a vehicle to the curb for the purpose of loading or unloading merchandise or materials subject to the terms and conditions of such permit. Such permits may be issued either to the owner or lessee of real property or to the owner of the vehicle and shall grant to such person the privilege as therein stated and authorized herein, and it is unlawful for any permittee or other person to violate any of the special terms or conditions of any such permit; provided, however, that no permit issued hereunder shall be exclusive.

10.24.150 Chain parking unlawful.

It shall be an infraction for any person to move and repark a vehicle parked on the street within two blocks of the original parking space in order to avoid a parking time limit regulation. It shall be an infraction for any person to move and repark a vehicle parked in a parking lot to another space within the same parking lot in order to avoid a parking time regulation. For the purposes of this section, a block shall be defined as a city street or alley section located between consecutive intersections. A violation of this section shall be an infraction punishable by a fine of \$50.00. In the event that the initial fine is not paid within 30 days of the date of issuance of the infraction, the fine shall increase to \$90.00.

10.24.160 Expired or improper license plates – Parking prohibited.

No person shall stop, stand or park any vehicle on any street or alley, or in any garage, parking area or other property owned by the city, without first having displayed current and proper vehicle license plates thereon as provided in Chapter 46.16 RCW. The vehicle license plates shall be attached conspicuously in the manner required by RCW 46.16.240.

10.24.170 Notice of Violation.

Whenever any motor vehicle without driver is found parked, angle parked, or stopped in violation of any of the restrictions imposed by ordinance of the City of Milton, the officer finding such vehicle shall conspicuously affix to such vehicle a notice in writing, on a form provided by the city, identifying such violation. If the Officer feels that the vehicle is posing a danger to public safety, the Officer may impound the vehicle at the owners' expense.

10.24.180 Stopping, standing and parking – Violations – Penalty.

Unless otherwise provided, a violation of any of the provisions of this chapter shall be an infraction punishable by a fine of \$65.00. In the event that a person fails to respond to a notice of a violation issued pursuant to this chapter or fails to pay a fine imposed pursuant to this chapter within 30 days of the date of issuance of the infraction or imposition of the fine, a \$25.00 penalty shall be added to the initial fine.

10.24.190 Impoundment

Vehicles located on city rights-of-way or other city-owned property parked in violation of this chapter or any other city-enforced parking restriction shall be subject to impoundment under the procedures applicable to unauthorized vehicles in highway rights-of-way as regulated by RCW 46.55.085, as now or hereafter amended.

10.24.200 Additional enforcement procedures.

The provisions of this chapter are not exclusive and may be used in addition to other enforcement provisions authorized by the Milton Municipal Code except as precluded by law.

Section 4. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 5. Publication. This ordinance shall be published by an approved summary consisting of the title.

Section 6. Effective Date. This ordinance shall become effective and be in full force five (5) days after passage, approval, and publication as provided by law.

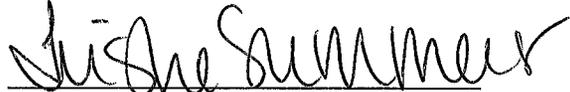
PASSED by the Council and approved by the Mayor of the City of Milton, this 17th day of June, 2019.

CITY OF MILTON



Mayor Shanna Styron Sherrell

ATTEST/AUTHENTICATED:



Trisha Summers, City Clerk

APPROVED AS TO FORM:

Ogden Murphy Wallace, City Attorney

Published:

6-19-19

Effective Date:

6-24-19



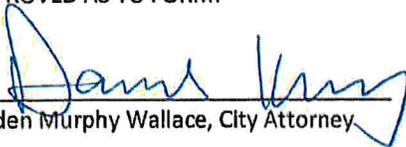
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