

**CITY OF SAMMAMISH
WASHINGTON
ORDINANCE NO. O2012-323**

**AN ORDINANCE OF THE CITY OF SAMMAMISH,
WASHINGTON, REPEALING CHAPTERS 17.05 AND 22.10
OF THE SAMMAMISH MUNICIPAL CODE AND
PLACING THOSE REGULATIONS IN TITLE 46 OF THE
MUNICIPAL CODE FOR THE PURPOSE OF
CONSOLIDATING ALL PARKING REGULATIONS INTO
A SINGLE TITLE OF THE MUNICIPAL CODE**

WHEREAS, the City Council has adopted various parking regulations and such regulations are located in more than one chapter of the City's Municipal Code; and

WHEREAS, the City Council desires to adopt additional parking regulations; and

WHEREAS, Title 46 of the Municipal Code is the principal Title governing the subjects of vehicles and traffic; and

WHEREAS, it would promote efficient administration of parking regulations to place all such regulations in Title 46 of the Municipal Code;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAMMAMISH, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Amend Title 46 SMC to add new chapter 46.30: A new chapter, designated Chapter 46.30, and entitled Stopping, Standing and Parking, is added as follows:

**Chapter 46.30
STOPPING, STANDING AND PARKING**

Sections:

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|-----------|----------------------------------|
| 46.30.010 | Short Title. |
| 46.30.020 | Definitions. |
| 46.30.030 | Purpose. |
| 46.30.040 | Regulations not exclusive. |
| 46.30.050 | Parking and unlicensed vehicle. |
| 46.30.060 | Seventy-two-hours parking limit. |
| 46.30.070 | Prohibited parking places. |

- 46.30.080 Parking next to mailboxes.
- 46.30.090 Miscellaneous crimes.

46.30.010 Short title.

This chapter may be known and cited as the parking ordinance.

46.30.020 Definitions.

A. The definition of words and phrases contained in RCW 46.04, for the purpose of this chapter, have the same meanings ascribed to the words and phrases therein.

B. The following words and phrases, when used in this chapter, shall, for the purpose of this chapter, have the meanings respectively ascribed to them in this section, unless where used the context thereof clearly indicates to the contrary:

1. "Bicycle lane" means the portion of the travel way for the movement of bicycles either designated by pavement markings or signage.
2. "Street" means and includes streets, avenues, ways, boulevards, drives, highways and all places, except alleys, open to the public for the use of vehicles.
3. "Collective mailbox" means five (5) or more individual mailboxes grouped together in one single location for mail delivery.

46.30.030 Purpose.

The provisions of this chapter prohibiting the standing or parking of vehicles shall apply at all times or at those times specified in this chapter or as indicated on official signs except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the directions of a police officer, traffic control flagger, or official traffic-control device.

46.30.040 Regulations not exclusive.

The provisions of this chapter imposing parking restrictions shall not relieve any person from the duty to observe other and more restrictive provisions prohibiting or limiting the stopping, standing or parking of vehicles in specified places or at specified times.

46.30.050 Parking an unlicensed vehicle.

A. It is a violation of this section to stop, stand or park a vehicle on a street, highway or public property within the city limits of the city unless such vehicle possesses a proper and current vehicle license plate or plates, and such plate or plates are properly mounted thereon in accordance with the State of Washington Department of Licensing rules and regulations.

B. It is a violation of this section to stop, stand or park a vehicle on a street, highway or public property within the city limits of the city without current,

properly displayed month and year license tabs.

46.30.060 Seventy-two-hour parking limit.

No owner, driver or other person having charge of any vehicle shall permit such vehicle to stand or to be parked in any street in the city for more than 72 hours consecutively.

46.30.070 Prohibited parking places.

It is unlawful for the operator of a vehicle to stop, stand, park or angle park such vehicle in or on a marked bicycle lane except when necessary to avoid conflict with other traffic or to comply with other provisions of this code or with the direction of a police officer, traffic control flagger, traffic-control sign, traffic control signal, or other official traffic control device.

46.30.080 Parking next to mail boxes.

No person shall park directly adjacent to a curbside, next to any clearly visible residential mail box between 10:00 a.m. and 5:00 p.m. on any day of scheduled mail delivery by the United States Postal Service.

No owner, driver or other person having charge of any vehicle shall permit such vehicle to be parking within five feet on either side of any clearly visible collective mailbox.

Unless otherwise set out in applicable law or court rule, any person who violates the provisions of this section shall be guilty of an infraction.

46.30.090 Miscellaneous crimes.

The following provisions of the King County Code as presently constituted or hereafter amended are adopted by reference:

KCC

17.04.420(J) Violation – Civil infraction.

17.04.420(K) Violation – Civil penalty.

17.04.420(L) Impoundment.

Except that KCC 17.04.420(J) is amended to read as follows:

J. Violation – Civil infraction. Any person who fails to mark or maintain the marking of a designated fire lane as prescribed in this chapter, or who parks a vehicle in, allows the parking of a vehicle in, obstructs, or allows the obstruction of a designated fire lane commits a civil infraction to which the provisions of RCW 7.80 shall apply. The penalty for failing to mark or maintain the marking of a designated fire lane shall be one hundred and fifty dollars per day. The penalty

for parking a vehicle in, allowing the parking of a vehicle in, obstructing, or allowing the obstruction of a designated fire lane shall be two hundred and fifty dollars.

Section 2. Amend Title 46 SMC to add new chapter 46.40: A new chapter, designated Chapter 46.40, and entitled Traffic Offenses, is added as follows:

**Chapter 46.40
TRAFFIC OFFENSES**

Sections:

- 46.40.010 Avoidance of intersection.
- 46.40.020 Inattentive driving.

46.40.010 Avoidance of intersection.

It is unlawful for any person operating a motor vehicle on City streets or highways to make a left- or right-hand turn upon approaching or leaving an intersection and to proceed across any private property for the purpose of avoiding the intersection, or any traffic control device controlling the intersection, unless so directed by lawful authority. Unless otherwise set out in applicable law or court rule, any person who violates the provisions of this section shall be guilty of an infraction.

46.40.020 Inattentive driving.

It is unlawful for any person to operate a motor vehicle within the City in an inattentive manner. For the purposes of this section, “inattentive manner” means the operation of a motor vehicle in a manner that evidences a lack of degree of attentiveness required to safely operate the vehicle under the prevailing conditions, including but not limited to the nature and condition of the roadway, presence of other traffic, presence of pedestrians, and weather conditions. The offense of operating a motor vehicle in an inattentive manner shall be considered to be a lesser offense than, but included in, the offense of operating a motor vehicle in a negligent manner. Unless otherwise set out in applicable law or court rule, any person who violates the provisions of this section shall be guilty of an infraction. The penalty for any violation of this section shall be a fine as set forth under the Infraction Rules for Courts of Limited Jurisdiction (IRLJ) Rule 6.2.

Section 3. Repeal Chapter 17.05: Chapter 17.05 SMC is hereby repealed. [Note: the provisions of former Chapter 17.05 are now set forth in SMC 46.30.090.]

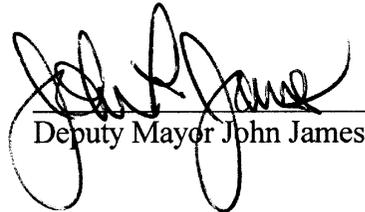
Section 4. Repeal Chapter 22.10: Chapter 22.10 SMC is hereby repealed. [Note: the provisions of former Chapter 22.10 are now set forth in SMC 46.40.]

Section 5. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

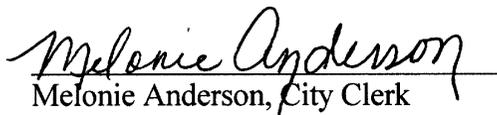
Section 6. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 1st DAY OF May, 2012.

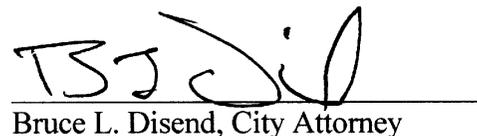
CITY OF SAMMAMISH


Deputy Mayor John James

ATTEST/AUTHENTICATED:


Melonie Anderson, City Clerk

Approved as to form:


Bruce L. Disend, City Attorney

Filed with the City Clerk:	April 11, 2012
Public Hearing:	April 16, 2012
First Reading:	April 16, 2012
Passed by the City Council:	May 1, 2012
Date of Publication:	May 4, 2012
Effective Date:	May 9, 2012