

ORDINANCE NO. 46

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON, PROVIDING FOR SPEED LIMITS, PARKING RESTRICTIONS AND ENFORCEMENT THEREOF, PROVIDING FOR PENALTIES FOR VIOLATIONS OF THIS ORDINANCE, AND ESTABLISHING THE OFFICE OF TRAFFIC ENGINEER

WHEREAS, the City is authorized by RCW 35A.46.010 and RCW 46.61.400 - .415 to establish maximum speeds on city streets and those portions of state highways which pass through the City ; and

WHEREAS, the City Council wishes to establish speed limits, parking regulations and provide for a mechanism for temporary street closures; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Speed Limits. WAC 308-330-423 is adopted to establish rules governing motor vehicle speed within the City; provided that the speed limit for all streets within the City shall be 25 Miles Per Hour, except as designated below:

A. 30 Miles Per Hour

1st Avenue NE
5th Avenue NE
25th Avenue NE
NE 150th Street
NE 175th Street between 15th NE and 22nd NE
Fremont Avenue North

B. 35 Miles Per Hour

15th Avenue NE between NE 145th and NE 175th
15th Avenue NE between NE 181st and NE 205th
3rd Avenue NW
8th Avenue NW
NE 175th Street between 15th NE and Aurora Avenue
NE 178th Street
Greenwood Avenue North

Meridian Avenue North

C. 40 Miles Per Hour

[Reserved]

D. 45 Miles Per Hour

Aurora Avenue between NE 145th and NE 205th.

Section 2. Penalty. A violation of the established speed limits shall be an infraction and punished in accordance with WAC 308-330-710.

Section 3. Parking Restrictions. The City adopts by reference the parking regulations previously enacted for streets within the City by King County and set forth in King County Code Title 46.

Section 4. Parking Violations. A violation of the parking regulations shall be an infraction and punished in accordance with the bail schedule on file at the King County District Court.

Section 5. Traffic Engineer; Street Closures.

A. The City shall contract with a qualified engineer to serve as Traffic Engineer. The Traffic Engineer shall have the authority granted by WAC 308-330-265 and 270, including any amendments thereto.

B. The City Manager upon the advice of the Traffic Engineer may close any city street to traffic to protect the public safety.

C. The City Manager, upon the advice of the City Police Chief, or such officer authorized to act in that capacity, may close any city street to traffic for purposes of public events or privately sponsored events such as, but not limited to, street fairs.

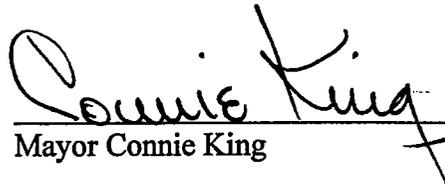
Section 6. Enforcement. Officers of the Police Department, or such officers as are authorized to provide police services to the City, shall enforce the provisions of this Ordinance.

Section 7. Copy Available. One copy of each statute or portion of statute, adopted by reference by this ordinance shall be authenticated and recorded by the city clerk together with this ordinance. Not less than one copy of each such statute or portion of statute shall be available in the office of the city clerk for use and examination by the public.

Section 8. 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 preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

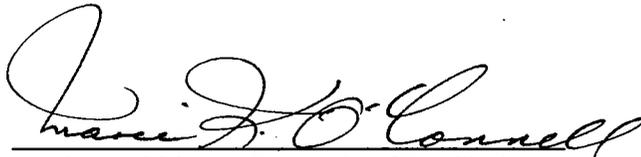
Section 9. Effective Date and Publication. A summary of this ordinance consisting of its title shall be published in the official newspaper of the City. This ordinance shall take effect and be in full force commencing at 12:01 a.m. on August 31, 1995.

PASSED BY THE CITY COUNCIL ON AUGUST 14TH, 1995



Mayor Connie King

ATTEST:



Marie K. O'Connell, Interim City Clerk

APPROVED AS TO FORM:



Timothy X. Sullivan, Interim City Attorney

Date of Publication: 8/17/95
Effective Date: 8/31/95

Title 46
TRAFFIC CODE

Chapters:

- 46.04 Washington Model Traffic Ordinance
- 46.08 Impoundment and Redemption of Certain Vehicles
- 46.10 No Cruising
- 46.12 Engine Compression Brake Control Areas
- 46.14 Vehicular Trespass

Chapter 46.04
WASHINGTON MODEL TRAFFIC ORDINANCE

Sections:

- 46.04.010 Adopted.
- 46.04.020 Certain sections deleted.
- 46.04.030 RCW 46.90.565 amended-Unclaimed bicycles.
- 46.04.040 RCW 46.61.415-1 amended-Speed limit revisions.
- 46.04.050 RCW 46.61.415-2 amended-Decrease of state law maximum speed.
- 46.04.060 RCW 46.61.570-1 amended.
- 46.04.065 WAC 308-330-265(16) amended - County road engineer authority.
- 46.04.070 Severability.

46.04.010 Adopted. The "Washington Model Traffic Ordinance," Chapter 308-330 WAC, as adopted by the director of Washington State department of licensing under authority of RCW 46.90.010, hereinafter referred to as the "MTO," and RCW 10.31.100 are adopted by reference as and for the traffic ordinance of this county as if set forth in full herein except as provided in Section 46.04.020. (Ord 11396 § 1, 1994: Ord. 5292 § 2, 1981).

46.04.020 Certain sections deleted. The following sections of the MTO are not adopted by reference and are expressly deleted: RCW 46.90.250, 46.90.500 through 46.90.540, 46.90.560 and 46.90.565, and those portions of RCW 46.90.406 which adopt by reference sections of RCW 46.55. (Ord. 10279, 1992: Ord. 5292 § 3, 1981).

46.04.030 RCW 46.90.565 amended - Unclaimed bicycles. RCW 46.90.565 is amended as follows:

Unclaimed bicycles.

All unclaimed bicycles in the custody of the police department shall be disposed of as provided in Chapter 63.40 RCW. (Ord. 5292 § 4, 1981).

46.04.040 RCW 46.61.415-1 amended - Speed limit revisions. RCW 46.61.415-1 is amended as follows:

Speed limit revisions.

A. The director of the department of public works and transportation is empowered to revise existing speed limits on all streets and roads within this county as authorized by state law; provided, that such speed limit revisions shall not exceed ten miles per hour; provided further, that any determination of the proper numerical value for a speed zone will be based upon the following engineering and traffic investigation factors:

1. Road surface characteristics, shoulder conditions, grade, alignment and sight distance;
2. The eighty-five percentile speed and pace speed;
3. Roadside development and culture, and roadside friction;
4. Safe speed for curves or hazardous locations within the zone;
5. Parking practices and pedestrian activity;
6. Reported accident experience for a recent twelve-month period.

B. Action of the director of the department of public works and transportation in any speed limit revisions may be appealed by a person to the King County council provided the appeal is filed in writing within thirty calendar days from the date of posting of speed zone. (Ord. 5292 § 5, 1981).

46.04.050 RCW 46.61.415-2 amended - Decrease of state law maximum speed. RCW 46.61.415-2 is amended as follows: Decrease of state law maximum speed. It is determined upon the basis of an engineering and traffic investigation that the speed permitted by state law on county roads is greater than is reasonable or safe under the conditions found to exist upon the following roads, and it is declared that the speed limit shall be as set forth in this section on those streets or parts of streets designated in this section at the times specified in this section.

A. No person shall operate a motor vehicle upon any county road within a residence district, as defined in RCW 46.04.470, in excess of twenty-five miles per hour.

B. No person shall operate a motor vehicle upon any county road in King County within a business district, as defined in RCW 46.04.080, in excess of twenty-five miles per hour.

C. No person shall operate a motor vehicle upon the county roads designated in Schedule 1 in excess of twenty-five miles per hour, when signs are erected giving notice thereof.

D. No person shall operate a motor vehicle upon the county roads designated in Schedule 2 in excess of thirty miles per hour, when signs are erected giving notice thereof.

E. No person shall operate a motor vehicle upon the county roads designated in Schedule 3 in excess of thirty-five miles per hour, when signs are erected giving notice thereof.

F. No person shall operate a motor vehicle upon the county roads designated in Schedule 4 in excess of forty miles per hour, when signs are erected giving notice thereof.

G. No person shall operate a motor vehicle upon the county roads designated in Schedule 5 in excess of forty-five miles per hour, when signs are erected giving notice thereof.

H. No person shall operate a motor vehicle in the county parks designated in Schedule 6 in excess of the limit prescribed therein, when signs are erected giving notice thereof.

I. No person shall operate a motor vehicle other than in the indicated direction upon those county roads and parts of roads and alleys designated in Schedule 10, when signs are erected giving notice thereof.

J. No person shall operate a motor vehicle upon the county roads designated in Schedule 24 in excess of fifty miles per hour, when signs are erected giving notice thereof. (Ord. 5292 § 6, 1981).

46.04.060 RCW 46.61.570-1 amended. RCW 46.61.570-1 is amended as follows:

A. When signs are erected in each block giving notice thereof, no person shall park a vehicle:

1. At any time upon any of the streets or portions thereof described in Schedule 14 of this traffic code.

2. Between the hours specified in Schedule 15 of any day except as provided within the district or upon any of the streets described in said schedule.

3. Or stop or stand a vehicle between the hours specified in Schedule 16 of any day except as provided in said schedule within the district or upon any of the streets described in said schedule.

4. For a period of time longer than specified in Schedule 17 upon any of the streets or parts of streets specified in said schedule.

B. No person shall park a commercial vehicle which is more than 80 inches wide overall on any street or alley in residentially zoned areas as defined in Title 21A between the hours of midnight and six a.m.

1. A person found to have committed a violation of this section shall be assessed a monetary penalty of fifty dollars.

C. When signs are erected in each block giving notice thereof, no person shall park a trailer, either attached to or detached from a motor vehicle at any time, upon any of the streets or portions thereof described in Schedule 18 of this traffic code.

D. No person shall park directly adjacent to a curbside, next to clearly visible residential mail boxes between 10:00 a.m. and 3:00 p.m. on any day of scheduled mail delivery by the United States Postal Service. (Ord. 11792 § 38, 1995; Ord. 11096 § 1, 1993; Ord. 9700 § 1, 1990; Ord. 7403 § 1, 1985; Ord. 5292 § 7, 1981).

46.04.065 WAC 308-330-265(16) amended - County road engineer authority. The county road engineer shall have the authority by administrative determination to immediately impose temporary gross weight limits on bridges based on the results of an engineering and traffic investigation. The traffic engineer shall have the authority to immediately erect and maintain official traffic control devices for temporary gross weight limits on bridges as directed by the county road engineer and in accordance with Chapter 46.90 RCW, WAC 308-330-265(16) and K.C.C. 14.16. (Ord 11396 § 2, 1994).

46.04.070 Severability. Should any section, subsection, paragraph, sentence, clause or phrase of this chapter be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portion of this chapter. (Ord. 5292 § 8, 1981).

Chapter 46.08
IMPOUNDMENT AND REDEMPTION OF CERTAIN VEHICLES

Sections:

- 46.08.010 Definitions.
- 46.08.040 When a vehicle may be impounded without prior notice.
- 46.08.050 When a vehicle may be impounded after notice.
- 46.08.060 Impound procedure.
- 46.08.070 Owner of impounded vehicle to be notified.
- 46.08.080 Redemption of impounded vehicles and hearing request.
- 46.08.100 Post impoundment hearing procedure.
- 46.08.110 Unclaimed vehicles.
- 46.08.120 King County department of public safety record of impounded vehicles.
- 46.08.130 Contracts for towing and storage.
- 46.08.132 Additional towing contractor duties and records.
- 46.08.134 Towing contractor standards.
- 46.08.140 Severability.

46.08.010 Definitions. The following definitions shall apply in the interpretation and enforcement of this chapter:

A. "Impoundment" means the removal of a vehicle to a storage facility either by an officer or authorized agent of the King County department of public safety or by a towing contractor in response to a request from an officer or authorized agent of the King County department of public safety.

B. "Towing contractor" means any firm, partnership, tow operator, association, or corporation duly licensed by the State of Washington to perform towing and storage services that enters into a contract with the King County department of public safety to perform towing and storage services under the provisions of this chapter.

C. "Vehicle" shall have the definition set forth in RCW 46.04.670, and, in addition, shall include any junk vehicle as defined in RCW 46.55.010(4) as they currently exist or may thereafter be amended.

D. "Workday" means Monday through Friday, not including Saturday and Sunday or legal holidays as defined in RCW 1.16.050. (Ord. 10278 § 1, 1992).

46.08.040 When a vehicle may be impounded without prior notice. A vehicle may be impounded with or without citation and without giving prior notice to its owner as required in Section 46.08.050 hereof under the following circumstances:

A. The vehicle is impeding or is likely to impede the normal flow of vehicular or pedestrian traffic;

B. The vehicle is illegally parked in a conspicuously posted restricted zone where parking is limited to designated classes of vehicles or is prohibited during certain hours, on designated days or at any time when the vehicle is interfering or likely to interfere with the intended use of such a zone;

C. The vehicle poses an immediate danger to the public safety;

D. A police officer has information sufficient to form a reasonable belief that the vehicle is stolen;

E. A police officer has information sufficient to form a reasonable belief that the vehicle constitutes evidence of a crime or contains evidence of a crime, if impoundment is reasonably necessary to obtain or preserve such evidence;

F. Whenever a police officer finds an unattended vehicle at the scene of an accident or when the driver of a vehicle involved in an accident is physically or mentally incapable, or too intoxicated, to decide upon steps to be taken to protect his or her property;

G. Whenever the driver of a vehicle is arrested and taken into custody by a police officer, and the driver, because of intoxication or otherwise, is mentally incapable of deciding upon steps to be taken to safeguard his or her property;

H. Whenever a vehicle without a special license plate, card, or decal indicating that the vehicle is being used to transport a disabled person under RCW 46.16.381 is parked in a stall or space clearly and conspicuously marked under RCW 46.62.581 which space is provided on private property without charge or on public property;

I. Whenever a mobile home is subject to removal from a mobile home park pursuant to a writ of restitution, provided such writ is attached to a department of public safety impound report.

Nothing in this section shall be construed to authorize seizure of a vehicle without a warrant where a warrant would otherwise be required. Nothing in this section may derogate from the powers of police officers under the common law or other statute or ordinance. (Ord. 10278 § 4, 1992; Ord. 5846 § 4, 1982).

46.08.050 When a vehicle may be impounded after notice. A vehicle not subject to impoundment under K.C.C. 46.08.040 hereof may be impounded after notice of such proposed impoundment has been securely attached to and conspicuously displayed on the vehicle for a period of twenty-four hours prior to such impoundment if such vehicle is parked and/or used in violation of any law, ordinance or regulation; provided, that if the vehicle has current Washington registration plates the officer or the King County department of public safety shall check the records to learn the identity of the last owner of record and shall make a reasonable effort to contact the owner by telephone in order to give the owner the information on the notice of proposed impoundment. (Ord. 10278 § 5, 1992)

46.08.060 Impound procedure. When impoundment is authorized by this chapter, a vehicle may be impounded by a towing contractor acting at the request of an officer or authorized agent of the King County department of public safety. Such officer or authorized agent shall provide to the towing contractor a signed authorization for the tow and the impound before the towing contractor may proceed with the impound. (Ord. 10278 § 6, 1992).

3004

(King County 9-94)

46.08.070 Owner of impounded vehicle to be notified. A. When a vehicle is impounded, the impounding towing contractor shall notify the legal and registered owner(s) of the impoundment of the vehicle. The notification shall be sent by first-class mail within twenty-four hours after the impoundment to the last known registered and legal owner(s) of the vehicle, as identified by the King County department of public safety, and shall inform the owners of the identity of the person or agency authorizing the impound. The notification shall include the name of the impounding tow firm, its address, and telephone number, the location and time of the impound, and by whose authority the vehicle was impounded. The notice shall also include the written notice of the right of redemption and opportunity for a hearing to contest the validity of the impoundment pursuant to K.C.C. 46.08.100, as set forth on a form to be provided by the King County department of public safety.

B. In the case of an abandoned vehicle, as defined in RCW 46.55.010(1), within twenty-four hours after receiving information on the vehicle owner(s) from the Department of Licensing through the abandoned vehicle report, the towing contractor shall send by certified mail, with return receipt requested, a notice of custody and sale to the legal and registered owner(s).

C. No notices need be sent to the legal or registered owner(s) of an impounded vehicle if the vehicle has been redeemed.

D. When a person seeks to redeem an impounded vehicle, the towing contractor shall give said person a copy of the towing and storage receipt as well as written notice of the right of redemption and opportunity for a hearing, as set forth on a form provided by the King County department of public safety. The towing contractor shall maintain a record evidenced by the redeeming person's signature that such notification was provided.

E. Similar written notice and record of notification for redemption and opportunity for a hearing, as set forth on a form provided by the King County department of public safety, shall be given by the towing contractor at the time of releasing a vehicle impounded for investigatory purposes pursuant to K.C.C. 46.08.040(e), following authorization by the King County department of public safety to release such vehicle. (Ord. 10278 § 7, 1992).

46.08.080 Redemption of impounded vehicles and hearing request. Vehicles impounded by the county shall be redeemed under the following circumstances:

A. Only the registered owner, a person authorized in writing by the registered owner, or one who has purchased a vehicle from the registered owner and who produces proof of ownership or written authorization and signs a receipt therefor, may redeem an impounded vehicle.

B. Any person so redeeming a vehicle impounded by the county must pay the towing contractor for costs of impoundment (towing and storage) before the vehicle will be released from impound. Such towing contractor shall accept only cash, major bank credit cards, certified bank drafts, money orders, and personal checks drawn on in-state banks in payment for such costs; provided, however, that if such a personal check is offered in payment for such costs, the person so offering the same may be required to show evidence of his or her identity by two pieces of identification which may include a driver's license, Washington State Identification Card issued by the Washington State Department of Motor Vehicles, other credit cards or similar forms of identification; provided, further, however, that if the contractor has reasonable cause to believe the tendered check is uncollectable, acceptance of such check may be refused in accordance with such standards as may be promulgated in accordance with K.C.C. 46.08.150 or as may be set forth in a contract entered into pursuant to K.C.C. 46.08.130.

C. Any person who stops payment on a personal check or credit card, or does not make restitution within ten days from the date a check becomes insufficient due to lack of funds, or in any other manner defrauds the towing contractor in connection with services rendered pursuant to this section shall be liable to the towing contractor for damages in the amount of twice the towing and storage fees, plus costs and reasonable attorney's fees.

D. Any person seeking to redeem an impounded vehicle has a right to a hearing pursuant to K.C.C. 46.08.100 before an administrative hearing officer to contest the validity of the impoundment or the amount of towing and storage charges. Any request for a hearing shall be made in writing on a form provided for that purpose by the King County department of public safety signed by such person and must be received by the King County department of public safety within ten days (including Saturdays, Sundays and holidays) of the later of the date the notice of right of redemption and opportunity for hearing was mailed to such person pursuant to K.C.C. 46.08.070(A), or the date such notice was given to such person by the towing contractor pursuant to K.C.C. 46.08.070(D).

If the hearing request is not received by the King County department of public safety within the ten day period, the right to a hearing is waived and the registered owner is liable for any towing, storage, or other impoundment charges permitted under this chapter.

E. If a hearing as provided for in K.C.C. 46.08.100 is requested, such hearing shall be held within two working days of the receipt of the written request for the hearing by the King County department of public safety. (Ord. 10278 § 9, 1992).

46.08.100 Post impoundment hearing procedure. A. In accordance with RCW 46.55.240(1)(d), the sheriff of the King County department of public safety shall appoint one or more administrative hearing officers to conduct the post impound hearings requested pursuant to K.C.C. 46.08.080. Such hearing officer shall determine whether the impoundment was proper and whether the towing and/or storage fees charged in connection with the impound were proper.

B. At the hearing, the King County department of public safety may produce any relevant evidence to show that the impound and/or fees were proper. The officer's impound report and the towing contractor's impound receipts may be received in evidence. In determining whether the fees charged were proper, the hearing officer may take notice of the towing contractor's rates.

C. At the hearing, the person who requested the hearing may produce any relevant evidence to show that the impound and/or fees were not proper.

D. If the impoundment is found to be proper, the hearing officer shall enter an order so stating. If the costs of impoundment have not been paid, the hearing officer's order shall also provide that the impounded vehicle shall be released only after payment of the costs of impoundment to the towing contractor.

E. If the impoundment is found to be improper, the hearing officer shall enter an order so stating and shall order the immediate release of the vehicle.

If the costs of impoundment have already been paid, the hearing officer shall enter an order against the county and in favor of the person who has paid the costs of impoundment in the amount of the costs of the impoundment plus interest at the rate of 12% per annum from the date that person paid such costs, and the county shall comply with such order. If the costs of impoundment have not been paid, the hearing officer shall enter an order directing the county to pay such costs to the towing contractor, and the county shall comply with such order.

F. If the hearing officer finds that the impoundment was proper, but that the towing and/or storage fees were improper, the hearing officer shall determine the correct fees to be charged. If the costs of impoundment have not been paid, the hearing officer shall order the release of the vehicle upon payment of the

(King County 3-99)

3006

correct impoundment fees as determined by the hearing officer. If the costs of impoundment have been paid, the hearing officer shall enter an order against the county and in favor of the person who has paid the costs of impoundment for the amount of the overpayment plus interest at the rate of 12% per annum on the overpayment from the date that person paid such costs, and the county shall comply with such order. The towing contractor shall be liable to the county for the amount of such overpayment and interest at the rate of 12% per annum. The towing contractor shall make such payment to the county no later than sixty days after it receives notice of such requirement to pay. The county may bring an action in the King County district court against the towing contractor to recover such overpayment plus interest at the rate of 12% per annum.

G. In accordance with RCW 46.55.240(1)(d), a decision made by an administrative hearing officer may be appealed to the King County district court for final judgment. (Ord. 12904 § 6, 1997; Ord. 10278 § 10, 1992).

46.08.110 Unclaimed vehicles. A. Any impounded vehicle not redeemed within fifteen days of mailing of the notice required by K.C.C. 46.08.070 and not listed as a stolen vehicle, shall be deemed unclaimed and shall be sold at a public auction in accordance with the provisions and subject to all conditions of RCW 46.55.130; provided that, in the case of a vehicle impounded and held pursuant to order of a county police officer, the fifteen days shall not begin until forty-eight hours after the King County department of public safety shall have notified both the owner and the towing company that it has authorized the release of the vehicle; provided further that when a timely request for a post impound hearing has been made pursuant to K.C.C. 46.08.080, the sale of the vehicle at public auction shall not take place until after the hearing has been conducted and the hearing officer has entered an order. Prior to sale at public auction, the towing contractor shall confirm with the King County department of public safety that no hearing is pending.

B. When an unclaimed vehicle is sold at public auction pursuant to Subsection A. above, the towing contractor may recover its towing and storage charges from the proceeds of the sale. Such towing and storage charges shall be limited to the contract rates established pursuant to K.C.C. 46.08.130. (Ord. 10278 § 11, 1992).

46.08.120 King County department of public safety record of impounded vehicles. King County department of public safety shall keep, and make available for inspection, a record of all vehicles impounded under the provisions of this chapter. The record shall include at least the following information:

- A. Vehicle make, year, and model;
- B. Vehicle license number and state of registration;
- C. Vehicle identification number, if ascertainable;
- D. Such other descriptive information as the director of King County department of public safety deems useful for purposes of vehicle identification;
- E. Name of impounding officer and serial number;
- F. Reason for impoundment, and the time, date and location the approved towing company took custody. (Ord. 5846 § 12, 1982).

46.08.130 Contracts for towing and storage. The county executive, or his designee, may enter into contracts with towing contractors to provide towing and storage services on request of the King County department of public safety pursuant to this chapter. Such contracts shall be at no cost to the county and shall provide that the towing contractor may recover the costs of towing and storage only from the person seeking to redeem the impounded vehicle, or

from the proceeds of sale of an unclaimed vehicle pursuant to K.C.C. 46.08.110, and that the county shall not be responsible for payment of such costs except upon order of the administration hearing officer pursuant to K.C.C. 46.08.100.

The sheriff may specify that towing services obtained by the department of public safety will be on a rotational or other basis in specific geographic areas in the county. The sheriff may specify the rates towing contractors may charge persons seeking to redeem impounded vehicles for towing and storage services provided pursuant to this chapter. (Ord. 12904 § 7, 1997: Ord. 10278 § 12, 1992).

46.08.132 Additional towing contractor duties and records. Each towing contractor, in addition to fully complying with the standards set by King County department of public safety must:

A. File its towing and storage rates with the King County department of public safety;

B. Maintain all vehicle transaction files for three years. (Ord. 10278 § 13, 1992).

46.08.134 Towing contractor standards. The sheriff of the King County department of public safety is authorized and directed to adopt standards that carry out the provisions and intent of this chapter. Towing contractors are required to comply with such standards. (Ord. 12094 § 8, 1997: Ord. 10278 § 14, 1992).

46.08.140 Severability. Should any section, subsection, paragraph, sentence, clause or phrase of this chapter be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this chapter. (Ord. 5846 § 14, 1982).

Chapter 46.10
NO CRUISING

Sections:

- 46.10.010 Definitions.
- 46.10.020 No cruising areas--county council ordinance required and posting of signs.
- 46.10.030 Acts constituting cruising prohibited.
- 46.10.040 No cruising--targeted enforcement.
- 46.10.050 Exceptions.
- 46.10.060 Violation penalty.
- 46.10.070 Severability.
- 46.10.080 SeaTac Mall no cruising area.

46.10.010 Definitions. A. No cruising area: An area designated by the county council by ordinance as susceptible to, or having a history of traffic congestion, obstruction of streets, sidewalks or parking lots, impediment of access to shopping centers or other buildings open to the public, interference with the use of property or conduct of business in the area adjacent thereto or that emergency vehicles cannot respond in that area within a reasonable period of time.

B. Traffic-control point: Any point or points established by public safety within the no cruising area for the purpose of monitoring cruising. (Ord. 9078 § 1, 1989).

46.10.020 No cruising areas--county council ordinance required and posting of signs. A. No area shall be designated or posted as a no-cruising area except upon the passage of an ordinance by the council specifically mandating said designation and posting for a particular area.

B. At every point where a public street or alley becomes or provides ingress to a no cruising area there shall be posted a sign which designates a no cruising area. (Ord 9078 § 2, 1989).

46.10.030 Acts constituting cruising prohibited. No person shall drive or permit a motor vehicle under his care, custody or control to be driven past a traffic-control point more than two times in the same direction of travel within a two-hour period in or around a posted no cruising area so as to contribute to traffic congestion, obstruction of streets, sidewalks or parking lots, impediment of access to shopping centers or other buildings open to the public or interference with the use of property or conduct of business in the area adjacent thereto. The third passage of the same traffic-control point in the same direction of travel within the aforementioned two-hour period constitutes a violation of this chapter. (Ord. 9078 § 3, 1989).

46.10.040 No cruising--targeted enforcement. The county sheriff of public safety or his designee shall determine when a no cruising area has become so congested by traffic as to present a danger of traffic congestion, obstruction of streets, sidewalks or parking lots, impediment of access to shopping centers or other buildings open to the public, interference with the use of property or conduct of business in the area adjacent thereto, or emergency vehicles not being able to respond in that area within a reasonable period of time. The county sheriff or his designee shall then direct that no cruising signs shall be erected or installed and maintained until the congestion has lessened to an acceptable degree. (Ord. 12904 § 9, 1997: Ord. 9078 § 4, 1989).

46.10.050 Exceptions. This chapter shall not apply to residents within a no cruising area, in-service emergency vehicles, taxicabs for hire, buses and other vehicles being driven for business purposes. (Ord. 9078 § 5, 1989).

46.10.060 Violation penalty. Violation of this chapter is a traffic infraction, and shall be punished by a penalty of two hundred fifty dollars. (Ord. 9078 § 6, 1989).

46.10.070 Severability. Should any section, subsection, paragraph, sentence, clause or phrase of this chapter, or its application to a specific person or set of circumstances, be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portion of this chapter, or its application to any other person or set of circumstances. (Ord. 9078 § 7, 1989).

46.10.080 SeaTac Mall no cruising area. The following area is hereby designated as a no cruising area pursuant to K.C.C. 46.10.010: From the northwest corner of the right-of-way at the intersection of South 316th Street and Pacific Highway South, thence east along the north margin of the right-of-way of South 316th Street to the northeast corner of the right-of-way at the intersection at 23rd Avenue South and South 316th Street; thence southeast along the northeast margin of the right-of-way of 23rd Avenue South to the northeast corner of the right-of-way at the intersection at 23rd Avenue South and South 317th Street; thence east along the north margin of the right-of-way of South 317th Street to the northeast corner of the right-of-way at the intersection of South 317th Street and Gateway Center Boulevard; thence generally south along the east margin of the right-of-way of Gateway Center Boulevard to the southeast corner of the right-of-way at the intersection of Gateway Center Boulevard and South 320th Street; thence west along the south margin of the right-of-way of South 320th Street to the southeast corner of the right-of-way of the intersection at South 320th Street and 23rd Avenue South; thence south along the east margin of the right-of-way of 23rd Avenue South to the right-of-way of the curving intersection at 23rd Avenue South and South 324th Street; thence west along the south margin of the right-of-way of South 324th Street to the southwest corner of the right-of-way at the intersection at South 324th Street and Pacific Highway South; thence north along the west margin of the right-of-way of Pacific Highway South to the northwest corner of the right-of-way at the intersection of Pacific Highway South and South 316th Street, the true point of beginning. (Ord. 9288, 1990).

Chapter 46.12
UNMUFFLED ENGINE COMPRESSION BRAKE CONTROL AREAS

Sections:

- 46.12.010 Definition.
- 46.12.020 Prohibition - Exception.
- 46.12.030 Violation - Penalty.
- 46.12.040 Posting of signs.
- 46.12.100 Severability.

46.12.010 Definition. Unmuffled engine compression brake: a motor vehicle brake which is activated or worked by the compression of the engine of a motor vehicle, and which is not effectively muffled to prevent excessive noise. (Ord. 12887 § 1, 1997: Ord. 10070 § 1, 1991).

46.12.020 Prohibition - Exception. The application of unmuffled engine compression brakes in unincorporated King County is prohibited, except when necessary for the protection of persons and/or property which cannot be avoided by application of an alternative braking system. Noise caused by the application of engine compression brakes which is effectively muffled or if the application is necessary for the health, safety, and welfare of the community as specified in K.C.C. 12.94.010(4) is exempt from the provisions of this chapter. Sounds created by emergency equipment for emergency work are also exempt. (Ord. 12887 § 2, 1997: Ord. 10445 § 1, 1992: Ord. 10070 § 2, 1991).

46.12.030 Violation - Penalty. Violation of this chapter shall constitute a traffic infraction, and shall be punished by a penalty of two hundred fifty dollars per violation. (Ord. 10070 § 3, 1991).

46.12.040 Posting of signs. The director of transportation shall post at reasonable locations upon the boundaries of the county signs indicating "Unmuffled Compression Brakes Prohibited," or substantially similar wording. The director of transportation shall have authority to post signs pursuant to this chapter on roads in the unincorporated area in response to reasonable requests from the community, executive or council. Existing compression brake signs on county roads shall remain and be maintained and replaced, when necessary, with language consistent with this chapter (ORD. 12887 § 3, 1997: Ord. 10070 § 4, 1991).

46.12.100 Severability. Should any section, subsection, paragraph, sentence, clause or phrase of this chapter, or its application to a specific person or set of circumstances, be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portion of this chapter, or its application to any other person or set of circumstances. (Ord. 10070 § 5, 1991).

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(King County 9-97)

Chapter 46.14
VEHICULAR TRESPASS

Sections:

46.14.010 Avoidance of stop signs and stop lights prohibited.

46.14.020 Penalty.

46.14.010 Avoidance of stop signs and stop lights prohibited. No one driving a motor vehicle shall seek to avoid stopping for stop signs, stop lights, yield signs or any other sign or device used to control traffic using a public right-of-way by detouring through private property to reach any other public or private right-of-way. (Ord. 10128 § 1, 1991).

46.14.020 Penalty. Anyone found to be in violation of the provisions of this chapter shall be guilty of an infraction punishable by a fine of no more than twenty five dollars. (Ord. 10128 § 2, 1991).

