

CITY COUNCIL AGENDA ITEM

CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Discussion of Ordinance No. 889 - Amending Chapter 10.05 SMC, the Model Traffic Ordinance, for Clarity and to Establish a City Monetary Penalty for Parking Violations

DEPARTMENT: Public Works

PRESENTED BY: Kendra Dedinsky, City Traffic Engineer

ACTION: ☐ Ordinance ☐ Resolution ☐ Motion
 ☒ Discussion ☐ Public Hearing

PROBLEM/ISSUE STATEMENT:

Shoreline Municipal Code (SMC) chapter 10.05, Model Traffic Ordinance, establishes non-criminal traffic infraction provisions, and generally reflects Chapter 308-330 Washington Administrative Code (WAC) with some exceptions (per SMC 10.05.020), and amendments (per SMC 10.05.030). SMC 10.05.035 establishes a specific monetary penalty for impounded vehicles but is otherwise silent on monetary penalties for parking violations. As such, parking violation monetary penalties default to the State minimum of \$20, which is less than the cost to the City for King County to process parking violations at approximately \$27.

In discussion of the October 2019 Light Rail Subarea Parking Study, the City Council supported the recommendation to develop City-specific monetary penalties in order to recover the cost of processing parking violations and to offset the cost for new dedicated parking enforcement resources needed to address existing and increased future parking enforcement activities. Staff developed Ordinance No. 889 to establish a City penalty for parking violations, thereby increasing the minimum parking violation monetary penalty from \$20 to \$50 and establishing a \$25 delinquency penalty for untimely payment as authorized by RCW 46.63.110(4). In addition, the proposed ordinance includes updates to provide greater clarity, corrects two references to the WAC, and deletes existing references to administrative fees associated with vehicle impound as these fees are inconsistent with current practice.

Tonight, Council is scheduled to discuss proposed Ordinance No. 889 (Attachment A). Proposed Ordinance No. 889 is currently scheduled for Council adoption on June 1, 2020. Exhibit A to Attachment A provides the proposed amendments to the Model Traffic Ordinance (chapter 10.05 SMC). The clarifying amendments, shown in Section A of Exhibit A, are proposed to go into effect five (5) days after passage and publication of the Ordinance. The increased penalties, shown in Section B of Exhibit A, are proposed to go into effect January 1, 2021 to allow time for updating King County administrative materials that Shoreline Police use for traffic enforcement activities.

RESOURCE/FINANCIAL IMPACT:

At the current penalty level, the City of Shoreline General Fund subsidizes parking infraction administrative costs by \$7 per ticket. The proposed \$50 monetary penalty is intended to cover the full Shoreline District Court administrative cost of \$27 per infraction and provide \$14.50 per infraction as funding for dedicated parking enforcement (after a reduction for court adjustments to the penalty assessed and non-payment). Based on 2019 volumes, staff estimates that the penalty value over the administrative costs would generate an estimated \$18,000 in 2021 to support a future dedicated traffic enforcement program. The annual funding available for parking enforcement is expected to increase modestly each year with a jump when dedicated parking enforcement starts and in 2024 with the opening of Sound Transit Lynwood Link service. Initially, revenue from the penalty will be accumulated by the City and used to support startup costs of dedicated parking enforcement in 2023/2024 budget.

RECOMMENDATION

No action is required at this time. Staff recommends that Council discuss proposed Ordinance No. 889, which amends chapter 10.05 SMC, the Model Traffic Ordinance, to set a minimum monetary penalty for parking violations at \$50, establish a \$25 delinquency penalty, correct two references to the WAC, remove inconsistent code provisions for vehicle impound administrative fees, and to provide for greater clarity in the SMC.

Approved By: City Manager **DT** City Attorney **JA-T**

INTRODUCTION

At the October 28, 2019 Council Meeting, staff presented the Light Rail Subareas Parking Study, available at [October 28, 2019 staff report on Light Rail Subareas Parking Study](#). This study identified an important parking demand management challenge; that the City currently incurs a cost for parking violation citations equal to the cost for King County to process parking tickets (\$27). This cost is greater than the default ticket amount (\$20) currently being imposed. In addition, the study showed that parking violations are on the rise, and the uptick will likely continue through the start of light rail service and redevelopment, further straining the General Fund and existing police resources. Recognizing this challenge, the City Council supported the recommendation to evaluate a monetary penalty amendment in order to recover the cost of processing parking violations and to offset the cost for new dedicated parking enforcement resources needed to address existing and increased future parking enforcement activities.

Proposed Ordinance No. 889 (Attachment A) amends chapter 10.05 SMC, the Model Traffic Ordinance, to establish City monetary penalties, thereby increasing the minimum parking violation monetary penalty from \$20 to \$50 to cover administrative costs and provide revenue to support a parking enforcement program. In addition, proposed Ordinance No. 889 amends various provisions of chapter 10.05 SMC to provide greater clarity and to reflect current practices, including the deletion of administrative fees related to vehicle impound, and establishes a delinquency penalty for untimely payment.

BACKGROUND

Anticipating the increased demand for on-street parking resulting from the start of light rail service and increased density around the light rail stations, the City Council allocated funding for a parking study, which began in 2018, to obtain baseline parking utilization information, identify current and anticipated future on-street parking capacity challenges, review current practices, and identify parking management tools to manage parking now and into the future.

The Light Rail Subareas Parking Study was discussed with the Council in October 2019. During this discussion, the Council identified some important near-term action steps to ready the City for an increased role in parking demand management. Specifically, the study showed that parking violation citations have been rising for the last several years and that the start of light rail service and redevelopment is likely to result in the continued uptick in parking violations, further straining the General Fund given the cost incurred by the City for King County to process tickets at the current monetary penalty rate. In addition, parking enforcement activities currently compete with higher priorities for limited existing police resources; there is recognition that violations are sometimes left unaddressed as a result.

In consideration of this, the City Council supported the recommendation to develop City-specific monetary penalties in order to recover the cost of processing parking violations and to offset the cost for new dedicated parking enforcement resources needed to address existing and increased future parking enforcement activities. If the proposed penalty amendment is adopted, staff intends to present information on a part-time

dedicated parking enforcement position during the 2023/2024 biennial budget process. This position will help the City to respond to parking demand management and safety related challenges, and better prepares the City to efficiently provide services in response to an increased role in parking demand management, particularly within the Light Rail Subareas.

Staff have conducted additional financial analysis, which draws upon parking codes and practices of other jurisdictions in the region and considers historic parking citation data, in order to determine an appropriate base monetary penalty for parking violations in the City. This analysis and peer review are further detailed in the Alternatives Analysis section.

In addition, the proposed Ordinance includes correction of two references to WAC, deletion of existing references to administrative fees associated with vehicle impound, a delinquency penalty as authorized by RCW 46.63.110(4), and various amendments to provide for greater clarity or reflect current practices.

ALTERNATIVES ANALYSIS

Parking enforcement activities are not intended to unduly penalize drivers. The proposed monetary penalty amendment is driven by the need to safely and effectively manage parking demand on City rights-of-way. As such, and assuming the addition of a part time dedicated parking enforcement resource, this analysis focuses on determining a monetary penalty that:

- 1) is consistent with other cities in the region, to align with driver expectations; and
- 2) provides funds to support parking enforcement operating costs.

Peer Review of Parking Enforcement Practices

Currently, the State' and unincorporated King County's minimum monetary penalty for parking violations is set at \$20. The City of Shoreline is one of few cities in King County, and regionally, that has not set monetary penalties in consideration of parking enforcement operating costs.

The Light Rail Subareas Parking Study provided a comparison of minimum parking violation monetary penalties set by cities in our region, each of which employ dedicated parking enforcement staff. Two of these cities, Burien and SeaTac, currently contract with King County for police services and employ dedicated parking enforcement staff. These cities, and their associated minimum monetary penalty for parking violations, are shown in Table 1 below.

Table 1. Minimum Monetary Penalties for parking violations in nearby cities

City	Minimum Monetary Penalty
Burien*	\$50
Edmonds	\$40
Everett	\$40
Kirkland	\$35
Renton	\$35
Sammamish	\$71
SeaTac*	\$50
Seattle	\$47

**City where King County provides contracted police services and dedicated parking enforcement staff*

The highest hourly rate for dedicated parking enforcement positions in each of these cities is shown in Table 2.

Table 2. Dedicated parking enforcement staff rates in nearby cities

City	Position Title	Top End of Hourly Rate
Burien*	Parking Compliance Officer	\$25.64
Edmonds	Parking Enforcement Officer	\$29.92
Everett	Parking Enforcement Officer	\$27.56
Kirkland	Parking Enforcement Officer	\$29.91
Renton	Parking Enforcement Officer	\$31.81
SeaTac*	Parking Compliance Officer	\$28.56
Seattle	Parking Enforcement Officer	\$30.71

** City where King County provides contracted police services and dedicated parking enforcement staff*

Financial Analysis

This financial analysis is intended to provide a point for consideration of revenue anticipated from a \$50 penalty for parking citations and cost of starting a parking enforcement program. The assumptions used are based upon limited data that will improve over the next few years as the City continues its work in this area. It is “directionally correct” for discussion and is not intended to be a budget proposal, that could come to the City Council in the 2023/2024 biennial budget.

Citations

Figure 1 below shows the number of parking citations issued by year for 2016 through 2019. In 2019, 1,110 parking citations were issued, an average of just over three tickets per day. Shoreline Police work closely with the Code Enforcement-Customer Response Team (CECRT) and Traffic Services to address parking enforcement issues as they arise. However, there are no dedicated parking enforcement resources and more urgent matters often take priority over parking enforcement. This results in many parking violations left unaddressed. Shoreline Police, CECRT, and Traffic Services estimate that parking violation citations could increase initially with dedicated enforcement and expect another uptick in citations when the opening of light rail stations in 2024 and, with continued housing and employment growth.

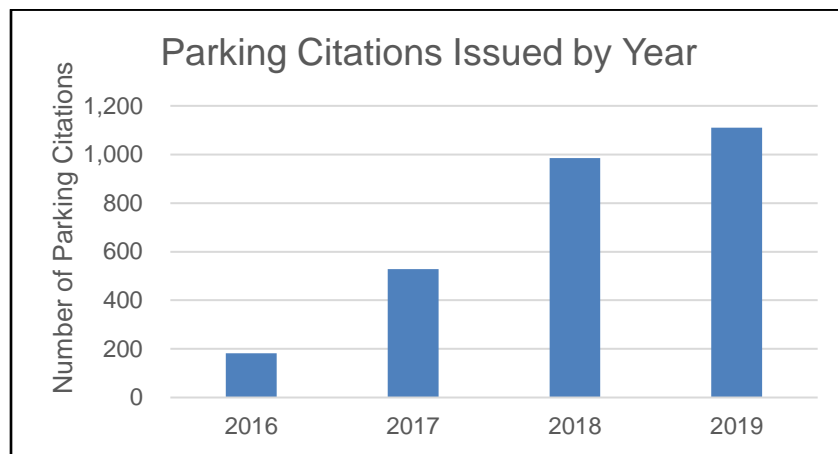


Figure 1. Parking citations issued by year in Shoreline

Revenue

The revenue to support dedicated parking enforcement is a function of the number of citations issued, and the penalty value over the administrative costs. The citation data in figure 1 is not as robust as desired for analysis since parking enforcement is often deferred due to higher priority police activities. However, it can be used to estimate a conservative trend in citations issued over time. The increase in citations between 2017 and 2018 is 87 percent, and the increase between 2018 and 2019 is 13 percent. With this information, and the Shoreline Police Chief's continuing commitment to improve parking enforcement within current resources, the analyses assumes a five percent (5%) increase in citations over the prior year starting in 2020. This trend line has been adjusted to account for an estimate of the expected jump in citations when dedicated parking enforcement starts and in 2024 with the opening of Sound Transit Lynwood Link service.

The total revenue is less when factoring in a reduction in penalty by the court and non-payment of penalties. In reviewing 2019 parking citation data regarding the payments ordered and payments made, the data showed a 68 percent payment made in comparison to payments ordered. There are some other factors to consider too, for example roughly 150 citations were over \$20 (which will be true in the future as well), hence a calculated reduction is not a straight-line calculation. The greater penalty amounts are as a result of multiple parking citations or relate to higher penalties provided for in state law for certain types of violations (i.e. unlawful disabled parking, blocking fire lane, or others that constitute a blatant safety threat). For the discussion in this staff report, in 2019, 1,100 parking citations were issued which at \$20 per citation would result in penalties totaling \$22,000. The total penalties collected for these citations was \$18,360, representing a 17 percent decrease from calculated revenue. Although this is a one-year snapshot, for this analysis the anticipated total revenue per citation has been reduced by 17 percent, which the net revenue from \$23 per citation to \$14.50 per citation.

Using this approach, the estimated annual revenue can be calculated. For this analysis a penalty of \$50/citation is used, with \$14.50/citation directed to dedicated parking enforcement. Table 3 captures this information to the year 2026.

Table 3. Estimated Number of Citations and Revenue at \$50 Penalty

Year	Citations	Revenue for Parking Enforcement		Notes
2016	182			Actual # Citations
2017	528			Actual # Citations
2018	985			Actual # Citations
2019	1110			Actual # Citations
2020	1166			5% increase above prior year
2021	1224	\$	18,000	5% increase above prior year (\$50 penalty starts)
2022	1285	\$	19,000	5% increase above prior year
2023	1349	\$	20,000	5% increase above prior year
2024	1619	\$	23,000	20% increase above prior year
2025	1943	\$	28,000	20% increase above prior year
2026	2040	\$	30,000	5% increase above prior year

Parking Enforcement Costs

To understand the cost of adding a part time enforcement resource, staff evaluated using contracted King County Sherriff's Office (KCSO) resources and developing an in-house Parking Enforcement Officer (PEO). A City PEO is the preferred method for this analysis as KSCO does not have standalone parking enforcement resources the City could easily contract, and it provides a lower cost alternative than developing the service through KCSO with a higher level of control of the work. It is also the method that SeaTac, a KCSO contract city, has implemented. This analysis draws upon comparable positions at other jurisdictions (see, Table 2 above), conservatively assuming a half-time benefited position with an hourly rate of \$30 per hour in order to make the position attractive for recruitment and retention. In addition, this position could potentially assist with other code enforcement work.

Table 4 below provides the one-time and annual costs for dedicated parking enforcement:

Table 4. Parking Enforcement Expenses

Onetime costs

Vehicle	\$ 45,000	PE vehicle (small)
Computer/Software	\$ 53,000	In-vehicle ticketing and office computer
Training	\$ 2,000	Estimated Police Required Training
Total	\$100,000	

Annual costs

Salary	\$ 46,000	2020 rate
Software	\$ 14,000	Annual licensing; computer replacements
Vehicle	\$ 7,000	Maintenance and Replacement
Total	\$ 67,000*	

*Assume a three percent annual increase

Table 5 below provides an estimated cash flow using the information shown on Tables 3 and 4 above:

Table 5. Parking Enforcement Cash Flow

Year	Cost	Annual Revenue	Annual Surplus/(Shortfall)	Accumulated Balance
2020	\$ -	\$ 13,000	\$ 13,000	\$ 13,000
2021	\$ -	\$ 18,000	\$ 18,000	\$ 31,000
2022	\$ -	\$ 19,000	\$ 19,000	\$ 50,000
2023	\$ -	\$ 20,000	\$ 20,000	\$ 69,000
2024	\$ 175,000	\$ 23,000	\$ (152,000)	\$ (83,000)
2025	\$ 78,000	\$ 28,000	\$ (49,000)	\$(132,000)
2026	\$ 80,000	\$ 30,000	\$ (50,000)	\$(183,000)

As shown by Table 5, under a \$50 monetary penalty assumption and current citation issuance projections, a dedicated parking enforcement program is not projected to cover all costs associated with the program. The program does not reach a cost neutral balance until over 5,500 citations per year (about 15 per day) are issued; almost four times the 2019 total tickets issued. This model does not account for additional revenue from permits issued under a Residential Parking Zone (RPZ) program or payment of the delinquency penalty.

RCW 46.63.110(4) does allow cities to assess a late payment penalty of up to \$25. This penalty could encourage prompt payment and may also provide additional revenue that would offset some of the costs of the dedicated parking program.

Recommendation on Penalty and Parking Enforcement

Based on review of regional parking violation monetary penalties in other cities, historic parking citation data in the City, and estimated enforcement staff costs, staff recommends the City parking violation monetary penalty be established at \$50 with a late payment penalty of \$25. These penalties are expected to provide revenue to support the cost for ticket processing and dedicated part time parking enforcement. This penalty would start on January 1, 2021 and funds received in excess of court administrative costs would accumulate for future use for one-time and on-going dedicated parking enforcement costs.

In development of the 2023/2024 biennial budget, staff intends to make a recommendation on starting a dedicated parking enforcement program after a review the updates of the Light Rail Subareas Parking Study, the trends on parking citations, decision on implementation of RPZs, and the updated costs of starting a dedicated parking enforcement program.

Tonight's Discussion

As noted previously, tonight, Council is scheduled to discuss proposed Ordinance No. 889 (Attachment A). Proposed Ordinance No. 889 is currently scheduled for Council adoption on June 1, 2020. Exhibit A to Attachment A provides the proposed

amendments to the Model Traffic Ordinance (chapter 10.05 SMC). The clarifying amendments, shown in Section A of Exhibit A, are proposed to go into effect five (5) days after passage and publication of the Ordinance. The increased penalties, shown in Section B of Exhibit A, are proposed to go into effect January 1, 2021 to allow time for updating King County administrative materials that Shoreline Police use for traffic enforcement activities.

RESOURCE/FINANCIAL IMPACT

At the current penalty level, the City of Shoreline General Fund subsidizes parking infraction administrative costs by \$7 per ticket. The proposed \$50 monetary penalty is intended to cover the full Shoreline District Court administrative cost of \$27 per infraction and provide \$14.50 per infraction as funding for dedicated parking enforcement (after a reduction for court adjustments to the penalty assessed and non-payment). Based on 2019 volumes, staff estimates that the penalty value over the administrative costs would generate an estimated \$18,000 in 2021 to support a future dedicated traffic enforcement program. The annual funding available for parking enforcement is expected to increase modestly each year with a jump when dedicated parking enforcement starts and in 2024 with the opening of Sound Transit Lynwood Link service. Initially, revenue from the penalty will be accumulated by the City and used to support startup costs of dedicated parking enforcement in 2023/2024 budget.

RECOMMENDATION

No action is required at this time. Staff recommends that Council discuss proposed Ordinance No. 889, which amends chapter 10.05 SMC, the Model Traffic Ordinance, to set a minimum monetary penalty for parking violations at \$50, establish a \$25 delinquency penalty, correct two references to the WAC, remove inconsistent code provisions for vehicle impound administrative fees, and to provide for greater clarity in the SMC.

ATTACHMENTS

Attachment A: Ordinance No. 889

Attachment A, Exhibit A: Proposed Amendments to Chapter 10.05 SMC

ORDINANCE NO. 889

**AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON,
AMENDING SHORELINE MUNICIPAL CODE CHAPTER 10.05 MODEL
TRAFFIC ORDINANCE AND ESTABLISHING TWO (2) EFFECTIVE
DATES.**

WHEREAS, Washington's Model Traffic Ordinance (MTO) is set forth in Chapter 308-330 of the Washington Administrative Code (WAC) and serves as a guide which local jurisdictions may adopt by reference or any part thereof as that jurisdiction's traffic laws; and

WHEREAS, the City of Shoreline initially adopted Chapter 10.05 SMC, the City's Model Traffic Ordinance, with amendments, in 1996 with the passage of Ordinance No. 70 and has amended it over the years, with the last amendment occurring in 2017 with the passage of Ordinance No. 803; and

WHEREAS, as authorized by WAC 308-330, the City has excluded sections of this WAC from its local traffic ordinance and has also added sections to reflect local circumstances; and

WHEREAS, Chapter 10.05 SMC establishes a monetary penalty for impounded vehicles but does not set forth any monetary penalties for parking violations, resulting in the penalty defaulting to the Washington State minimum of \$20.00; and

WHEREAS, the cost of the issuing and processing parking violations is in excess of this amount and, with the future light rail stations anticipated to increase parking violations, increasing the penalty will assist in cost recovery; and

WHEREAS, in addition, amendments to Chapter 10.05 SMC are necessary to provide clarity to the chapter and to reflect current practices in administering impoundment of vehicles; and

WHEREAS, adequate time is necessary for King County and the Shoreline Police to implement the increased penalty;

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

Section 1. Amendment – SMC Chapter 10.05 Model Traffic Ordinance. Chapter 10.05 is amended as set forth in Exhibit A to this Ordinance.

Section 2. Corrections by City Clerk or Code Reviser. Upon approval of the City Attorney, the City Clerk and/or the Code Reviser are authorized to make necessary corrections to this Ordinance, including the corrections of scrivener or clerical errors; references to other local, state, or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering and references.

Section 3. 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 4. Publication and Effective Dates.

A. A summary of this Ordinance consisting of its title shall be published in the official newspaper of the City.

B. Section A of Exhibit A to this Ordinance shall be effective five (5) days after publication.

C. Section B of Exhibit A to this Ordinance shall take effect at 12:01 am Local Time, January 1, 2021.

PASSED BY THE CITY COUNCIL ON JUNE 1, 2020

Mayor Will Hall

ATTEST:

APPROVED AS TO FORM:

Jessica Simulcik Smith
City Clerk

Margaret King
City Attorney

Publication Date: _____, 2020
Effective Date: _____, 2020

EXHIBIT A TO ORDINANCE NO. 889

SECTION A – Effective five (5) days after publication of Ordinance

SMC 10.05.030 is amended as follows:

SMC 10.05.030 MTO amendments.

A. WAC 308-330-406 is amended to read as follows:

WAC 308-330-406 RCW sections adopted – Abandoned, unauthorized, and junk vehicle tow truck operators.

The following sections of the Revised Code of Washington (RCW) pertaining to abandoned, unauthorized, and junk vehicle tow truck operators as now or hereafter amended are hereby adopted by reference as a part of this chapter in all respects as though such sections were set forth herein in full:

RCW

- 46.55.020 Registration required – Penalty.
- 46.55.025 Registration or insurance required—Penalty.
- 46.55.035 Prohibited acts—Penalty.
- 46.55.037 Compensation for private impounds.
- 46.55.040 Permit required—Inspections of equipment and facilities.
- 46.55.050 Classification of trucks—Marking requirements—Time and place of inspection—Penalty.
- 46.55.060 Business location—Requirements.
- 46.55.063 Fees, schedules, contracts, invoices.
- 46.55.070 Posting requirements—Exception.
- 46.55.075 Law enforcement impound—Required form, procedures.
- 46.55.080 Law enforcement impound, private impound—Master log—Certain associations restricted.
- 46.55.085 Law enforcement impound—Unauthorized vehicle in right-of-way.
- 46.55.090 Storage, return requirements—Vehicles, personal belongings—Combination endorsement for tow truck drivers—Viewing impounded vehicle.
- 46.55.100 Impound notice—Abandoned vehicle report—Owner information, liability—Disposition report.
- 46.55.105 Responsibility of registered owner—Buyer and seller remedies.
- 46.55.110 Notice to legal and registered owners.
- 46.55.130 Notice requirements—Public auction—Accumulation of storage charges.
- 46.55.140 Operator's lien, deficiency claim, liability.
- 46.55.150 Vehicle transaction file.
- 46.55.160 Availability of records, equipment, and facilities for audit and inspection.
- 46.55.170 Complaints, where forwarded.
- 46.55.230 Junk vehicles—Removal, disposal, sale—Penalties—Cleanup restitution payment.
- 46.55.240 Local ordinances – Requirements.

~~4B.~~ RCW 46.55.010 Towing and Impoundment: Definitions is adopted in full with the following amendments to subsections ~~(4-5)~~ and ~~(13-14)~~:

~~(4 5)~~ “Junk vehicle” means a vehicle certified under RCW 46.55.230 as meeting at least three of the following requirements:

- a) Is three years old or older;
- b) Is extensively damaged, such damage including but not limited to any of the following: A broken window or windshield, or missing wheels, tires, motor, or transmission;
- c) Is apparently inoperable including a condition which makes the vehicle incapable of being operated legally on a public highway;
- d) Has an approximate fair market value equal only to the approximate value of the scrap in it;

~~(13 14)~~ “Unauthorized vehicle” means a vehicle that is subject to impoundment after being left unattended in one of the following public or private locations for the indicated period of time:

Subject to removal after:

(a) Public locations:

- (i) Constituting an accident or a traffic hazard as defined in RCW 46.55.113 Immediately
- (ii) On a highway and tagged as described in RCW 46.55.085 24 hours
- (iii) In a publicly owned or controlled parking facility, properly posted under RCW 46.55.070 Immediately
- (iv) Vehicles used for human habitation under RCW 46.61.570(5) as adopted in subsection (B)(1) of this section 24 hours
- (v) Failing to displaying registration tabs properly mounted in accordance with RCW 46.16.240, 46.16.047, 46.16.160, and WAC 308-96A-295 and in compliance with RCW 46.55.113 as adopted in subsection (A)(2) of this section 24 hours

(b) Private locations:

- (i) On residential property Immediately
- (ii) On private, nonresidential property, properly posted under RCW 46.55.070 Immediately
- (iii) On private, nonresidential property, not posted 24 hours

	Subject to removal after:
<u>a. Public Locations</u>	
<u>i. Constituting an accident or a traffic hazards as defined in RCW 46.55.113</u>	<u>Immediately</u>
<u>ii. On a highway and tagged as described in RCW 46.55.085</u>	<u>24 Hours</u>
<u>iii. In a publicly owned or controlled parking facility, properly posted under RCW 46.55.070</u>	<u>Immediately</u>
<u>iv. Vehicles used for human habitation under RCW 46.61.570(5) as adopted in subsection E of this section</u>	<u>24 hours</u>
<u>v. Failing to display registration tabs properly mounted in accordance with RCW 46.16.240, 46.16.047, 46.16.160, and WAC 308-96A-295, and in compliance with RCW 46.55.113 as adopted in subsection C of this section</u>	<u>24 hours</u>
<u>b. Private Locations</u>	
<u>i. On private residential property</u>	<u>Immediately</u>
<u>ii. On private, non-residential property, properly posted under RCW 46.55.070</u>	<u>Immediately</u>
<u>iii. On private, non-residential property, not posted</u>	<u>24 hours</u>

2 C. RCW 46.55.113 Towing and Impoundment: Removal by police officer - Definition is adopted in full with the following amendment to subsection (2):

(2) In addition, a police officer may take custody of a vehicle, at ~~his or her~~ their discretion, and provide for its prompt removal to a place of safety under any of the following circumstances:

- (a) Whenever a police officer finds a vehicle standing upon the roadway in violation of any of the provisions of RCW 46.61.560, the officer may provide for the removal of the vehicle or require the driver or other person in charge of the vehicle to move the vehicle to a position off the roadway;
- (b) Whenever a police officer finds a vehicle unattended upon a highway where the vehicle constitutes an obstruction to traffic or jeopardizes public safety;
- (c) 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 of deciding upon steps to be taken to protect his or her property;
- (d) Whenever the driver of a vehicle is arrested and taken into custody by a police officer;
- (e) Whenever a police officer discovers a vehicle that the officer determines to be a stolen vehicle;

- (f) 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 46.61.581 which space is provided on private property without charge or on public property;
- (g) Upon determining that a person is operating a motor vehicle without a valid driver's license in violation of RCW 46.20.005 or with a license that has been expired for ninety days or more;
- (h) When a vehicle is illegally occupying a truck, commercial loading zone, restricted parking zone, bus, loading, hooded-meter, taxi, street construction or maintenance, or other similar zone where, by order of the director of transportation or chiefs of police or fire or their designees, parking is limited to designated classes of vehicles or is prohibited during certain hours, on designated days or at all times, if the zone has been established with signage for at least twenty-four hours and where the vehicle is interfering with the proper and intended use of the zone. Signage must give notice to the public that a vehicle will be removed if illegally parked in the zone;
- (i) When a vehicle with an expired registration of more than forty-five days is parked on a public street; or
- (j) When the vehicle is a junk vehicle and is parked, wholly or partially, on a public right-of-way.

3. RCW 46.55.120 is adopted with the following addition of subsection (1)(f):

~~(1) Vehicles or other items of personal property registered or titled with the department are impounded by registered tow truck operators pursuant to RCW 46.55.080, 46.55.085, 46.55.113, or 9A.88.140 may be redeemed only under the following circumstances:~~

...

~~(f) To redeem vehicles impounded under RCW 46.20.342, RCW 46.61.502 and RCW 46.61.504, the redeeming individual must obtain an authorization to release from the Shoreline Police Department, verifying proof of ownership or authorization under subsection (a), liability insurance for the vehicle, a valid driver's license and payment of an administrative fee as established in Chapter 3.01 SMC. The administrative fee shall be for the purposes of offsetting City costs of implementing, enforcing and administering the impound.~~

B D. WAC 308-330-462 is amended to read as follows:

WAC 308-330-462 RCW sections adopted – Stopping, standing, and parking.

The following sections of the Revised Code of Washington (RCW) pertaining to vehicle stopping, standing, and parking as now or hereafter amended are hereby adopted by reference as a part of this chapter in all respects as though such sections were set forth herein in full:

RCW

46.08.185 Electric vehicle charge stations – Signage – Penalty.

46.61.560 Stopping, standing, or parking outside business or residence districts.

46.61.575 Additional parking regulations.

46.61.581 Parking spaces for persons with disabilities—Indication, access—Failure, penalty.

46.61.582 Free parking for persons with disabilities—Exceptions.

46.61.583 Special plate or card issued by another jurisdiction.

46.61.585 Winter recreational parking areas—Special permit required.

46.61.587 Winter recreational parking areas—Penalty.

46.61.590 Unattended motor vehicle—Removal from highway.

4. E. RCW 46.61.570 Rules of the Road: Stopping, standing, or parking prohibited in specified places—Reserving portion of highway prohibited is adopted in full with the following amendments to subsection (1)(a) and adding a new subsection, subsection (5):

(1) Except 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:

(a) Stop, stand, or park a vehicle:

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

(ii) On a sidewalk or street planting strip;

(iii) Within an intersection;

(iv) On a crosswalk;

(v) Between a safety zone and the adjacent curb or within thirty 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;

(vi) Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic;

(vii) Upon any bridge or other elevated structure upon a highway or within a highway tunnel;

(viii) On any railroad tracks;

(ix) In the area between roadways of a divided highway including crossovers;

(x) At any place where official signs prohibit stopping or parking;

(xi) On public right-of-way unless said vehicle displays current and valid registration tabs properly mounted in accordance with RCW ~~46.16.010(1)~~ 46.16A.030;

(xii) Within the same block to avoid a time limit regulation specified in that particular area, except as provided in RCW 46.61.582 and 46.61.583;

(xiii) Park a commercial vehicle which is more than 80 inches wide overall on any arterial, street or alley in residentially zoned areas as defined in SMC 20.40, Subchapter 1 or on streets or arterials abutting residentially zoned areas between the hours of midnight and six a.m.;

(xiv) 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;

(xv) In public locations under circumstances which constitute an unauthorized vehicle;

(xvi) Within a bicycle lane, which is that portion of the paved section of the roadway designated by official signs or markings by the city for the movement of bicycles on the roadway;

(xvii) Within a transit priority lane designated by official signs or markings by the city as a bus only lane except to execute a right turn or to yield to emergency vehicles;
or

(xviii) Within a dedicated turn lane, which is that portion of the paved section of the roadway designated by official signs or markings by the city for the purpose of making a right or left turn at an intersection or to a side road; and

(5) It shall be unlawful to use a vehicle for human habitation on or in any public right-of-way or parking area. "Human habitation" means the use of a vehicle for sleeping, setting up housekeeping or cooking.

SECTION B – Effective at 12:01 am Local Time, January 1, 2021

SMC 10.05.035 Penalties is amended as follows:

SMC 10.05.035 Penalties

~~Unauthorized vehicle as defined in RCW 46.55.010(13)(a)(v) and amended by SMC 10.05.030(A)(1) which are impounded by police shall be subject to a civil infraction not to exceed \$50.00.~~

Except for parking infractions under RCW 46.19.050, any person found to be in violation of any provision of this chapter shall be deemed to have committed a parking infraction and for each such violation shall be subject to a monetary penalty in the amount of fifty dollars (\$50.00).

Any person having been assessed a monetary penalty under this chapter shall pay that penalty in the time provided on the infraction citation/ticket or seek a hearing contesting the infraction. If the penalty is not paid in the time afforded, a twenty-five dollar (\$25.00) delinquency penalty shall be assessed.