

ORIGINAL

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2-15-78

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 2533

AN ORDINANCE repealing, recodifying and adding new sections to the City traffic and vehicle code; amending City of Bellevue Ordinances No. 27 Sections 38, 166, 201, 202, 203, and 206, No. 527 Section 3 (part), No. 640 Section 4 (part), and No. 1199 Section 1 (part), and amending Bellevue City Code Sections 11.16.010, 11.16.020, 11.16.030, 11.16.060, 11.20.050, 11.28.020, 11.36.020, 11.48.130, 11.54.180 and 11.54.190; repealing City of Bellevue Ordinance No. 27 Sections 124, 142, 196, 204 and 205 and Bellevue City Code Sections 11.02.050, 11.12.060, 11.16.040, 11.16.050, and 11.64.020 and Bellevue City Code Chapter 11.56; recodifying Bellevue City Code Sections 11.08.030, 11.16.060, 11.20.050, 11.20.060, 11.20.070, 11.20.080, 11.30.010, 11.30.030, 11.36.020, 11.36.030, 11.44.010 B and C, 11.56.010, 11.68.070, 11.72.080; and adding new sections 11.08.010 and 11.76.020 to the Bellevue City Code.

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

Section 1. City of Bellevue Ordinance No. 27 Section 201 and Bellevue City Code Section 11.16.010 are each hereby amended to read as follows:

11.16.010 Created - Bail schedules.

The city manager may establish a violations bureau to assist the court with the clerical work of traffic and criminal cases. The bureau shall be in charge of such person or persons and shall be open at such hours as the city manager may designate.

The court shall designate the specified offenses under the ordinances of this city in respect to which payment of bails may be accepted by the violations bureau in satisfaction thereof, and shall specify by suitable schedules the amount of such bails for first, second and subsequent offenses; provided, such bails are within the limits declared by law or ordinance, and shall further specify what number of such offenses shall require appearance before the court.

2533  
2-15-78

Section 2. City of Bellevue Ordinance No. 27 Section 202 and Bellevue City Code Section 11.16.020 are each hereby amended to read as follows:

11.16.020 Person charged may elect to forfeit bail or appear in court - Receipt.

Any person charged with an offense for which payment of bail may be made to the violations bureau in satisfaction thereof as specified by the court shall have the option of forfeiting such bail within the time specified in the notice of arrest at the violations bureau upon waiving appearance in court; or may have the option of depositing required lawful bail and shall be entitled to a trial as authorized by law.

The bureau, upon accepting the prescribed bail, shall issue a receipt to the violator acknowledging payment thereof.

Section 3. City of Bellevue Ordinance No. 27 Section 203 and Bellevue City Code Section 11.16.030 are each hereby amended to read as follows:

11.16.030 Duties of bureau.

The following duties are imposed upon the violations bureau:

- A. Forfeiture Procedure. Accept designated bail and issue receipts for forfeitures of bail;
- B. Court Procedure. Accept designated bail and issue receipts; accept application for personal recognizance releases, and transfer to the court, with the time of appearance on bail receipt or personal recognizance release, those offenses where forfeiture is not authorized by the court or where defendants request a court hearing;
- C. Records. Keep an easily accessible record of all citations issued, and all charges filed by the City against any person. Such record shall be kept both alphabetically and by citation number. Such files shall accumulate for at least a five-year period and such files shall be kept complete for at least the most recent five-year period.

Section 4. City of Bellevue Ordinance No. 27 Section 206 and Bellevue City Code Section 11.16.060 are each hereby amended to read as follows and amended Section 11.16.060 is hereby recodified as new Section 11.16.040 of Chapter 11.16 BCC.

2533  
2-15-78

11.16.040 Additional duties of bureau.

The violations bureau shall follow such procedures as may be prescribed by the ordinances of this city or as may be required by any laws of this state.

Section 5. City of Bellevue Ordinance No. 27 Section 166 as amended and Bellevue City Code Section 11.20.050 are each hereby amended to read as follows and Bellevue City Code Section 11.20.050 is hereby recodified as new Section 11.16.050 of Chapter 11.16 BCC.

11.16.050 When complaint to be issued - Failure to respond to notice - Misdemeanor.

In the event any person fails to comply with a notice given to such person or attached to a vehicle or fails to make appearance pursuant to a summons directing an appearance in the violations bureau, or if any person fails or refuses to deposit bail as required and within the time permitted by ordinance, the violations bureau shall forthwith have a complaint entered against such person and secure and issue a warrant for his arrest. A failure to respond to a notice to appear before the court or to appear in or to contact the violations bureau is a misdemeanor punishable by a fine of not more than two hundred fifty dollars, or by imprisonment for not more than ninety days, or both.

Section 6. Bellevue City Code Section 11.20.060 is hereby recodified as Section 11.16.060 and a new Section 11.16.060 is hereby added to Bellevue City Code Chapter 11.16 as follows:

11.16.060 Disposition of traffic fines and forfeitures.

All fines or forfeitures collected upon conviction or upon the forfeiture of bail of any person charged with a violation of any of the provisions of this title shall be paid into the general fund of the city.

Section 7. Bellevue City Code Section 11.20.070 is hereby recodified as Section 11.16.070 and a new Section 11.16.070 is hereby added to Bellevue City Code Chapter 11.16 as follows:

11.16.070 Official misconduct.

Failure, refusal or neglect on the part of any judicial or other officer or employee receiving or having custody of any such fine or forfeiture of bail, either before or after a deposit in the City general fund, to comply with the provisions of Section 11.20.

2533  
2-15-78

060 shall constitute misconduct in office and shall be ground for removal therefrom, provided appropriate removal action is taken pursuant to state law relating to removal of public officials.

Section 8. City of Bellevue Ordinance No. 640 Section 4 (part) and Bellevue City Code Section 11.48.130 are each hereby amended to read as follows:

11.48.130 Driveway ingress and egress.

When a sign indicating that a driveway is to be used only for entry from a street is maintained in a prominent position adjacent to such driveway, no operator shall drive any vehicle from any such driveway into a street, nor shall any operator drive into any such signed driveway from the street where said sign indicates the driveway is to be used only for entering the street.

Section 9. Bellevue City Code Section 11.08.030 is hereby recodified as Section 11.48.150 and a new Section 11.48.150 is hereby added to Bellevue City Code Chapter 11.48 as follows:

11.48.150 Use of coasters, roller skates and similar devices restricted.

No person upon roller skates, or riding in or by means of any coaster, toy vehicle or similar device, shall go upon any roadway except while crossing a street on a crosswalk, and when so crossing such person shall be granted all of the rights and shall be subject to all of the duties applicable to pedestrians. This section shall not apply upon any street while set aside as a play street as authorized by ordinance of this city.

Section 10. Bellevue City Code Section 11.20.080 is hereby recodified as Section 11.48.160 and a new Section 11.48.160 is hereby added to Bellevue City Code Chapter 11.48 as follows:

11.48.160 Permitting unlawful use of dealer plates.

It is unlawful for any motor vehicle dealer to loan, authorize or permit the use of dealer plates by any person not entitled to the use thereof, or to authorize or permit the use of any vehicle equipped with dealer plates except as permitted in RCW 46.70.090, as adopted by reference in Chapter 11.82 and this chapter.

Section 11. Bellevue City Code Section 11.30.010 is hereby recodified as Section 11.48.170 and a new Section 11.48.170 is hereby added to Bellevue City Code Chapter 11.48 as follows:

2533  
2-15-78

11.48.170 Red and/or blue light restriction.

No person shall drive or move any vehicle or equipment upon any street with any lamp or device thereon displaying or capable of displaying a red and/or blue light either lighted or not lighted, visible from directly in front of the center thereof. This section shall not apply to any vehicle upon which a red light and/or a blue light visible from the front is expressly authorized.

Section 12. Bellevue City Code Section 11.30.030 is hereby recodified as Section 11.48.180 and a new Section 11.48.180 is hereby added to Bellevue City Code Chapter 11.48 as follows:

11.48.180 Warning devices.

Whenever any motor truck, passenger bus, truck tractor over eighty inches in overall width, trailer, semitrailer or pole trailer is disabled upon the traveled portion of any street or the shoulder thereof at any time when lighted lamps are required on vehicles, the driver of such vehicle shall display adequate and proper warning devices, as directed in RCW 46.37.450, upon the street during the time the vehicle is so disabled.

Section 13. Bellevue City Code Section 11.36.030 is hereby recodified as Section 11.48.190 and a new Section 11.48.190 is hereby added to Bellevue City Code Chapter 11.48 as follows:

11.48.190 Cutting corner.

It is unlawful for any person operating a motor vehicle upon the highways of this city to turn such vehicle either to right or to left upon approaching an intersection and to proceed across any private property for the purpose of avoiding the intersection, unless so directed by proper authorities. Any person violating the provisions of this section is guilty of a misdemeanor.

Section 14. Bellevue City Code Section 11.44.010 B and C are hereby recodified as Section 11.48.200 A and B and a new Section 11.48.200 A and B is hereby added to Bellevue City Code Chapter 11.48 as follows:

11.48.200 Emerging from alley or private driveway.

- A. No vehicle shall back into or out of any alley, except when same is obstructed.

2533  
2-15-78

- B. No driver shall enter any street at any point other than a street intersection at a rate of speed exceeding five miles an hour, nor operate a vehicle in excess of fifteen miles per hour in any alley.

Section 15. Bellevue City Code Chapter 11.56 is hereby repealed, Bellevue City Code Section 11.56.010 is hereby recodified as Section 11.48.210, and a new Section 11.48.210 is hereby added to Bellevue City Code Chapter 11.48 as follows:

11.48.210 Dispersal of crowd.

It is unlawful for any person to congregate or wilfully to cause persons to congregate in any street in such a manner as to interfere with or obstruct traffic or travel, or when so congregated to refuse to disperse upon being requested to do so by any peace officer.

Section 16. Bellevue City Code Section 11.68.070 is hereby recodified as Section 11.48.220 and a new Section 11.48.220 is hereby added to Bellevue City Code Chapter 11.48 as follows:

11.48.220 Fire lanes authorized.

Fire lanes are authorized upon streets or ways open to the public, where, because of the congregating people, the stopping, standing or parking of vehicles would create an especially hazardous condition in case of fire or other disaster. The administrative staff is directed to erect signs indicating such fire lanes. When official signs are erected indicating such fire lanes, as authorized herein, no person shall stop, stand or park a vehicle in any designated fire lane.

Section 17. Bellevue City Code Section 11.72.080 is hereby recodified as Section 11.48.230 and a new Section 11.48.230 is hereby added to Bellevue City Code Chapter 11.48 as follows:

11.48.230 Parking over twenty-four hours prohibited.

No person shall park any vehicle upon any public street, alley or way or leave said vehicle in the same public place for a period exceeding twenty-four hours.

Section 18. City of Bellevue Ordinance No. 527 Section 3 (part) and Bellevue City Code Section 11.36.020 are each hereby amended, and the amended Section 11.36.020 is hereby recodified as 11.48.240 and a new Section 11.48.240 is hereby added to Bellevue City Code Chapter 11.48 as follows:

11.48.240 Restrictions on U turns.

- A. It is unlawful for any person operating any vehicle upon a public highway of this city to turn the same so as to proceed in an opposite direction at any other point than street intersection or street end except at locations where official traffic control devices permit such a movement.
- B. Notwithstanding the provisions of Subsection A above, no movement authorized therein may be made at an intersection unless the same can be done so in safety and without interfering with other traffic, and in full compliance with the provisions of RCW 46.61.295(2).
- C. Any movement authorized by this section may be specifically prohibited by an official traffic control device and failure to comply with such device shall be deemed a violation of this section.

Section 19. City of Bellevue Ordinance No. 27 Section 38 and Bellevue City Code Section 11.28.020 are each hereby amended to read as follows:

11.28.020 Authority to Issue Street Closure Permits - Signing - Penalty.

The traffic engineer is authorized to issue special permits for the purpose of closing any city street or traffic lane to vehicle traffic subject to the terms and conditions of such permit. No permit granted under the authority of this section shall be valid for more than seven (7) consecutive days. No permit shall be required for City employees acting in the normal course of business.

The traffic engineer shall have authority to place appropriate signs or devices in the roadway indicating that the street or part thereof is closed. Whenever such signs or devices are in place, no person shall drive a vehicle upon any such street or portion thereof except operators of vehicles having business or whose residences are within such closed area, and then the operator shall exercise the greatest care in driving upon any such street or portion thereof.

It is unlawful for any permittee or other person to violate any of the special terms or conditions of such permit.

Section 20. City of Bellevue Ordinance No. 1199 Section 1 (part) and Bellevue City Code Section 11.54.180 are each hereby amended to read as follows:

11.54.180 Special permits for oversize or overweight movements.

- A. The city traffic engineer may, upon application in writing and good cause being shown therefor, issue a special permit in writing authorizing the applicant to operate or move upon such City streets as the traffic engineer deems suitable, a combination of vehicles of a size, weight of vehicle or load exceeding the restrictions set forth in RCW 46.44.020, 46.44.030 and 46.44.036 as adopted by Chapter 11.82 BCC.
- B. No special permit for overweight shall be issued any vehicle or combination of vehicles unless such vehicle or combinations of vehicles is licensed for the maximum gross weight allowed by law.
- C. Fees for such special permits shall be assessed and collected by the traffic engineer in accordance with the following fee schedule:

All overlegal loads, including overweight  
single trip . . . . . \$ 5.00

Continuous operation of overlegal loads  
having either overwidth or overheight  
features only for a period not to exceed  
thirty days . . . . . \$20.00

Continuous operations of overlegal loads  
having overlength only for a period not  
to exceed thirty days . . . . . \$10.00

Continuous operation of a vehicle having  
a maximum height not to exceed fourteen  
feet for a period of one year . . . . . \$150.00

Continuous operation of a combination of  
vehicles not to exceed seventy-five feet  
overall length which may contain a  
permanent structure vehicle not in excess  
of forty-seven feet for a period of one  
year. . . . . \$60.00

Continuous operation of overweight loads  
for a period of one year. . . . . \$100.00



2533  
2-15-78

Continuous operation of overlegal loads  
having nonreducible features not to  
exceed eighty-five feet in length,  
fourteen feet in width, and fourteen  
feet in height for a period of one year . . . . . \$150.00

Section 21. City of Bellevue Ordinance No. 1199 Section 1 (part)  
and Bellevue City Code Section 11.54.190 are each hereby amended as  
follows:

11.54.190 Maximum gross weight - Special permit.

Special permits may be issued for weights in excess of the  
limitations imposed by RCW 46.44.095, as adopted by Chapter 11.82  
BCC, on streets or sections of streets which have been designed  
and constructed for weights in excess of such limitations; or  
these limitations may be rescinded when certification is made by  
military officials or by officials of public or private power  
facilities, when in the opinion of the city traffic engineer such  
movement or action is a necessary movement or action; provided  
further, that the structures and street surfaces on the routes  
involved are determined to be capable of sustaining weights in  
excess of such limitations. Application shall be made in writing  
on special forms provided by the city traffic engineer and shall  
be submitted at least thirty-six hours in advance of the proposed  
movement.

Section 22. City of Bellevue Ordinance No. 27 Section 124 and  
Bellevue City Code Section 11.64.020 are each hereby repealed.

Section 23. City of Bellevue Ordinance No. 27 Section 142 and  
Bellevue City Code Section 11.76.020 are each hereby repealed, and a  
new Section 11.76.020 is hereby added to the Bellevue City Code to  
read as follows:

11.76.020 Permits for curb loading zones.

The traffic engineer is authorized to issue special permits for  
the purpose of allowing a vehicle to load or unload merchandise  
at a curb loading zone used exclusively for that purpose or at  
other locations where parking, stopping, or standing is prohibited  
subject to the terms and conditions of such permit. Such permits  
may be issued either to the owner or lessee of real property  
along side the curb or to the owner of the vehicle and shall  
grant to such person the privilege as therein stated and  
authorized by this section. It is unlawful for any permittee or  
other person to violate any of the special terms or conditions  
of any such permit.

2533  
2-15-78

Section 24. City of Bellevue Ordinance No. 27 Section 204 and Bellevue City Code Section 11.16.040 are each hereby repealed.

Section 25. City of Bellevue Ordinance No. 27 Section 205 and Bellevue City Code Section 11.16.050 are each hereby repealed.

Section 26. City of Bellevue Ordinance No. 27 Section 196 and Bellevue City Code Section 11.12.060 are each hereby repealed.

Section 27. A new Section 11.08.010 is hereby added to the Bellevue City Code to read as follows:

11.08.010 Authority of police and fire department officials and flagmen.

- A. Officers of the Bellevue Police Department or such officers as are assigned by the Chief of Police are authorized to direct all traffic by voice, hand or signal in conformance with law: Provided, that in the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, officers of the Police Department may direct traffic as conditions may require notwithstanding provisions of law.
- B. Officers of the Bellevue Fire Department, when at the scene of a fire, may direct or assist the police in directing traffic thereat or in the immediate vicinity.
- C. Employees of the Bellevue Public Works Department, when authorized by the Street Division and attired with a hard hat a high visibility vest, may direct or assist the police in directing traffic at the scene of construction or in the immediate vicinity thereof when the construction is on or so near to the roadway as to create a hazardous traffic

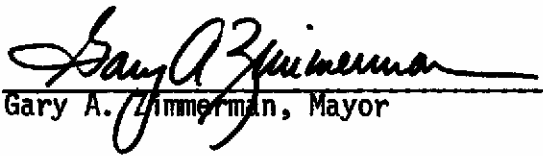
2533  
2-15-78

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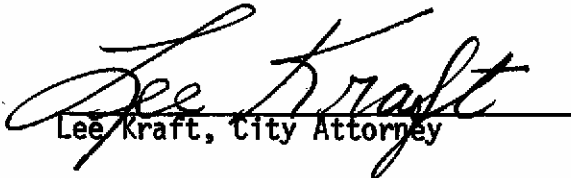
Section 28. This ordinance shall take effect and be in force on April 1, 1978, after enactment by the City Council.

PASSED by the City Council this 21 day of February, 1978, and signed in authentication of its passage this 21 day of February, 1978.

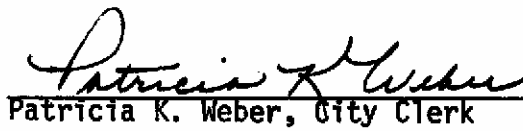
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Gary A. Zimmerman, Mayor

Approved as to form:

  
\_\_\_\_\_  
Lee Kraft, City Attorney

Attest:

  
\_\_\_\_\_  
Patricia K. Weber, City Clerk

Published February 25, 1978