

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 5176

AN ORDINANCE relating to parking; amending Sections 11.23.005, 11.23.010, 11.23.015, and 11.23.040 of the Bellevue City Code; adding new Sections 11.23.007 and 11.23.022 to the Bellevue City Code; revising penalties for parking violations; and establishing an effective date.

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

Section 1. Section 11.23.005 of the Bellevue City Code is amended to read as follows:

11.23.005 Purpose.

The provisions of this chapter regulate parking, standing and stopping of vehicles upon streets and ways open to the public within the city and provide for the establishment of residential parking zones and restrictions thereto. Pursuant to Chapters 11.80 and 11.82 BCC, the city has adopted by reference sections of certain state statutes, including sections of the Model Traffic Ordinance, which provide for regulation of parking in addition to the provisions of this chapter.

Section 2. A new Section 11.23.007 is added to the Bellevue City Code to read as follows:

11.23.007 Parking restricted - general.

General parking restrictions are adopted to regulate parking with respect to common concerns found on city streets and ways and are generally applied. General parking restrictions include, but are not limited to, parking setback distances from driveways, intersections, fire hydrants, crosswalks, stop signs, yield signs, signals, and railroad crossings. General parking restrictions also prohibit the parking of any vehicle on a sidewalk, crosswalk, within an intersection, on a bridge, within a tunnel, on railroad tracks, or in roadway medians. General parking restrictions are adopted by the city council in the Model Traffic Ordinance, Chapter 11.80 of the Bellevue City Code, which contains a complete description of these parking restrictions as well as additional restrictions placed on the stopping or standing of vehicles.

Section 3. Section 11.23.010 of the Bellevue City Code is amended to read as follows:

11.23.010 Parking restricted – specified streets – residential permit parking zones.

The City Council may by ordinance establish parking restrictions, including but not limited to no parking anytime, time of day restrictions, and time limits on all or portions of specified streets. A copy of such parking restrictions adopted by the city council, in the form in which they were adopted and suitably marked to indicate amendments, additions, deletions or exceptions, shall be authenticated and filed in the office of the city clerk. In addition, copies thereof shall be available for use and examination by the public during regular business hours. Such parking restrictions for specified streets may also carry restrictions on the stopping or standing of a vehicle.

The City Council may also by ordinance establish residential permit parking zones which restrict parking on specified streets except by permits issued to area residents. Such zones allow for time-limited parking or time of day restrictions for vehicles without a permit. A copy of such ordinance establishing a residential permit parking zone and restrictions applicable thereto shall be authenticated and filed in the office of the city clerk. In addition, copies thereof shall be available for use and examination by the public during regular business hours.

Section 4. Section 11.23.015 of the Bellevue City Code is amended to read as follows:

11.23.015 Traffic Engineer - Authority.

The City Manager or his/her designee is authorized to exercise the powers and duties of traffic engineer as authorized pursuant to RCW 46.90.260, 46.90.270, and Chapter 308-330, the Model Traffic Ordinance. all as now or hereafter amended.

WAC 308-330-265 (13) of the Model Traffic Ordinance is modified to read as follows: The City Manager or his/her designee is authorized to determine and designate by proper traffic control signs zones not exceeding 300 feet in length for no parking, stopping, or standing of vehicles where the primary basis of such zone is safety or spill over parking concerns.

Section 5. A new Section 11.23.022 is added to the Bellevue City Code to read as follows:

11.23.022 Time Limit Zones.

No person having control over a vehicle may park such vehicle beyond the time limit permitted by official signs.

Where a time limit is established by official signs, no person having control over a vehicle may repark that vehicle on either side of the same street in order to extend the vehicle's parking time beyond the time limits established. For purposes of this section, a vehicle shall be deemed to be reparked and in violation of this section despite any movement of the vehicle unless the vehicle is moved to a street with a different street name than the street the vehicle was originally parked upon.

Section 6. Section 11.23.040 of the Bellevue City Code is amended to read as follows:

11.23.040 Penalties.

Failure to comply with any parking restriction adopted pursuant to BCC 11.23.007, 11.23.010, 11.23.020, 11.23.022, or 11.23.025 or any other provision of this chapter is a parking infraction and shall be cited under the applicable section of this chapter.

A. Violators are required to respond within 15 days of the date of the issuance of the notice of infraction by:

1. Paying a penalty in the amount set forth in subsection C of this section for each infraction cited on the infraction notice; or
2. Requesting a hearing in the manner described in the notice of infraction.

B. Failure to respond to an infraction notice within 15 days of the date of the infraction shall result in:

1. An additional monetary penalty of \$25.00 imposed as a default penalty for each parking infraction cited on the notice; and
2. The loss of the right to a hearing on the parking infraction.

In addition, a criminal charge may be filed against the vehicle owner for failure to respond to a notice of infraction and, consistent with applicable state law, the Department of Licensing may place a hold on the renewal of the vehicle license for the vehicle involved in the violation.

C. The amount of the penalty for all parking infractions shall be \$25.00, except that the penalty for the following specified infractions shall be in the amount indicated:

Violation of a RPZ Restriction	(BCC 11.23.010)	
\$35		
Parking Too Close to Fire Hydrant	(RCW 46.61.570)	\$35
Parking on Sidewalk	(RCW 46.61.570)	\$35
Parking too Close to Intersection	(RCW 46.61.570)	\$35
Parking too Close to Crosswalk	(RCW 46.61.570)	\$35
Parking on Bridge or in Tunnel	(RCW 46.61.570)	\$35
Parking too Close to Railroad Crossing	(RCW 46.61.570)	\$35
Parking too Close to Driveway	(RCW 46.61.570)	\$35
Parking too Close to Stop or Yield Sign	(RCW 46.61.570)	\$35
Parking too Close to Traffic Control Signal	(RCW 46.61.570)	\$35
Overtime Parking	(BCC 11.23.022)	\$20

D. The penalties established in subsection C shall be adjusted biennially beginning on January 1, 2000 and on each succeeding January 1st of even-numbered years thereafter by multiplying the rate then in effect times one plus the amount of the Consumer Index for all urban customers (Seattle-Everett area) for the previous two-year period and rounding such product to the nearest dollar; provided, that the maximum penalty amount shall not exceed the penalty limit set forth in any applicable state law or court rules.

Section 7. This ordinance shall take effect and be in force thirty days after its passage and legal notification provided that Sections 1-6 of this ordinance shall take effect on December 31, 1999. This ordinance and the Comprehensive Plan shall be available for public inspection in the office of the City Clerk.

Passed by the City Council this 1st day of November, 1999, and signed in authentication of its passage this 1st day of November, 1999.

(SEAL)

Mike Creighton, Mayor

Approved as to form:
Richard L. Andrews, City Attorney

Patrice C. Cole, Assistant City Attorney
Attest:

Myrna L. Basich, City Clerk
Published November 5, 1999.