

## CHAPTER 11.90

### MODEL TRAFFIC ORDINANCE

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**11.90.010: Purpose of this Chapter:** The purpose of this Chapter is to encourage highway safety and uniform traffic laws. This Chapter is to promote safe and efficient movement of traffic throughout the state by having current, uniform traffic laws available. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.020: Uniformity in Application:** The provisions of this Chapter relating to the operation of vehicles shall be applicable and uniform upon all persons operating vehicles upon the public highways of this City, except as otherwise specifically provided. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.030: Chapter 46.04 RCW ( Definitions) Adopted by Reference:** All sections of Chapter 46.04 RCW 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. (Ord. 3843 Sec. 1, 1999; Ord. 3549 Sec. 1 (part), 1994)

**11.90.040: Bus:** “Bus” means every motor vehicle designed for carrying more than ten passengers and used for transportation of persons, and every motor vehicle, other than a

taxicab, designed and used for the transportation of persons for compensation. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.050: Bus Stop:** “Bus Stop” means a fixed portion of the highway parallel and adjacent to the curb to be reserved exclusively for buses for layover in operating schedules or while waiting for, loading, or unloading passengers: Provided, That such bus provides regularly scheduled service within the jurisdiction of the local authority. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.060: City:** “City” means the City of Kennewick. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.070: Demolish:** “Demolish” means to destroy completely by use of a hydraulic baler and shears, or a shredder. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.080: Department:** “Department” means the Department of Licensing unless otherwise specified in this Chapter. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.090: Director:** “Director” means the Director of Licensing unless the director of a different department of government is specified. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.100: Holidays:** See RCW 1.16.050. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.110: Loading Zone:** “Loading Zone” means a space reserved for the exclusive use of vehicles during the loading or unloading of property or passengers. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.120: Official Time Standard:** “Official Time Standard” means, whenever certain hours are named, standard time or daylight saving time as may be in current use within Kennewick. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.130: Ordinance:** “Ordinance” means a city or town ordinance or a county ordinance or resolution. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.140: Parking Meter:** “Parking Meter” means any mechanical device or meter placed or erected adjacent to a parking meter space, for the purpose of regulating or controlling the period of time of occupancy of such parking meter space by any vehicle. Each parking meter installed shall indicate, by proper legend, the legal parking time and when operated shall at all times indicate the balance of legal parking time, and at the expiration of such period shall indicate illegal or overtime parking. Each meter shall bear a legend indicating the days and hours when the requirement to deposit coins therein shall apply, the value of the coins to be deposited, and the limited period of time for which parking is lawfully permitted in the parking meter space in which such meter is located. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.150: Parking Meter Space:** “Parking Meter Space” means any space within a parking meter zone, adjacent to a parking meter and which is duly designated for the parking of a single vehicle by appropriate markings on the pavement or the curb. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.160: Parking Meter Zone:** “Parking meter zone” means any highway or part thereof or any off-street parking lot on which parking meters are installed and in operation. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.170: Passenger Loading Zone:** “Passenger Loading Zone” means a place reserved for the exclusive use of vehicles while receiving or discharging passengers. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.180: Planting Strip:** “Planting Strip” means that portion of a highway lying between the constructed curb, or edge of the roadway, and the property line exclusive of the sidewalk area. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.190: Police or Police Officer:** “Police or Police Officer” includes, in addition to the meaning in RCW 46.04.4141, the police officers of a city, a town marshal, or the sheriff and his deputies of a county, whichever is applicable, but when the term sheriff is used in this Chapter, it shall only mean the sheriff. (Ord. 3587 Sec. 1, 1994; Ord. 3549 Sec. 1 (part), 1994)

**11.90.200: Police Chief or Chief of Police:** “Police Chief or Chief of Police” means of the Police Department of the City of Kennewick. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.210: Police Department:** “Police Department” means the Police Department of the City of Kennewick. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.220: School Bus Zone:** “School Bus Zone” means a designated portion of the highway along the curb reserved for loading and unloading school buses during designated hours. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.230: Service Parking:** “Service Parking” means the use of a parking meter space while rendering service in cleaning, painting, adjusting, or making minor repairs or replacements in or to buildings or building equipment or to public utilities. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.240: Street:** “Street” means a “City street.” (Ord. 3549 Sec. 1 (part), 1994)

**11.90.250: Taxicab:** “Taxicab” means a motor vehicle for hire used for the transportation of persons for compensation, and not operated exclusively over a fixed route or between fixed termini. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.260: Taxicab Stand:** “Taxicab Stand” means a fixed portion of a highway set aside for taxicabs to stand or wait for passengers. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.270: Tow Truck Operator:** “Tow Truck Operator” means a person, firm, partnership, association, or corporation which, in its course of business, provides towing services for vehicles and automobile hulks. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.280: Traffic Division:** “Traffic Division” means the traffic function of the Police Department. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.290: U-turn:** “U-turn” means turning a vehicle so as to proceed in the opposite direction on the same roadway. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.300: RCW Sections Adopted - Livestock:** The following sections of the Revised Code of Washington (RCW) pertaining to livestock on highway right-of-way, 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 16.24.065 and 16.24.070. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.310: RCW Sections Adopted – Off Road and Nonhighway Vehicles:** The following sections of the Revised Code of Washington (RCW) pertaining to off road and nonhighway vehicles 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 46.09.310, 46.09.350, 46.09.360, 46.09.470, 46.09.480 and 46.09.490. (Ord. 5477 Sec. 1, 2012: Ord. 3587 Sec. 1, 1994: Ord. 3549 Sec. 1 (part), 1994)

**11.90.320: RCW Sections Adopted – Snowmobiles:** The following sections of the Revised Code of Washington (RCW) pertaining to snowmobiles 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 46.10.300, 46.10.330, 46.10.460, 46.10.470, 46.10.480, 46.10.490, 46.10.495, and 46.10.500. (Ord. 5477 Sec. 2, 2012: Ord. 3549 Sec. 1 (part), 1994)

**11.90.330: Public Employees to Obey Traffic Regulations:** The provisions of this Chapter shall apply to the drivers of all vehicles owned or operated by the United States, the State, or any county, city, town, district, or any other political subdivision of the State, subject to such specific exceptions as are set forth in this Chapter. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.340: Police Administration:** There is established in the Police Department a traffic division. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.350: Duty of Traffic Division:** It shall be the duty of the traffic division with such aid as may be rendered by other members of the Police Department to enforce the traffic regulations of the City, to make arrests for traffic violations, to investigate accidents and to cooperate with the traffic engineer and other officers in the administration of the traffic laws and in developing ways and means to improve traffic conditions, and to carry out those duties specially imposed upon the said division by this Title. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.360: Authority of Police and Fire Department Officials:** See KMC 10.21. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.370: Records of Traffic Violations:** The police department or the traffic division thereof shall keep a record of all violations of the traffic code in accord with the procedures approved by the Chief of Police and in accord with state law. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.380: Traffic Division to Investigate Accidents:** It shall be the duty of the traffic division, assisted by other members of the police department, to investigate traffic accidents, to arrest, and to assist in the prosecution of those persons charged with violations of law causing or contributing to such accidents. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.390: Traffic Accident Studies:** Whenever the accidents at any particular location become numerous, the traffic division shall cooperate with the traffic engineer in conducting

studies of such accidents and in determining remedial measures. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.400: Traffic Accident Reports:** The traffic division shall provide copies of accident reports to the traffic engineer. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.410: Traffic Division to Submit Annual Traffic Safety Report:** The traffic division shall annually prepare a traffic report. The report shall contain information on traffic matters as follows:

- (1) The number of traffic accidents, the number of persons killed, the number of persons injured, and other pertinent traffic accident data;
- (2) The number of traffic accidents investigated and other pertinent data on the safety activities of the police;
- (3) The plans and recommendations of the division for future traffic safety activities. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.420: Police Department to Regulate Parking Meters:** The police department shall be responsible for the regulation, control, operation, and use of parking meters installed in all parking meter zones. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.430: Traffic Engineer:**

- (1) The office of traffic engineer is established: Provided, That if there is no traffic engineer, then the City Engineer shall serve as traffic engineer in addition to his other functions, and shall exercise the powers and duties with respect to traffic as provided in this Chapter.
- (2) It shall be the general duty of the traffic engineer to determine the installation and maintenance of traffic control devices, to conduct engineering analysis of traffic accidents and to devise remedial measures, to conduct engineering investigations of traffic conditions, to plan the operation of traffic on the highways of the local authority, to cooperate with other officials in the development of ways and means to improve traffic conditions, and to carry out the additional powers and duties imposed by any ordinances of the City. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.440: Traffic Engineer - Authority:** The traffic engineer is authorized:

- (1) To place and maintain official traffic control devices when and as required under the traffic ordinances or resolutions to make effective the provisions of said ordinances or resolutions, and may place and maintain such additional official traffic control devices as he may deem necessary to regulate, warn, or guide traffic under the traffic ordinances or resolutions;
- (2) To place and maintain official traffic control devices as he may deem necessary to regulate, warn, or guide traffic for construction, detours, emergencies, and special conditions;
- (3) To designate and maintain, by appropriate devices, marks, or lines upon the surface of the roadway, crosswalks at intersections where in his opinion there is particular danger to pedestrians crossing the roadway, and in such other places as he may deem necessary;
- (4) To establish safety zones of such kind and character and at such places as he may deem necessary for the protection of pedestrians;

- (5) To mark traffic lanes upon the roadway of any highway where a regular alignment of traffic is necessary;
- (6) To regulate the timing of traffic signals so as to permit the movement of traffic in an orderly and safe manner;
- (7) To place official traffic control devices within or adjacent to intersections indicating the course to be traveled by vehicles turning at such intersections, in accordance with the provisions of this Chapter, and such course to be traveled as so indicated may conform to or be other than as prescribed by law;
- (8) To determine those intersections at which drivers of vehicles shall not make a right, left, or U-turn, and shall place proper signs at such intersections. The making of such turns may be prohibited between certain hours of any day and permitted at other hours, in which event the same shall be plainly indicated on the signs or they may be removed when such turns are permitted;
- (9) To erect and maintain stop signs, yield signs, or other official traffic control devices to designate arterial highways or to designate intersection or other roadway junctions at which vehicular traffic on one or more of the roadways shall yield or stop and yield before entering the intersection or junction, except as provided in RCW 46.61.195;
- (10) To issue special permits to authorize the backing of a vehicle to the curb for the purpose of loading or unloading property subject to the terms and conditions of such permit. Such permits may be issued either to the owner or lessee of real property alongside 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;
- (11) To erect signs indicating no parking upon both sides of a highway when the width of the improved roadway does not exceed twenty feet, or upon one side of a highway as indicated by such signs when the width of the improved roadway is between twenty and twenty-eight feet;
- (12) To determine when standing or parking may be permitted upon the left-hand side of any roadway when the highway includes two or more separate roadways and traffic is restricted to one direction upon any such roadway and to erect signs giving notice thereof;
- (13) To determine and designate by proper signs places not exceeding one hundred feet in length in which the stopping, standing, or parking of vehicles would create an especially hazardous condition or would cause unusual delay to traffic;
- (14) To determine the location of loading zones, passenger loading zones, and tow-away zones and shall place and maintain appropriate signs or curb markings supplemented with the appropriate words stenciled on the curb indicating the same and stating the hours during which the provisions of this Chapter are applicable;
- (15) To establish bus stops, bus stands, taxicab stands, and stands for other for hire vehicles on such highways in such places and in such number as he shall determine to be of the greatest benefit and convenience to the public, and every such bus stop, bus stand, taxicab stand, or other stand shall be designated by appropriate signs or by curb markings supplemented with the appropriate words stenciled on the curb;
- (16) To erect and maintain official traffic control devices on any highway or part thereof to impose gross weight limits on the basis of an engineering and traffic investigation;
- (17) To erect and maintain official traffic control devices on any highway or part thereof to prohibit the operation of trucks exceeding ten thousand pounds gross weight on the basis of an engineering and traffic investigation: Provided, That such devices shall not prohibit necessary local operation on such highways for the purpose of making a pickup or delivery;

(18) To erect and maintain official traffic control devices on any highway or part thereof to impose vehicle size restrictions on the basis of an engineering and traffic investigation;

(19) To determine and designate those heavily traveled highways upon which shall be prohibited any class or kind of traffic which is found to be incompatible with the normal and safe movement of traffic on the basis of an engineering and traffic investigation and shall erect appropriate official traffic control devices giving notice thereof;

(20) To install parking meters in the established parking meter zones upon the curb adjacent to each designated parking space;

(21) To designate the parking space adjacent to each parking meter for which such meter is to be used by appropriate markings upon the curb or the pavement of the highway;

(22) To post appropriate signs making it unlawful for pedestrians to cross highways in certain crosswalks when such crossing would endanger either pedestrian or vehicular traffic using the highway;

(23) To test new or proposed traffic control devices under actual conditions of traffic. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.450: City Council - Authority:** After an engineering and traffic investigation by the traffic engineer, the City Council authority may by resolution:

(1) Decrease maximum speed limits pursuant to RCW 46.61.415;

(2) Increase maximum speed limits pursuant to RCW 46.61.415;

(3) Determine and declare the maximum speed limits on arterial highways pursuant to RCW 46.61.415;

(4) Determine and declare upon what highways angle parking shall be permitted pursuant to RCW 46.61.575(3);

(5) Prohibit, regulate, or limit, stopping, standing, or parking of vehicles on any highway at all times or during such times as shall be indicated by official traffic control devices;

(6) Determine and declare parking meter zones upon those highways or parts thereof where the installation of parking meters will be necessary to regulate parking;

(7) Close any highway or part thereof temporarily to any or all traffic;

(8) Determine and declare one-way highways pursuant to RCW 46.61.135;

(9) Determine and declare arterial highways pursuant to RCW 46.61.195 and 46.61.435. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.460: Traffic Safety Commission - Powers and Duties:**

(1) There is established a traffic safety commission to serve without compensation, consisting of the traffic engineer, the chief of police, or, in his discretion as his representative, the chief of the traffic division or other cognizant member of the police department, one representative each from the engineer's office and the attorney's office, and such number of other officers of the local authority and other representatives as may be determined and appointed by the City Manager. The chairman of the Commission shall be appointed by the City Manager.

(2) It shall be the duty of the Traffic Safety Commission, and to this end it shall have authority within the limits of the funds at its disposal, to coordinate traffic activities, to supervise the preparation and publication of traffic reports, to receive complaints having to do with traffic matters, and to recommend to the legislative body of the local authority and to the traffic engineer, the chief of the traffic division, and other officials, ways and means for

improving traffic conditions and the administration and enforcement of traffic regulations.  
(Ord. 3549 Sec. 1 (part), 1994)

**11.90.470: RCW Sections Adopted – Certificates of Ownership and Registrations:** The following sections of the Revised Code of Washington (RCW) pertaining to vehicle certificates of ownership and registrations 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 46.12.590, 46.12.600, 46.12.635, 46.12.650, 46.12.655, 46.12.720, 46.12.725, 46.12.730, 46.12.735, 46.12.740, 46.12.745, 46.12.750, and 46.12.755. (Ord. 5477 Sec. 3, 2012: Ord. 3843 Sec. 2, 1999: Ord. 3587 Sec. 1, 1994: Ord. 3549 Sec. 1 (part), 1994)

**11.90.480: RCW Sections Adopted – Vehicle Licenses:** The following sections of the Revised Code of Washington (RCW) pertaining to vehicle licenses 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 46.16A.030, 46.16A.140, 46.16A.160, 46.16A.175, 46.16A.180, 46.16A.200, 46.16A.320, 46.16A.350, 46.16A.360, 46.16A.405, 46.16A.420, 46.16A.455, 46.16A.500, 46.16A.520, 46.16A.530, 46.16A.540, 46.16A.545, 46.18.200, 46.18.275, 46.18.285, 46.19.010, 46.19.020, 46.19.030, 46.19.040, 46.19.050, 46.19.060, and 46.19.070. (Ord. 5477 Sec. 4, 2012: Ord. 3843 Sec. 3, 1999: Ord. 3549 Sec. 1 (part), 1994)

**11.90.490: RCW Sections Adopted – Driver Licenses Identification Cards:** The following sections of the Revised Code of Washington (RCW) pertaining to driver licenses identification cards 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 46.20.001, 46.20.005, 46.20.015, 46.20.017, 46.20.021, 46.20.022, 46.20.024, 46.20.025, 46.20.027, 46.20.031, 46.20.041, 46.20.045, 46.20.055, 46.20.070, 46.20.075, 46.20.0921, 46.20.109, 46.20.205, 46.20.220, 46.20.308, 46.20.320, 46.20.338, 46.20.342, 46.20.345, 46.20.349, 46.20.391, 46.20.394, 46.20.410, 46.20.500, 46.20.510, 46.20.720, 46.20.740, 46.20.750, and RCW 46.20.3101. (Ord. 5477 Sec. 5, 2012: Ord. 3843 Sec. 4, 1999: Ord. 3660 Sec. 1, 1995: Ord. 3587 Sec. 1, 1994: Ord. 3549 Sec. 1 (part), 1994)

**11.90.500: RCW Sections Adopted - Uniform Commercial Driver's License Act:** The following sections of the Revised Code of Washington (RCW) pertaining to the Uniform Commercial Driver's License Act 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 46.25.010, 46.25.020, 46.25.030, 46.25.040, 46.25.050, 46.25.080, 46.25.110, 46.25.120, 46.25.160, and 46.25.170. (Ord. 3843 Sec. 5, 1999: Ord. 3549 Sec. 1 (part), 1994)

**11.90.510: RCW Sections Adopted - Financial Responsibility:** The following section of the Revised Code of Washington (RCW) pertaining to financial responsibility as now or hereafter amended is hereby adopted by reference as a part of this Chapter in all respects as though such section were set forth herein in full: RCW 46.29.605. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.520: RCW Sections Adopted - Mandatory Liability Insurance:** The following sections of the Revised Code of Washington (RCW) pertaining to mandatory liability insurance 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 46.30.010, 46.30.020, 46.30.030, and 46.30.040. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.530: RCW Sections Adopted - Vehicle Inspection:** The following sections of the Revised Code of Washington (RCW) pertaining to vehicle inspection 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 46.32.060 and 46.32.070. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.540: RCW Sections Adopted – Vehicle Lighting and Other Equipment:** The following sections of the Revised Code of Washington (RCW) pertaining to vehicle lighting and other equipment 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 46.37.010, 46.37.020, 46.37.030, 46.37.040, 46.37.050, 46.37.060, 46.37.070, 46.37.080, 46.37.090, 46.37.100, 46.37.110, 46.37.120, 46.37.130, 46.37.140, 46.37.150, 46.37.160, 46.37.170, 46.37.180, 46.37.184, 46.37.185, 46.37.186, 46.37.187, 46.37.188, 46.37.190, 46.37.193, 46.37.196, 46.37.200, 46.37.210, 46.37.215, 46.37.220, 46.37.230, 46.37.240, 46.37.260, 46.37.270, 46.37.280, 46.37.290, 46.37.300, 46.37.310, 46.37.340, 46.37.351, 46.37.360, 46.37.365, 46.37.369, 46.37.375, 46.37.380, 46.37.390, 46.37.395, 46.37.400, 46.37.410, 46.37.420, 46.37.423, 46.37.424, 46.37.425, 46.37.430, 46.37.435, 46.37.440, 46.37.450, 46.37.465, 46.37.467, 46.37.470, 46.37.480, 46.37.490, 46.37.495, 46.37.500, 46.37.510, 46.37.513, 46.37.517, 46.37.520, 46.37.522, 46.37.523, 46.37.524, 46.37.525, 46.37.527, 46.37.528, 46.37.529, 46.37.530, 46.37.535, 46.37.537, 46.37.539, 46.37.540, 46.37.550, 46.37.560, 46.37.570, 46.37.590, 46.37.600, 46.37.610, and 46.37.620. (Ord. 5477 Sec. 6, 2012: Ord. 3843 Sec. 6, 1999: Ord. 3549 Sec. 1 (part), 1994)

**11.90.550: RCW Sections Adopted – Size, Weight, Load:** The following sections of the Revised Code of Washington (RCW) pertaining to vehicle size, weight, and load 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 46.44.010, 46.44.013, 46.44.020, 46.44.030, 46.44.034, 46.44.036, 46.44.037, 46.44.041, 46.44.042, 46.44.043, 46.44.047, 46.44.050, 46.44.060, 46.44.070, 46.44.090, 46.44.091, 46.44.092, 46.44.093, 46.44.095, 46.44.096, 46.44.105, 46.44.110, 46.44.120, 46.44.130, 46.44.140, 46.44.170, 46.44.173, 46.44.175, and 46.44.180. (Ord. 5477 Sec. 7, 2012: Ord. 3843 Sec. 7, 1999: Ord. 3587 Sec. 1, 1994: Ord. 3549 Sec. 1 (part), 1994)

**11.90.560: RCW Sections Adopted – Transportation of Hazardous Materials:** The following sections of the Revised Code of Washington (RCW) and Washington Administrative Code (WAC) pertaining to transportation of hazardous materials as now or hereafter amended is hereby adopted by reference as a part of this Chapter in all respects as though such section were set forth herein in full: RCW 46.48.170, 46.48.175, 46.48.185, and Chapter 446-50 WAC. (Ord. 5477 Sec. 8, 2012: Ord. 3549 Sec. 1 (part), 1994)

**11.90.570: RCW Sections Adopted – Accidents, Reports:** The following sections of the Revised Code of Washington (RCW) pertaining to accidents and accident reports 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 46.52.010, 46.52.020, 46.52.030, 46.52.035, 46.52.040, 46.52.070, 46.52.080, 46.52.088, 46.52.090, and 46.52.101. (Ord. 5477 Sec. 9, 2012: Ord. 3843 Sec. 8, 1999: Ord. 3549 Sec. 1 (part), 1994)

**11.90.580:RCW Sections Adopted - Hulk Haulers and Scrap Processors:** The following sections of the Revised Code of Washington (RCW) pertaining to hulk haulers and scrap processors 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 46.79.010 and 46.79.120. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.590: RCW Sections Adopted - Rental Car Businesses:** The following section of the Revised Code of Washington (RCW) pertaining to rental car businesses as now or hereafter amended is hereby adopted by reference as a part of this Chapter in all respects as though such section were set forth herein in full: RCW 46.87.023. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.600: RCW Sections Adopted - Motor Vehicle Wreckers:** The following section of the Revised Code of Washington (RCW) pertaining to motor vehicle wreckers as now or hereafter amended is hereby adopted by reference as a part of this Chapter in all respects as though such section were set forth herein in full: RCW 46.80.010. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.610: Owner of Record Presumed Liable for Costs When Vehicle Abandoned - Exception:**

(1) The abandonment of any vehicle or automobile hulk shall constitute a prima facie presumption that the last owner of record is responsible for such abandonment and thus liable for any costs incurred in removing, storing, and disposing of any abandoned vehicle.

(2) A registered owner transferring a vehicle shall be relieved from personal liability under this Section if within five (5) days of the transfer he transmits to the Department a seller's report of sale on a form prescribed by the Director. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.620: Contract with Registered Disposer to Dispose of Vehicles and Hulks - Compliance Required:**

(1) The City may contract with any tow truck operator who is engaged in removing and storing of vehicles and who is registered as a registered disposer by the Department for the purpose of disposing of certain automobile hulks, abandoned junk motor vehicles, and abandoned vehicles.

(2) Any registered disposer under contract for the removing and storing of vehicles or hulks shall comply with the administrative regulations relative to equipment, safety and insurance, the handling and disposing of vehicles or hulks as may be promulgated by the Chief of Police or the Director. (Ord. 3835 Sec. 3, 1998: Ord. 3549 Sec. 1 (part), 1994)

**11.90.630: Stolen and Abandoned Vehicles - Reports of - Recovery, Report Required, Penalty - Disposition:** It shall be the duty of the Chief of Police to report immediately to the Chief of the Washington State Patrol all motor vehicles reported to them as stolen or recovered.

In the event that any motor vehicle reported as stolen has been recovered, failure of the person so reporting the same as stolen to report the recovery thereof to the Chief of Police to whom such motor vehicle was reported as stolen, is a traffic infraction.

It shall be the duty of the Chief of Police to report to the Chief of the Washington State Patrol all vehicles or automobile hulks found abandoned on a highway or at any other place and the same shall, at the direction of a law enforcement officer, be placed in the custody of a registered disposer. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.635: Impounding Vehicles:**

(1) Impoundment: Whenever the driver of a vehicle is arrested for a violation of RCW 46.61.502 (DUI) or 46.61.504 (Physical Control While Under the Influence) or of RCW 46.20.342 (Driving While License Suspended or Revoked) or 46.20.345 (Operation of Motor Vehicle Under Other License or Permit Prohibited While License is Suspended or Revoked), the vehicle is subject to be impounded at the direction of a Kennewick Police Officer pursuant to the authority of RCW 46.55.113. Impoundment shall be for a length of time as provided in RCW 46.55.120.

(2) Redemption: Vehicles or other items of personal property registered or titled with the Kennewick Police Department that are impounded pursuant to this Section may be redeemed after the legal owner or person authorized by RCW 45.55.120(1)(a) to redeem the vehicle complies with the provisions in RCW 45.55.120(1)(a) and (b). Upon compliance with these provisions, the legal owner or a person authorized to redeem may present proof of payment of fines. Such proof of payment must be presented to a commissioned Kennewick Police Officer at the Kennewick Police Department any time Monday through Friday, 8:00 a.m. to 5:00 p.m. Upon payment of a \$50.00 administrative fee, the officer shall issue an order releasing the impounded vehicle. The legal owner or person authorized to redeem the vehicle must present the order releasing the impounded vehicle to the towing agency. The vehicle shall be released by the towing agency upon receipt of such order releasing the impound, the expiration of the required impound period as provided in RCW 46.55.120(1)(a), and the person seeking to redeem has paid all towing and storage costs.

(3) Early Release of Vehicle:

- (a) Personal or Economic Hardship: A spouse of the owner of the vehicle or the owner of the vehicle who was not the operator at the time of impound may petition the Benton County District Court for an early release of the vehicle pursuant to RCW 46.55.120(2)(b) based on personal or economic hardship. If the court issues a written order granting the petitioner's request for an early release, the petitioner will be responsible for all towing, removal and storage fees as provided in RCW 45.55.120 before the vehicle can be redeemed.
- (b) Contesting Validity of Impound or the Amount of Towing and Storage Charges: Any person seeking to redeem an impounded vehicle under this Chapter has a right to a hearing in the Benton County District Court pursuant to RCW 46.55.120(2) and (3). Request for a hearing must be made in writing and accompanied by the required court filing fee.
- (c) Hearing request forms may be obtained from the towing agency and must be filed with the Benton County District Court within ten (10) days of receiving the request. (Ord. 5477 Sec. 10, 2012; Ord. 4081 Sec. 1, 2002; Ord. 3908 Sec. 1, 1999; Ord. 3831 Sec. 1, 1998)

**11.90.640: Disposition of Abandoned Junk Motor Vehicles:** 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 46.55.010, 46.55.020, 46.55.025, 46.55.030, 46.55.035, 46.55.037, 46.55.040, 46.55.050, 46.55.060, 46.55.063, 46.55.070, 46.55.080, 46.55.085, 46.55.090, 46.55.100, 46.55.105, 46.55.110, 46.55.113, 46.55.120, 46.55.130, 46.55.140, 46.55.150, 46.55.160, 46.55.170, 46.55.200, 46.55.230, 46.55.240, and 46.55.910. (Ord. 3843 Sec. 9, 1999; Ord. 3660 Sec. 3, 1995; Ord. 3549 Sec. 1 (part), 1994)

**11.90.650: Provisions of Chapter Refer to Vehicles upon Highway – Exception:** The provisions of this Chapter relating to the operation of vehicles refer exclusively to the operation of vehicles upon highways except:

- (1) Where a different place is specifically referred to in a given Section;
- (2) The provisions of RCW 46.61.503, 46.52.010, 46.52.020, 46.52.030, 46.52.070, 46.52.080, 46.52.090, and 46.61.500 through 46.61.508 shall apply upon highways and elsewhere throughout the jurisdiction of the local authority. (Ord. 5477 Sec. 11, 2012: Ord. 3587 Sec. 1, 1994: Ord. 3549 Sec. 1 (part), 1994)

**11.90.670: 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 46.55.010, 46.55.020, 46.55.030, 46.55.035, 46.55.037, 46.55.040, 46.55.050, 46.55.060, 46.55.063, 46.55.080, 46.55.085, 46.55.090, 46.55.100, 46.55.105, 46.55.110, 46.55.113, 46.55.120, 46.55.130, 46.55.140, 46.55.150, 46.55.160, 46.55.170, 46.55.230, 46.55.240, and 46.55.910. (Ord. 5477 Sec. 12, 2012: Ord. 3549 Sec. 1 (part), 1994)

**11.90.680: RCW Sections Adopted - Traffic Laws, Signs, Signals, Markings:** The following sections of the Revised Code of Washington (RCW) pertaining to obedience to and effect of traffic laws, traffic signs, signals and markings 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 46.61.005, 46.61.015, 46.61.020, 46.61.022, 46.61.024, 46.61.025, 46.61.030, 46.61.035, 46.61.050, 46.61.055, 46.61.060, 46.61.065, 46.61.070, 46.61.072, 46.61.075, 46.61.080, 46.61.085, and 46.61.220. (Ord. 3762 Sec. 1, 1997: Ord. 3549 Sec. 1 (part), 1994)

**11.90.681: Duty to Obey Law Enforcement Officer - Authority of Officer:**

- (1) Any person requested or signaled to stop by a law enforcement officer for a traffic infraction has a duty to stop.
- (2) Whenever any person is stopped for a traffic infraction, the officer may detain that person for a reasonable period of time necessary to identify the person, check the status of the person's license, insurance identification card, and the vehicle's registration, determine if the person is wanted, and complete and issue a notice of traffic infraction.
- (3) Any person requested to identify himself to a law enforcement officer pursuant to an investigation of a traffic infraction has a duty to identify himself, give his current address, and sign an acknowledgment of receipt of the notice of infraction. (Ord. 3762 Sec. 2, 1997)

**11.90.690: Traffic Control Devices Required - Stopping, Standing, and Parking:** No prohibition, regulation, or limitation relating to stopping, standing, or parking imposed under this Chapter or any ordinance of the City for which traffic control devices are required shall be effective unless official traffic control devices are erected and in place at the time of any alleged offense. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.700: Crossing New Pavement and Markings:** No person shall ride or drive any animal, bicycle, or vehicle, across any newly made pavement or freshly applied markings on

any highway when a sign, cone marker, or other warning device is in place warning persons not to drive across such pavement or marking. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.710: RCW Sections Adopted – Right-of-Way:** The following sections of the Revised Code of Washington (RCW) pertaining to vehicles and pedestrians use of roadways, right-of-way, rights and duties 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 46.61.100, 46.61.105, 46.61.110, 46.61.115, 46.61.120, 46.61.125, 46.61.130, 46.61.135, 46.61.140, 46.61.145, 46.61.150, 46.61.155, 46.61.160, 46.61.180, 46.61.183, 46.61.185, 46.61.190, 46.61.195, 46.61.200, 46.61.202, 46.61.205, 46.61.210, 46.61.215, 46.61.220, 46.61.230, 46.61.235, 46.61.240, 46.61.245, 46.61.250, 46.61.255, 46.61.260, 46.61.261, 46.61.264, 46.61.266, and 46.61.269. (Ord. 5477 Sec. 13, 2012: Ord. 3843 Sec. 10, 1999: Ord. 3549 Sec. 1 (part), 1994)

**11.90.720: RCW Sections Adopted - Starting and Stopping:** The following sections of the Revised Code of Washington (RCW) pertaining to turning, starting, signals on stopping and turning, and special stops 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 46.61.290, 46.61.295, 46.61.300, 46.61.305, 46.61.310, 46.61.315, 46.61.340, 46.61.345, 46.61.350, 46.61.355, 46.61.365, 46.61.370, 46.61.371, 46.61.372, 46.61.375, and 46.61.385. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.730: RCW Sections Adopted – Speed Restrictions:** The following sections of the Revised Code of Washington (RCW) pertaining to speed restrictions 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 46.61.400, 46.61.415, 46.61.425, 46.61.427, 46.61.428, 46.61.435, 46.61.440, 46.61.445, 46.61.450, 46.61.455, 46.61.460, 46.61.465, and 46.61.470. (Ord. 5477 Sec. 14, 2012: Ord. 3549 Sec. 1 (part), 1994)

**11.90.740: RCW Sections Adopted – Reckless Driving, Vehicular Homicide and Assault:** The following sections of the Revised Code of Washington (RCW) pertaining to reckless driving, driving while under the influence of intoxicating liquor or any drug, vehicular homicide and assault, 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 46.61.500, 46.61.502, 46.61.503, 46.61.504, 46.61.5054, 46.61.5055, 46.61.5056, 46.61.5057, 46.61.5058, 46.61.506, 46.61.517, 46.61.519, 46.61.5191, 46.61.5195, 46.61.5249, 46.61.525, 46.61.527, 46.61.530, 46.61.535, and 46.61.540. (Ord. 5477 Sec. 15, 2012: Ord. 3843 Sec. 11, 1999: Ord. 3832 Sec. 1, 1998: Ord. 3660 Sec. 2, 1995: Ord. 3587 Sec. 1, 1994: Ord. 3549 Sec. 1 (part), 1994)

**11.90.750: Obedience to Angle-Parking Signs or Markings:** Upon those highways which have been signed or marked for angle-parking, no person shall park or stand a vehicle other than at the angle to the curb or edge of the roadway indicated by such signs or markings. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.760: Parking Not to Obstruct Traffic:**

(1) No person shall park a vehicle upon a highway in such a manner or under such conditions as to leave available less than ten feet (10') of the width of the roadway for free movement of vehicular traffic.

(2) No person shall stop, stand, or park a vehicle within an alley in such position as to block the driveway entrance to any abutting property. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.770: Parking For Certain Purposes Unlawful:**

(1) No person shall park any vehicle upon any highway for the principle of:

(a) Displaying advertising;

(b) Displaying such vehicle for sale;

(c) Selling merchandise from such vehicle, except when authorized.

(2) No person shall park any vehicle upon any roadway for the principle purpose of washing, greasing, or repairing such vehicle except repairs necessitated by an emergency. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.780: Standing in Passenger Loading Zone:** No person shall stop, stand, or park a vehicle for any purpose or period of time other than for the expeditious loading or unloading of passengers in any place marked as a passenger loading zone during hours when the regulations applicable to the loading zone are effective, and then only for a period not to exceed three minutes. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.790: Standing in Loading Zone:**

(1) No person shall stop, stand, or park a vehicle for any purpose or period of time other than for the expeditious unloading and delivery or pickup and loading of property in any place marked as a loading zone during hours when the provisions applicable to such zone are in effect. In no case shall the stop for loading and unloading of property exceed thirty minutes.

(2) The driver of a vehicle may stop temporarily at a loading zone for the purpose of and while actually engaged in loading or unloading passengers when such stopping does not interfere with any vehicle which is waiting to enter or about to enter such zone to load or unload property. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.800: Standing in a Tow-Away Zone:** No person shall stop, stand, or park a vehicle in a place marked as a tow-away zone during hours when the provisions applicable to such zone are in effect. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.810: Violating Permits For Loading or Unloading at an Angle to The Curb:** It shall be unlawful for any permittee or other person to violate any of the special terms or conditions of any permit issued by the traffic engineer for the backing of a vehicle to the curb for the purpose of loading or unloading property. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.820: Standing or Parking on One-Way Roadways:** In the event a highway includes two or more separate roadways, no person shall stand or park a vehicle upon the left-hand side of such one-way roadway unless signs are erected to permit such standing or parking. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.830: Stopping, Standing, and Parking of Buses and Taxicabs Regulated:**

(1) The operator of a bus shall not stand or park such vehicle upon any highway at any place other than a designated bus stop. This provision shall not prevent the operator of a

bus from temporarily stopping in accordance with other stopping, standing, or parking regulations at any place for the purpose of and while actually engaged in the expeditious loading or unloading of passengers or their baggage.

(2) The operator of a bus shall enter a bus stop or passenger loading zone on a highway in such a manner that the bus, when stopped to load or unload passengers or baggage, shall be in a position with the right front wheel of such vehicle not farther than eighteen inches from the curb and the bus approximately parallel to the curb so as not to unduly impede the movement of other vehicular traffic.

(3) The operator of a taxicab shall not stand or park such vehicle upon any highway at any place other than in a designated taxicab stand or other lawful parking space. This provision shall not prevent the operator of a taxicab from temporarily stopping in accordance with other stopping, standing, or parking regulations at any place for the purpose of and while actually engaged in the expeditious loading or unloading of passengers. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.840: Restricted Use of Taxicab Stands:** When so indicated, no person shall stop, stand, or park a vehicle other than a bus in a bus stop, or other than a taxicab in a taxicab stand when any such stop or stand has been officially designated and appropriately signed, except the driver of a passenger vehicle may temporarily stop there for the purpose of, or while actually engaged in, loading or unloading passengers when such stopping does not interfere with any bus, or taxicab waiting to enter or about to enter such stop or stand. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.850: Right-of-Way for Parking:** The driver of any vehicle who first begins driving or maneuvering his vehicle into a vacant parking space shall have a prior right-of-way to park in such place, and it shall be unlawful for another driver to attempt to deprive him thereof by blocking his access or otherwise. For the purpose of establishing right-of-way in this Section it shall be considered proper to back into any but a front-in angle parking space. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.860: 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 46.61.560, 46.61.570, 46.61.575, 46.61.581, 46.61.582, 46.61.583, and 46.61.590. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.870: RCW Sections Adopted – Operation and Restrictions:** The following sections of the Revised Code of Washington (RCW) pertaining to the operation of vehicles and the restriction of certain acts and practices of vehicle operators and passengers 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 46.61.600, 46.61.605, 46.61.606, 46.61.608, 46.61.610, 46.61.611, 46.61.612, 46.61.614, 46.61.615, 46.61.620, 46.61.625, 46.61.630, 46.61.635, 46.61.640, 46.61.645, 46.61.655, 46.61.660, 46.61.665, 46.61.667, 46.61.668, 46.61.670, 46.61.675, 46.61.680, 46.61.685, 46.61.687, 46.61.688, 46.61.690, 46.61.700, 46.61.710, 46.61.720, 46.61.723, 46.61.725, 46.61.730, and 46.61.740. (Ord. 5477 Sec. 16, 2012; Ord. 4086 Sec. 1, 2003; Ord. 3549 Sec. 1 (part), 1994)

**11.90.880: Funeral Processions:**

(1) A funeral procession shall proceed to the place of interment by the most direct route which is both legal and practicable.

(2) A funeral procession shall be accompanied by adequate escort vehicles for traffic control purposes as determined by the chief of police.

(3) All motor vehicles in a funeral procession shall be identified by having their headlights turned on or by such other method as may be determined and designated by the chief of police.

(4) All motor vehicles in a funeral procession shall be operated as near to the right-hand edge of the roadway as is practicable and shall follow the vehicle ahead as close as is practicable and safe. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.890: When Permits Required for Parades and Processions:** See KMC 6.49. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.900: Interfering with Processions:**

(1) No person shall unreasonably interfere with a procession.

(2) No person shall operate a vehicle that is not part of a procession between the vehicles of the procession. This provision shall not apply at intersections where traffic is controlled by traffic control devices unless a police officer is present at such intersections to direct traffic so as to preserve the continuity of the procession. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.910: Boarding or Alighting from Vehicles:** No person shall board or alight from any vehicle while such vehicle is in motion. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.920: Unlawful Riding:** No person shall ride upon any portion of a vehicle not designed or intended for the use of passengers. This provision shall not apply to an employee engaged in the necessary discharge of a duty, or to persons riding within truck bodies in space intended for merchandise. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.930: RCW Sections Adopted - Operation of Nonmotorized Vehicles:** The following sections of the Revised Code of Washington (RCW) pertaining to the operation of nonmotorized vehicles 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 46.61.750, 46.61.755, 46.61.758, 46.61.760, 46.61.765, 46.61.770, 46.61.775, and 46.61.780. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.940: Bicycles - Obedience to Traffic Control Devices:**

(1) Any person operating a bicycle shall obey the instructions of official traffic control devices applicable to vehicles, unless otherwise directed by a police officer.

(2) Whenever authorized signs are erected indicating that no right or left or U-turn is permitted, no person operating a bicycle shall disobey the directions of any such sign, except where such person dismounts from the bicycle at the right-hand curb or as close as is practicable to the right edge of the right-hand shoulder to make any such turn, in which event such person shall then obey the regulations applicable to pedestrians. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.950: Bicycles - Parking:** No person shall park a bicycle upon a highway other than:

(1) Off the roadway except in designated areas;

- (2) Upon the sidewalk in a rack to support the bicycle;
- (3) Against a building; or
- (4) In such manner as to afford the least obstruction to pedestrian traffic. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.960: Bicycles - Riding on Sidewalks:**

(1) A person may ride a bicycle on any sidewalk or any roadway unless restricted or prohibited by traffic control devices.

(2) Whenever any person is riding a bicycle upon a sidewalk, such person shall yield the right-of-way to any pedestrian. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.970: Unclaimed Bicycles:** All unclaimed bicycles in the custody of the police department shall be disposed of as provided in Chapter 63.32 RCW. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.980: Parking Meter Spaces:** No person shall park a vehicle in any designated parking meter space during the restricted or regulated time applicable to the parking meter zone in which such meter is located so that any part of such vehicle occupies more than one such space or protrudes beyond the markings designating such space, except that a vehicle which is of a size too large to be parked within a single designated parking meter space shall be permitted to occupy two adjoining parking meter spaces when coins shall have been deposited in the parking meter for each space so occupied as is required for the parking of other vehicles in such spaces. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.990: Parking Meters - Deposit of Coins and Time Limits:**

(1) No person shall park a vehicle in any parking meter space alongside of and next to which a parking meter has been installed during the restricted and regulated time applicable to the parking meter zone in which such meter is located unless a United States coin or coins of the appropriate denomination as indicated on the parking meter shall have been deposited therein, or shall have been previously deposited therein for an unexpired interval of time, and said meter has been placed in operation.

(2) No person shall permit a vehicle within his control to be parked in any parking meter space during the restricted and regulated time applicable to the parking meter zone in which such meter is located while the parking meter for such space indicates by signal that the lawful parking time in such space has expired. This provision shall not apply to the act of parking or the necessary time which is required to deposit immediately thereafter a coin or coins in such meter.

(3) No person shall park a vehicle in any parking meter space for a consecutive period of time longer than that limited period of time for which parking is lawfully permitted in the parking meter zone in which such meter is located, irrespective of the number or amounts of the coins deposited in such meter.

(4) The provisions of this Section shall not relieve any person from the duty to observe other and more restrictive provisions of this Chapter prohibiting or limiting the stopping, standing, or parking of vehicles in specified places or at specified times. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.1000: Parking Meters - Use of Slugs Prohibited:** No person shall deposit or attempt to deposit in any parking meter any bent coin, slug, button, or any other device or substance as substitutes for United States coins. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.1010: Tampering With Parking Meter:** No person shall deface, injure, tamper with, open, or willfully break, destroy, or impair the usefulness of any parking meter. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.1020: Parking Meters - Rule of Evidence:** The parking or standing of any motor vehicle in a parking space, at which space the parking meter displays the sign or signal indicating illegal parking, shall constitute a prima facie presumption that the vehicle has been parked or allowed to stand in such space for a period longer than permitted by this Chapter. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.1030: Parking Meters - Application of Proceeds:**

(1) The coins required to be deposited in parking meters are levied and assessed as fees to cover the regulation and control of parking upon highways, the costs of parking meters, their installation, inspection, supervision, operation, repair, and maintenance, control and use of parking spaces, and regulating the parking of vehicles in parking meter zones; and the costs of acquiring, establishing, improving, maintaining, and operating public off-street parking facilities.

(2) The coins deposited in parking meters shall be collected by the duly authorized agents of the local authority and shall be deposited by them as directed by the local authority.

(3) The local authority shall pay from the moneys collected from parking meters the costs for any parking meters purchased and installed as provided herein, and expenses incurred for their installation, inspection, service, supervision, repair, and maintenance, for making collections from such parking meters, and for the enforcement of provisions herein applicable to parking meter zones. The net proceeds derived from the operation of parking meters after the payment of such costs and expenses, may be used for parking studies and for the acquisition, establishment, improvement, maintenance, and operation of public off-street parking facilities. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.1040: Service Parking:** The chief of police is authorized to issue a permit for service parking upon payment of the fee prescribed by the local authority and upon the following conditions:

(1) Application shall be made to the chief of police on such forms as the chief of police shall prescribe. The applicant shall set forth the applicant's business and the necessity for such permit. The chief of police shall investigate the facts as necessary.

(2) If it appears that a necessity exists, the chief of police may authorize the issuance of such permit under the conditions prescribed in this section.

(3) Upon issuance of the permit, the permittee shall be issued a hood to use in covering any parking meter. As many hoods may be issued upon payment of the prescribed fee as the chief of police deems necessary or convenient for the applicant. The hood shall be provided with a padlock, tow keys, and an identification card attached with a blank space thereon.

(4) Upon entering any parking meter space available, the permittee shall place the hood over the parking meter and lock the same and shall indicate in such blank space the exact place where the service work is being rendered.

(5) The permittee shall not place the hood over any meter when the space is occupied by another vehicle, and shall before vacating the space at the conclusion of the work remove the hood. The hood shall not be allowed to remain in place for over one hour when the space is not occupied by an authorized vehicle, nor shall it be allowed to remain in place after

6:00 P.M. on any weekday or on any Sunday or holiday. It shall not be used during hours when parking or stopping in the parking meter space is prohibited. No vehicle licensed as a passenger car shall be parked in the space covered by the hooded parking meter.

(6) The chief of police may revoke any permit if the service parking hood is used for any purpose other than that authorized in this Section or for any violation of this Chapter. Upon revocation, the hood shall immediately be returned to the police department and all fees paid shall be forfeited. Police officers finding such hood in use shall investigate the use being made thereof, and if it is found in violation of this Section shall report the facts to the chief of police.

(7) Any permit issued under this Section shall, unless revoked, be valid for a period of one year.

(8) The permittee shall also pay a deposit in an amount prescribed by the local authority at the time of issuance of the hood, padlock, and keys, which shall remain the property of the local authority. In case a hood, a padlock, or key becomes lost or destroyed or so defaced that it is no longer usable, the permittee shall forfeit deposit. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.1050: RCW Sections Adopted - Disposition of Traffic Infractions:** The following sections of the Revised Code of Washington (RCW) pertaining to the disposition of traffic infractions as now or hereafter amended are hereby adopted by such reference as a part of this Chapter in all respects as though such sections were set forth herein in full: RCW 46.63.010, 46.63.020, 46.63.030, 46.63.040, 46.63.060, 46.63.070, 46.63.080, 46.63.090, 46.63.100, 46.63.110, 46.63.120, 46.63.130, 46.63.140, and 46.63.151. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.1060: RCW Sections Adopted - Enforcement:** The following sections of the Revised Code of Washington (RCW) pertaining to traffic enforcement agencies 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 46.64.010, 46.64.015, 46.64.025, 46.64.030, 46.64.035, 46.64.048, and 46.64.050. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.1070: Penalties:** Unless another penalty is expressly provided by law, any person found to have committed an act designated a traffic infraction under the provisions of these rules shall be punished by a penalty of not more than two hundred fifty dollars. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.1080: Citation on Illegally Parked Vehicle:** Whenever any motor vehicle without driver is found parked, standing, or stopped in violation of this Chapter, the officer finding such vehicle shall take its registration number and may take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to such vehicle a Notice of Infraction or Notice of Violation. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.1090: Presumption in Reference to Illegal Parking:**

(1) In any prosecution charging a violation of any law or regulation governing the stopping, standing, or parking of a vehicle, proof that the particular vehicle described in the complaint was stopping, standing, or parking in violation of any such law or regulation, together with proof that the defendant named in the complaint was at the time of such violation, the registered owner of such vehicle, shall constitute in evidence a prima facie presumption that the registered owner of such vehicle was the person who parked or placed such vehicle at the point where, and for the time during which, such violation occurred.

(2) The foregoing stated presumption shall apply only when the procedure as prescribed in WAC 308-330-720 has been followed. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.1100: RCW Sections Adopted – Traffic Control Devices:** The following sections of the Revised Code of Washington (RCW) pertaining to traffic control devices 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 47.36.005, 47.36.060, 47.36.110, 47.36.180, and 47.36.200. (Ord. 5477 Sec. 17, 2012; Ord. 3549 Sec. 1 (part), 1994)

**11.90.1110: RCW Sections Adopted - Limited Access Facilities:** The following sections of the Revised Code of Washington (RCW) pertaining to limited access facilities 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 47.52.010, 47.52.011, 47.52.040, 47.52.110, and 47.52.120. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.1120: RCW Sections Adopted - Alcoholic Beverage Control:** The following sections of the Revised Code of Washington (RCW) pertaining to drinking in public conveyance 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 66.44.240 and 66.44.250. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.1130: RCW Sections Adopted - Guide and Service Dogs:** The following sections of the Revised Code of Washington (RCW) pertaining to guide and service dogs 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 70.84.020, 70.84.021, and 70.84.040. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.1140: RCW Sections Adopted - Littering:** The following section of the Revised Code of Washington (RCW) pertaining to littering as now or hereafter amended is hereby adopted by reference as a part of this Chapter in all respects as though such section were set forth herein in full: RCW 70.93.060. (Ord. 3549 Sec. 1 (part), 1994)

**11.90.1150: Uniformity of Interpretation:** This Chapter shall be so interpreted and construed as to effectuate its general purpose to make uniform the laws of those local authorities which enact it. (Ord. 3549 Sec. 1 (part), 1994)