

July 22 Version

ORDINANCE NUMBER 1040

**AN ORDINANCE OF THE CITY OF NORTH BONNEVILLE, WASHINGTON
ADMENDING NBMC CHAPTER 12.08 REGARDING OVERNIGHT PARKING ON
PUBLIC STREETS, RIGHTS OF WAYS AND MUNICIPAL PARKING LOTS AND
PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.**

Whereas, pursuant to chapter 35A.11 RCW, the City is duly authorized to regulate parking on public streets, right-of-ways and municipal parking lots as an exercise of the City's police power for the health, safety and welfare of its residents;

Whereas, the City Council has heretofore established a Central Business District ("CBD");

Whereas, the Council has deemed it necessary and desirable to regulate parking in public areas of the CBD to protect the public health, safety and welfare of the residents of the City; and

Whereas, the Council now desires to amend chapter 12.08 NBMC to clarify provisions of overnight parking in public streets, right of ways and municipal parking lots;

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

**Section 1 Amending Chapter 12.08 OVERNIGHT PARKING PROVISIONS FOR THE
CENTRAL BUSINESS DISTRICT [CBD] AS FOLLOWS:**

**CHAPTER 12.08
SECTIONS**

- 12.08.010 Overnight parking prohibited.**
- 12.08.015 Definitions**
- 12.08.020 Permitted overnight parking.**
- 12.08.030 Infractions; Penalties**
- 12.08.040 Revocation; Appeal**
- 12.08.050 Redemption Rights; Hearing**
- 12.08.060 Towing or Impoundment of Vehicle Exceptions**
- 12.08.070 Valid Driver's license and Exceptions**

Section 12.08.010 Overnight parking prohibited

Overnight parking of vehicles on public streets, right of ways and municipal parking lots located within the city limits of North Bonneville shall be prohibited except as provided in Section 12.08.020 below (Ordinance 1040, 2014; Ord. 995, 2011; Ord. 921, 2007; Ord. 506 § 2, 1982)

12.08.015 Definitions

“Vehicles” means all motor vehicles including automobiles, trucks, buses, vans and motorcycles. Motorized Items not fitting this definition shall be evaluated on a case by case basis for parking lot compatibility. The following factors should be relied upon for evaluation purposes: precedent; self-powered; street legal; operable; use and appearance (Ordinance 1040, 2014; Ord. 995, 2011)

12.08.020 Permitted overnight parking

Overnight parking shall be permitted in the municipal parking lots of the Central Business District [CBD] as follows:

- A. The owner or resident of each residential unit within the CBD shall be allowed an annual permit to park up to two [2] vehicles per residential unit.
- B. The owner or tenant of each commercial unit within the CBD possessing a current City business license shall be allowed an annual permit to park one [1] vehicle per commercial unit. Vehicles may not be parked in a CBD parking space for advertising display purposes without first procuring a signage permit.
- C. In addition to permits authorized in subsections A and B above, any resident of North Bonneville may apply for one [1] at large annual permit to park in a CBD parking lot through an assignment process. Residents requesting an at large annual permit shall pay a fee established by the City Council. Up to a maximum of 12 parking spaces shall be available for at large annual permits. At large annual permits shall be issued on a first-come first-serve basis.
- D. All persons seeking to park their vehicle overnight or for more than seven [7] days within the CBD shall comply with the annual parking lot permit provisions noted in attachment “A”.
- E. All vehicles that are issued an annual permit or at large annual permit must be currently licensed according to Washington State Department of licensing standards, operational and fit wholly within a parking space. The City reserves the right to have the permit holder demonstrate that a vehicle is operational to the City’s satisfaction. Owners of vehicles intended to be parked overnight requiring more than one parking space must obtain a temporary permit according to the provisions of 12.08.020(J) below.
- F. Parking space usage is not intended for commercial purposes, such as food or beverage stands or retail sales.
- G. Annual parking permits and at large annual permits shall be issued upon request, subject to the provisions of 12.08. All parking permits expire on December 31 of each calendar year.

H. A temporary permit for overnight parking may be obtained in special circumstances to accommodate visitors and/or special events. A person wishing to receive a temporary overnight parking permit shall fill out a form available for this purpose. The Mayor or designee shall have the discretion to approve a temporary overnight parking permit for up to seven [7] consecutive days within any 60 day period based upon criteria set forth under 12.08.020(l).

I. Parking permits must be prominently displayed in or on the assigned vehicle according to City instruction. Annual permits are not transferable.

J. The parking applicant shall comply at all times with the following criteria or risk losing their permit. The Mayor or designee is authorized to impose specific conditions on all permits, before or after issuance, in order to ensure that the following criteria are met:

1. Overnight parking shall not interfere with adjacent commercial or residential uses;
2. The overnight placement of a vehicle shall not adversely impact adjacent properties or the public right-of-way to include impacts arising from noise, lighting, fluid discharge, interference with designated pedestrian or vehicle travel ways. Vehicle placement shall not pose a threat to the public health, safety or welfare.
3. Vehicles must be currently licensed and operational.
4. Temporary overnight parking permits may be issued for commercial purposes, such as food or beverage stands or retail sales, or may be issued in support of community events. However, the vehicle parking space may not be relied upon for the commercial purpose. Temporary parking permits for vehicles requiring more than one parking space are available for a maximum 30 days once a year. (Ordinance, 1040; 2014, Ord. 995, 2011; Ord. 921, 2007)

12.08.030 Infractions; Penalties

A. Any person violating the provisions of this chapter is subject to a civil infraction pursuant to chapter 1.08, and may have their vehicle towed and impounded in accordance with the provisions of RCW 46.55. (Ordinance 1040, 2014; Ord. 995, 2011; Ord. 921, 2007; Ord. 506 § 3, 1982)

12.08.040 Revocation; Appeal

A. A person's parking permit may be revoked after one [1] day's notice of such violation and subject to appeal procedure. A revoked permit serves as a basis for denial of a future parking application.

B. Any person who was denied a permit or had a permit revoked may appeal such determination to the City Council. The appellant shall fill out an appeal form within 14 days after such denial or revocation. An appeal will stay the denial or revocation until the matter is heard and a decision determined. The City Council shall set a time and place for a hearing on such appeal and notice shall be given to the appellant in writing to the address listed on the permit application at least three [3] days prior to the date set for hearing. The City Council's decision shall be final (Ordinance 1040, 2014).

12.08.050 Redemption Rights; Hearing

The redemption rights and hearing procedures, which results in the towing and impoundment of vehicles will be applied according to the provisions of RCW 46.55 (Ordinance 1040, 2014).

12.08.060 Towing or Impoundment of Vehicle Exceptions

Prior to towing or impounding a vehicle within a CBD parking lot, the City shall comply with the posting requirements noted in RCW 46.55.070, to include adherence to appropriate signage placement, presence and content requirements (Ordinance 1040, 2014).

12.08.070 Valid Driver's license and exceptions

Parking permit holders shall possess a valid driver's license that is available for inspection on request unless they are exempt from possessing a driver's license in accordance with the provisions of RCW 46.20.025 as those requirements relate to overnight parking (Ordinance 1040, 2014).

Section 2 Severability

If any section, sentence, clause or phrase of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

Section 3 Effective Date and Publication

This Ordinance shall be effective five days after publication of the Ordinance, or a summary thereof consisting of its title, in the official newspaper of the City.

PASSED BY THE CITY COUNCIL on July 22, 2014



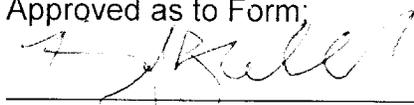
Don Stevens, Mayor

Attest:



Steven Hasson City Administrator

Approved as to Form:



Ken Woodrich City Attorney

Attachment A

**City of North Bonneville
Central Business District (CBD)
Annual Parking Permit**

12.08.020 Permitted overnight parking.

Overnight parking shall be permitted in the municipal parking lots of the CBD as follows:

A. The owner or resident of each residential unit within the CBD shall be allowed an annual permit to park up to two vehicles per residential unit and provided that residential use is in compliance with building code and land use regulations.

B. The owner or tenant of each commercial unit within the CBD with a current city business license shall be allowed an annual permit to park one vehicle per commercial unit and provided the commercial use is in compliance with building code and land use regulations.

C. A limited number of at large permits are available on a first come first served basis. A \$36 per month fee will be charged for the at large parking spaces with a limit of two to any residence or business. All vehicles must fit within the confines of a given parking space.

If applicant is applying for residential parking permit, provide the following*

CBD address _____

Name _____

Mailing Address _____

Home Phone # _____ Cell Phone # _____

First Vehicle's License Plate** # _____ Model Year _____ Color _____
Make _____ Series _____

Second Vehicle's License Plate** # _____ Model Year _____
Color _____ Make _____ Series _____

Permit Number[s] _____

If applicant is applying for business [Commercial] parking permit, provide the following*

CBD Address _____

Business Name _____

Unified Business Identifier (UBI) # _____

Business License # _____

Business Phone # _____

Mailing Address _____

Vehicle's License Plate** # _____ Model Year _____ Color _____ Make
Series _____

Permit Number[s] _____

See back page, for additional requirements and information.

* There can be no more than one parking permit per business and/or two parking permits per residence issued. Additional parking may be approved but is subject to at large parking availability see back page for more information. If prior applicant does not notify the city of their vacancy, the new applicant must provide some document(s) verifying their occupancy of the CBD property.

** All applicants must produce a current Washington State Vehicle Title Application/Registration Certificate for the vehicle, or provide appropriate federal identification and registration for an exemption from this requirement.

All vehicles issued an annual permit or at large annual permit must be currently licensed, operational and fit wholly within a parking space. Vehicles larger than one parking space shall only be allowed to park overnight pursuant to a temporary permit as set forth in North Bonneville Municipal Code 12.08.020(G).

Annual parking permits or at large annual parking permits shall not be issued for commercial purposes, such as food or beverage stands or retail sales. Annual parking permits and at-large annual permits shall be issued upon request. All permits will expire on December 31 of each calendar year.

Note: There may be a need to move a vehicle parked on City property from time to time to accomplish City services.

A temporary or annual parking permit may be revoked subject to an appeal process.

If applicant is applying for an at large parking permit please provide the following

Name _____

Mailing Address _____

Home Phone # _____ Cell Phone # _____

Vehicle's License Plate** # _____ Model Year _____ Color _____ Make
Series _____

Permit Number[s] _____

(Deputy Clerk Signature)

(Date)

** All applicants must produce a current Washington State Vehicle Title Application/Registration Certificate for the vehicle, or provide appropriate federal identification and registration for an exemption from this requirement.