

Title 10

VEHICLES AND TRAFFIC

Chapters:

- 10.04** **Model Traffic Ordinance / Motor Vehicle Laws**
- 10.08** **Speed Limits--City Streets**
- 10.10** **Legal Weight Limits – City Streets**
- 10.12** **Parking**
- 10.14** **Motorized Food Scooters**

Chapter 10.04

MODEL TRAFFIC ORDINANCE/MOTOR VEHICLE LAWS

Sections:

- 10.04.010** **Adoption by reference.**

10.04.010 **Adoption by reference.**

The "Washington Model Traffic Ordinance," WAC Ch. 308-330, is adopted by reference as the traffic ordinance of the City of North Bonneville as if set forth in full. Any additions or amendments of that MTO effected by the Washington State Legislature shall be adopted without any further action by the City Council of North Bonneville. (Ord. 706 § 1, 1994)

Chapter 10.08

SPEED LIMITS--CITY STREETS

Sections:

- 10.08.010** **Speed limits designated.**
- 10.08.020** **Penalties.**

10.08.010 **Speed limits designated.**

Speed limits are established for the safety and welfare of vehicular and pedestrian traffic using said streets and shall not be violated unless during an emergency by emergency service personnel,

Speed limits on City Streets shall be as follows:

- a. Residential cul-de-sacs or collectors 15 MPH
- b. Arterial Streets 25 MPH
- c. Washington State Highway 14 55 MPH

All speed limits are so designated unless specifically signed otherwise. All streets shall be appropriately posted for the designated speed assigned. (Ord. 419 §§ 2, 3, 1979)

10.08.020 **Penalties.**

Penalties for violations of speed limits within the City limits shall be set in accordance with the laws of the State of Washington. (Ord. 419 § 4, 1979)

Chapter 10.10

LEGAL WEIGHT LIMITS – CITY STREETS

Sections:

- 10.10.010 Purpose.**
- 10.10.020 Scope and construction of terms.**
- 10.10.030 Definitions.**
- 10.10.040 Operation of vehicles on city streets.**
- 10.10.050 Special allowances for authorized vehicles.**
- 10.10.060 Violations – Penalty.**

10.10.010 Purpose

It is the policy of the City Council, to establish load limitations upon city streets and to establish special load limitations for school buses, motor trucks transporting perishable commodities or commodities necessary to the health and welfare of city residents, and motor vehicles providing services necessary to the health and welfare of city residents when load limitations are in effect. (Ord. 855 (part), 2003)

10.10.020 Scope and construction of terms

Terms used in this chapter shall have that meaning given them in Section 10.10.030 and where not defined herein shall have that meaning clearing indicated by the context in which such terms are used. (Ord. 855 (part), 2003)

10.10.030 Definitions.

As used in this chapter, the following definitions shall apply:

“Authorized emergency vehicle” means any vehicle of any Fire Department, Sheriff’s Office, Coroner, prosecuting attorney, Washington State Patrol, ambulance service, public or private, which need not be classified, registered or authorized by the State Commission on Equipment, including any other vehicle authorized in writing by the State Commission on Equipment, or deemed by the above-named departments, offices and agencies as necessary to assist in the handling of any such emergency.

“City street” means any public street or part thereof, maintained by the city, lying inside the limits of North Bonneville, and which has not been designated as a state highway as that term defined in RCW 47.04.010(34) as now or hereafter amended.

“Commodity necessary for health and welfare” means a product of agriculture or manufacture which is necessary to provide essential shelter, food and/or fuel to people and animals.

“Gross weight” means the total vehicle weight including the load.

“Motor truck” means any motor vehicle designed or used for the transportation of commodities, merchandise, produce, freight, animals, or other materials.

“Motor vehicle” means any vehicle or vehicle combination which is self-propelled.

“Perishable commodity” means a product of agriculture, aquaculture, or manufacture which by nature is subject to destruction, decay, deterioration or spoilage except under proper conditions.

“Person” means any natural person, firm, co-partnership, corporation, association, or organization.

“Pneumatic tire” means any tire of rubber or other resilient material designed to be inflated with compressed air to support the load thereon.

“School bus” means any motor vehicle used regularly to transport children to and from school which is subject to the requirements set forth in the most recent edition of Specifications for School Buses published by the State Superintendent of Public Instruction, but does not include buses operated by common carriers in urban transportation of school children.

“Service necessary to the health and welfare” means any service provided to the public which is necessary to maintain essential power, gas, communications, garbage, sewer and water services for the community at large.

“Tire width” means the width of tires. In the case of pneumatic tires it shall be the maximum overall normal inflated width as stipulated by the manufacturer when inflated to the pressure specified and without load thereon.

“Vehicle” means any device for carrying passengers, goods or equipment, usually one moving on wheels or runners. (Ord. 855 (part), 2003)

10.10.040 Operation of vehicles on city streets.

A. When, in the opinion of the Utilities Manager, any city street will be seriously damaged or destroyed unless the operation of vehicles thereon be restricted or the permissible weight thereof be reduced, no person shall operate upon any city street, any vehicle, except an authorized emergency vehicle, with a gross weight upon any tire concentrated upon the surface of a city street in excess of the following load limitations as detailed on Exhibit A.

EXHIBIT A

CONVENTIONAL TIRE

Tire Size	Gross Load Each Tire
7.00	1,800 lbs.
7.50	1,800 lbs.
8.25	1,900 lbs.
9.00	2,250 lbs.
10.00	2,750 lbs.
11.00	3,000 lbs.

**TUBELESS OR SPECIAL WITH
0.5 MARKING**

Tire Size	Gross Load Each Tire
8-22.5	1,800 lbs.
9-22.5	1,900 lbs.
10-22.5	2,250 lbs.
11-22.5	2,750 lbs.
11-24.5	2,750 lbs.
12-22.5	3,000 lbs.

B. The load limitations imposed by this section shall become effective upon erection and maintenance of signs designating such limitations at each end of the affected portion of city street and shall remain in full force until such signs are removed by the city. (Ord. 855 (part), 2003)

10.10.050 Special allowances for authorized vehicles.

When any load limitations as defined in this chapter is in effect as to any city streets, school buses, motor trucks transporting perishable commodities or commodities necessary to the health and welfare of city residents are permitted to exceed the load limitation as set forth in Section 10.10.040. (Ord. 855 (part), 2003)

10.10.060 Violations – Penalty.

Any person violating any load limitations on a city street shall be in violation of this chapter. A violation of this chapter shall constitute a traffic infraction under the provision of RCW 46.44 (Size, Weight, Load) and RCW 46.61 (Rules of the Road) subjecting the violator to the monetary penalties of said RCW. (Ord. 855 (part), 2003)

Chapter 10.12

PARKING

Sections:

- 10.12.010 Purpose.**
- 10.12.020 Definitions.**
- 10.12.030 Parking restricted.**
- 10.12.040 Permitted overnight parking.**
- 10.12.050 Parking permit revocation; appeal**
- 10.12.060 Parking on municipal property.**
- 10.12.070 Infractions; penalties.**
- 10.12.080 Redemption rights; hearing.**
- 10.12.090 Posting requirements.**

10.12.010 Purpose.

The provisions of this chapter regulate parking, standing and stopping of vehicles upon marked stalls of municipal parking lots, streets, access roads and right of ways open to the public. Pursuant to Chapter 10.04, the city has adopted by reference the Model Traffic Ordinance, which provides for regulation of parking in addition to the provisions of this chapter. (Ord. 1019, 2015; Ord. 782 (part), 1999)

10.12.020 Definitions.

As used in this chapter, the following words shall be defined as follows:

"Overnight" means parking is prohibited and can be enforced between the hours of 4:00 a.m. and 6:00 a.m. except as permitted.

"Parking" means the standing of a vehicle upon a street, road, right of way, or marked stall, whether such vehicle is occupied or not, and whether or not such vehicle is accompanied by an operator.

"Vehicle" means any device in, upon, or by which any person or persons, or property is or may be transported upon a public highway. (Ord. 1019, 2015; Ord. 782 (part), 1999)

10.12.030 Parking restricted.

A. No person having control over a vehicle, may park such vehicle upon any right of way, street, access road, municipal parking lot, or leave such vehicle in the same public place overnight. Exceptions to the overnight parking are any vehicles which are permitted in accordance with Section 10.12.040.

B. In addition to the Washington Model Traffic Ordinance adopted by Chapter 10.04, no person may park or leave any vehicle, whether attended or unattended, upon the traveled portion of the roadway in such a manner as to block or obstruct the flow of vehicular traffic.

C. It is unlawful for the operator of a vehicle to leave the vehicle unattended within the limits of the roadway unless the operator of the vehicle arranges for the prompt removal of the vehicle.

D. No vehicle shall be parked on any street or marked stalls during snowstorms in such a manner as to impede removal of snow accumulation. Vehicles found to be impeding snow removal will be subject to impoundment. (Ord. 1019, 2015; Ord. 782 (part), 1999)

10.12.040 Permitted overnight parking.

Overnight parking shall be permitted in marked stalls as follows:

A. The owner or resident of each residential unit within the Central Business District 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.

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 city parking lot through an assignment process. Residents requesting an at-large annual permit shall pay a fee established by the City Council. At-large annual permits shall be issued on a first-come first-serve basis. At large annual permits are not transferable.

D. All persons seeking to park their vehicle overnight or for more than seven (7) days shall comply with the annual parking lot permit provisions noted in attachment "A". Items not fitting the vehicle 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.

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 10.12.040(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 10.12.040. 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 10.12.040(J).

I. Parking permits must be prominently displayed in or on the assigned vehicle according to City instruction.

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 and/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 up to 30 days once a year.
5. Parking permit holders shall possess a valid driver's license that is available for inspection on request unless they are exempt from possessing a drivers license in accordance with the provisions of RCW 46.20.025 as those requirements relate to overnight parking. (Ord. 1019, 2015; Ord. 782 (part), 1999)

10.12.050 Parking permit revocation; appeal.

A. A person’s parking permit may be revoked after one (1) day’s notice of such violation of any provisions of this chapter and is 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. (Ord. 1019, 2015)

10.12.060 Parking on municipal property.

A. Vehicle parking or standing on property owned, leased or operated by the city is subject to the following restrictions:

1. Where pavement markings or signs designate parking stalls on such property, all vehicles must be parked within such stalls, pavement markings and not elsewhere on such property; and
2. Where signs or pavement markings prohibit or restrict parking without proper authority or permission, no vehicle may be parked or left standing without such permission.

B. Any vehicle parked or standing on such property, which is not complying with the restrictions set forth herein, is declared to be a nuisance. Impounding as provided by state law may summarily abate such nuisance. The impounding of a motor vehicle does not prevent or preclude the institution and prosecution of charges in the municipal court or other appropriate court for violation of any provision of this chapter. (Ord. 1019, 2015; Ord. 782 (part), 1999)

10.12.070 Infractions; penalties.

Any person violating the provisions of this chapter is subject to a civil infraction pursuant to North Bonneville Municipal Code chapter 1.08, and may have their vehicle towed and impounded in accordance with the provisions of RCW 46.55. (Ord. 1019, 2015; Ord. 956, 2009; Ord. 899 (part), 2005; Ord. 782 (part), 1999)

10.12.080 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. (Ord. 1019, 2015)

10.12.090 Posting requirements

Prior to towing or impounding a vehicle in violation of provisions of this chapter, 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. (Ord. 1019, 2015)

Chapter 10.14

MOTORIZED FOOT SCOOTERS

Sections:

- 10.14.010** Definitions.
- 10.14.020** Duty to obey traffic-control devices and rules of the road.
- 10.14.030** Unsafe use prohibited.
- 10.14.040** Prohibited areas.
- 10.14.050** Requirements for operating motorized foot scooters.
- 10.14.060** Violation – Penalty.

10.14.010 Definitions.

“Helmet” means a protective covering for the head consisting of a hard outer shell, padding adjacent to and inside the outer shell, and a neck or chin strap type retention system, with a label as required by the Federal Consumer Products Safety Commission and as adopted by the Code of Federal Regulations (C.F.R.) at 16 C.F.R 1203.

“Motorized foot scooter” means a device with no more than three (3) ten (10) inch or smaller diameter wheels that has handlebars, is designed to be stood upon but may have a seat, and is powered by an internal combustion engine or electric motor that is capable of propelling the device with or without human propulsion. A motor-driven cycle, a moped, an electric-assisted bicycle, or a motorcycle is not a motorized foot scooter.

“To operate in a negligent manner” means the operation of a motorized foot scooter in such a manner as to endanger or be likely to endanger any person or property. Examples of operating in a negligent manner include, but are not limited to, failure to obey all traffic control devices, and failure to yield right-of-way to pedestrians and/or vehicular traffic. (Ord. 860 (part), 2004)

10.14.020 Duty to obey traffic-control devices and rules of the road.

Any person operating a motorized foot scooter shall obey all rules of the road applicable to vehicle or pedestrian traffic, as well as the instructions of official traffic control signals, signs and other control devices applicable to vehicles, unless otherwise directed by a police officer. (Ord. 860 (part), 2004)

10.14.030 Unsafe use prohibited.

No motorized foot scooter shall be operated in a negligent manner. All motorized foot scooters shall be operated with reasonable regard for the safety of the operator and other persons. (Ord. 860 (part), 2004)

10.14.040 Prohibited areas.

It is unlawful for any person to operate any motorized foot scooter upon any sidewalk, pathway, city park, city easement or right-of-way, publicly-owned parking lot, privately-owned parking lot without the written permission of the owner, streets with a maximum speed limit above twenty-five (25) miles per hour. (Ord. 860 (part), 2004)

10.14.050 Requirements for operating motorized foot scooters.

No person shall operate a motorized foot scooter within the city limits unless the following requirements are met. The parent or guardian of any child shall not authorize or knowingly permit any such child to violate any of the provision of this chapter:

A. Minimum Age. No motorized foot scooter shall be operated on any street or other public area not otherwise prohibited by this chapter unless the operator is at least fourteen (14) years of age.

B. Helmet Required. Any person operating a motorized foot scooter upon any public area in the City of North Bonneville shall wear an approved helmet.

C. Passengers. No person shall transport or tow another person on, in or with a motorized foot scooter upon any public area within the City of North Bonneville.

D. Lighting Required. Every motorized foot scooter operated between one-half (½) hour after sunset and one-half (½) hour before dawn shall be equipped with a lamp on the front, which shall emit a white light visible from a distance of at least five hundred (500) feet to the front.

E. Reflector Required. Every motorized foot scooter operated between one-half (½) after sunset and one-half (½) hour before dawn shall be equipped with a red reflector on the rear of the scooter in the manner and of a type approved by the Washington State Patrol. Said reflector shall be visible from all distances up to six hundred (600) feet to the rear.

F. Every motorized foot scooter shall be equipped with a brake that will enable the operator to make the braked wheels skid on dry, level, clean pavement.

G. Every gas motorized foot scooter shall at all times be equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise. The use of a cutout, bypass, or similar muffler elimination device is prohibited on any gas motorized foot scooter. (Ord. 860 (part), 2004)

10.14.060 Violation – Penalty

Violations of this chapter are a civil infraction and shall be subject to the provisions in the North Bonneville Municipal Code Section 7.01.020(A)*. However, violations which constitute criminal traffic offenses may be charged as such and are subject to the maximum penalties allowed for such offenses. (Ord. 860 (part), 2004)