

## **Title 10**

### **VEHICLES AND TRAFFIC**

#### **Chapters:**

- 10.04** *Repealed*
- 10.05** **Traffic Ordinance**
- 10.08** **Speed Regulations**
- 10.12** **Street Use Restricted to Certain Vehicles**
- 10.16** **Special Stops Required**
- 10.20** **Stopping, Standing or Parking**
- 10.24** **One-Way Streets**
- 10.28** **Loading and Unloading**
- 10.32** **Regulation in Fire Areas**
- 10.36** **Skateboards, Roller Skates, Coasters and Toy Vehicles**
- 10.40** **Miscellaneous Rules**
- 10.44** **Safety Belts**
- 10.48** **Size, Weight and Load Restrictions**



**Chapter 10.04**

**MODEL TRAFFIC ORDINANCE**

(Repealed by Ord. 692)

**Chapter 10.05**

**TRAFFIC ORDINANCE**

Sections:

- 10.05.001 Short title.
- 10.05.010 Model Traffic Ordinance adopted by reference.
- 10.05.012 Garage keeper.
- 10.05.020 State statutes adopted by reference.
- 10.05.030 Inattentive driving.
- 10.05.060 Filing.

**10.05.001 Short title.**

This title may be known and cited as the “Clyde Hill traffic ordinance.” (Ord. 692 § 2, 1994)

**10.05.010 Model Traffic Ordinance adopted by reference.**

Unless otherwise provided herein, the “Washington Model Traffic Ordinance,” (MTO) Chapter 308-330 WAC, including any future amendments, repeals or additions thereto is hereby adopted by reference as the traffic ordinance of the city of Clyde Hill. The following sections of the Revised Code of Washington (RCW) which are adopted by reference in the Model Traffic Ordinance are not adopted by this reference, and are expressly deleted: RCW 46.44.030, Maximum lengths. (Ord. 821 § 1, 2000; Ord. 696 § 1, 1994; Ord. 692 § 2, 1994)

**10.05.012 Garage keeper.**

A “garage keeper” means a person, firm, partnership, association or corporation whose business it is to store vehicles for compensation. (Ord. 696 § 3, 1994)

**10.05.020 State statutes adopted by reference.**

The following state statutes and any future amendments, repeals or additions thereto are hereby adopted by reference:

- A. RCW 46.01.230 and 46.12.160 and the Laws of 1994, Chapter 262, Sections 1, 5.

## 10.05.030

B. RCW 46.20.710, 46.20.720, 46.20.730, 46.20.740, 46.55.113, 46.61.5151, 46.61.5152 and the Laws of 1994, Chapter 275, Sections 1, 14, 10, 21, 22, 23, 24, 32, 4-9, 39, 40.

C. RCW 46.16.381 and the Laws of 1994, Chapter 194, Sections 1, 6.

D. RCW 46.12.270 and the Laws of 1994, Chapter 139, Sections 2, 1.

E. The Laws of 1994, Chapter 141, Section 1. (Ord. 696 § 2, 1994)

### 10.05.030 Inattentive driving.

It is unlawful for any person to operate a motor vehicle within the city in an inattentive manner. For the purposes of this section, “inattentive manner” means the operation of a motor vehicle in a manner that evidences a lack of degree of attentiveness required to safely operate the vehicle under the prevailing conditions, including but not limited to the nature and condition of the roadway, presence of other traffic, presence of pedestrians, and weather conditions. The offense of operating a motor vehicle in an inattentive manner shall be considered to be a lesser offense than, but included in, the offense of operating a motor vehicle in a negligent manner. Unless otherwise set out in applicable law or court rule, any person who violates the provisions of this section shall be guilty of an infraction. The penalty for any violation of this section shall be a fine as set forth under the Infraction Rules for Courts of Limited Jurisdiction (IRLJ) Rule 6.2. (Ord. 893 § 1, 2008)

### 10.05.060 Filing.

Incident to the adoption of the MTO by reference, by this chapter, one copy of the text of the adopted MTO and of other adopted statutes shall be filed as required by RCW 35A.12.140 for use and examination by the public. The city clerk shall authenticate the statutes adopted by reference herein by signing the adopting ordinance and recording the adopting ordinance and statutes adopted by reference in full in the official ordinance book of the city. (Ord. 692 § 2, 1994)

## Chapter 10.08

### SPEED REGULATIONS

Sections:

- 10.08.010 State speed laws applicable.
- 10.08.020 Increasing speed limit in certain zones.
- 10.08.030 Regulation of speed by traffic signals.
- 10.08.040 Speed limits under emergency conditions.

#### 10.08.010 State speed laws applicable.

The state traffic laws regulating the speed of vehicles shall be applicable upon all streets within the city, except as this chapter, as authorized by state law, declares and determines upon the basis of engineering and traffic investigation that certain speed regulations shall be applicable upon specified streets or in certain areas, in which event it shall be unlawful for any person to drive a vehicle at a speed in excess of any speed so declared in this chapter when signs are in place giving notice thereof. (Ord. 53 § 24, 1957)

#### 10.08.020 Increasing speed limit in certain zones.

It is determined on the basis of an engineering and traffic investigation that the speed permitted by state law upon the following streets is less than is necessary for safe operation of vehicles thereon by reason of the designation and signposting of the streets as arterial highways and/or by reason of widely spaced intersections and it is declared that the speed limit shall be as set forth in this section on those streets or parts of streets designated below at the times specified when signs are erected giving notice thereof:

Name of Street	Speed Limit
84th Avenue N.E., from N.E. 12th Street to N.E. 28th Street	35 mph at all times

(Ord. 830 § 1, 2001; Ord. 711 § 1, 1995; Ord. 269, 1970; Ord. 138, 1962; Ord. 79, 1959; Ord. 61, 1958; Ord. 53 § 25, 1957)

**10.08.030 Regulation of speed by traffic signals.**

The city engineer is authorized to regulate the timing of traffic signals so as to permit the movement of traffic in an orderly and safe manner. (Ord. 53 § 26, 1957)

**10.08.040 Speed limits under emergency conditions.**

Whenever, in the opinion of either the city engineer or the city marshal, an emergency situation exists which requires a temporary speed limitation lower than those established in CHMC 10.08.010 and 10.08.020, the city engineer and/or the city marshal shall have authority to determine and establish whatever limit or limits are proper and necessary under the circumstances then existing. Notice of such emergency speed limits shall be given by prominently displayed signs, the number and placement of which shall be at the discretion of the city engineer and/or the city marshal. (Ord. 143, 1963; Ord. 53 § 26 (1), 1957)

**Chapter 10.12**

**STREET USE RESTRICTED TO CERTAIN VEHICLES**

Sections:

10.12.010 Authority – Sign erection.

**10.12.010 Authority – Sign erection.**

A. The city engineer is authorized to determine and designate those heavily traveled streets upon which shall be prohibited the use of the roadway by motor-driven cycles, bicycles, horsedrawn vehicles, or other nonmotorized traffic and shall erect appropriate signs giving notice thereof.

B. When signs are so erected giving notice thereof, no person shall disobey the restrictions stated on such signs. (Ord. 53 § 75, 1957)

**Chapter 10.16**

**SPECIAL STOPS REQUIRED**

Sections:

- 10.16.010 Emerging from alley or private driveway.
- 10.16.020 Arterial highways – Designated.
- 10.16.030 Arterial highways – Stop required.
- 10.16.040 *Repealed.*
- 10.16.050 Authority to erect stop signs.
- 10.16.060 Intersections where stop required.
- 10.16.070 Design of stop signs.
- 10.16.080 Stop when traffic obstructed.
- 10.16.090 Traffic control at intersection of 92nd Avenue N.E. and N.E. 24th Street.

**10.16.010 Emerging from alley or private driveway.**

A. It shall be unlawful for the operator of a vehicle to emerge from any alley, driveway, building exit, private way, or private property or from off the roadway of any public highway, onto the roadway of any public highway or across a sidewalk or into the sidewalk area extending across any such alley, driveway, building exit, private way or private property without bringing such vehicle to a full stop and yielding the right-of-way to all pedestrians upon such sidewalk and all vehicles upon such public highway.

B. No vehicle shall back into or out of an alley, except when same is obstructed.

C. No driver shall enter any street at any point other than a street intersection at a rate of speed exceeding five miles per hour, nor operate a vehicle in excess of 15 miles per hour in any alley. (Ord. 53 § 34, 1957)

**10.16.020 Arterial highways – Designated.**

Those streets and parts of streets described in CHMC 10.16.030 are declared to be arterial highways for the purpose of this chapter. (Ord. 144 § 1, 1963; Ord. 53 § 35, 1957)

**10.16.030 Arterial highways – Stop required.**

In accordance with the provisions of CHMC 10.16.020, and when signs are erected giving notice thereof, operators of vehicles shall stop at every intersection before entering any of the following streets or parts of streets as they are located within the city:

- A. N.E. 14th Street, between 92nd Avenue N.E. and 98th Avenue N.E.
- B. N.E. 20th Street, between 84th Avenue N.E. and 92nd Avenue N.E.;
- C. N.E. 24th Street;
- D. 84th Avenue N.E.;
- E. 92nd Avenue N.E.;
- F. 96th Avenue N.E. between N.E. 24th Street and N.E. 32nd Street;
- G. 98th Avenue N.E. between N.E. 24th Street and N.E. 34th Street;
- H. Points Drive. (Ord. 233, 1968; Ord. 144 § 2, 1963; Ord. 99 § 1, 1960; Ord. 53 § 93, 1957)

**10.16.040 Arterial streets – Classification.**

*Repealed by Ord. 763. (Ord. 254, 1969)*

**10.16.050 Authority to erect stop signs.**

Except on such streets that form a part of the route of a primary or secondary state highway upon which the state law requires the Director of Highways to install, operate, maintain, and control traffic-control devices, whenever any ordinance of the city designates and describes an arterial highway, it shall be the duty of the city engineer to place and maintain a stop sign on each and every street intersecting such arterial highway or intersecting that portion thereof

described and designated as such by any ordinance of the city. (Ord. 53 § 36, 1957)

**10.16.060 Intersections where stop required.**

The city engineer is authorized to determine and designate intersections where particular hazard exists upon other than arterial highways and to determine whether vehicles shall stop at one or more entrances to any such stop intersection, and shall erect a stop sign at every such place where a stop is required. (Ord. 53 § 37, 1957)

**10.16.070 Design of stop signs.**

Every stop sign shall be of the standard design adopted by the Director of Highways. (Ord. 53 § 38, 1957)

**10.16.080 Stop when traffic obstructed.**

No operator shall enter an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle he is operating without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic-control signal indication to proceed. (Ord. 53 § 39, 1957)

**10.16.090 Traffic control at intersection of 92nd Avenue N.E. and N.E. 24th Street.**

At the intersection of 92nd Avenue N.E. and N.E. 24th Street any person operating a vehicle shall bring the vehicle to a complete stop before entering upon or crossing the intersection, such stop to be made within 15 feet of the point of entrance into the intersection. The provisions of this section shall not apply to traffic proceeding in a southerly direction on 92nd Avenue N.E. (Ord. 53 § 40, 1957)

**Chapter 10.20**

**STOPPING, STANDING OR PARKING**

Sections:

- 10.20.010 Parking not to obstruct traffic.
- 10.20.020 Parking in alleys.
- 10.20.030 Parking for certain purposes prohibited.
- 10.20.040 Parking adjacent to schools.
- 10.20.050 Parking prohibited on narrow streets.
- 10.20.060 No stopping, standing, or parking near hazardous or congested places.
- 10.20.070 No stopping, standing or parking – Any time – Streets designated.
- 10.20.080 Time limits on parking – Streets designated.
- 10.20.090 No stopping, standing, or parking – Between specified times – Streets designated.
- 10.20.100 Penalties for stopping, standing or parking violations.

**10.20.010 Parking not to obstruct traffic.**

No person shall park any vehicle upon a street, other than an alley, in such a manner or under such conditions as to leave available less than eight feet of the width of the roadway for free movement of vehicular traffic. (Ord. 53 § 62, 1957)

**10.20.020 Parking in alleys.**

No person shall park a vehicle within an alley in such a manner or under such conditions as to leave available less than eight feet of the width of the roadway for the free movement of vehicular traffic, and 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. 53 § 63, 1957)

**10.20.030 Parking for certain purposes prohibited.**

No person shall park a vehicle upon any roadway for the principal purpose of:

## 10.20.040

- A. Displaying such vehicle for sale;
- B. Washing, greasing, or repairing for hire such vehicle except repairs necessitated by an emergency. (Ord. 53 § 64, 1957)

### 10.20.040 Parking adjacent to schools.

A. The city engineer is authorized to erect signs indicating no parking upon either or both sides of any street adjacent to any school property when such parking would, in his opinion, interfere with traffic or create a hazardous situation.

B. When official signs are erected indicating no parking upon that side of a street adjacent to any school property, no person shall park a vehicle in any such designated place. (Ord. 53 § 65, 1957)

### 10.20.050 Parking prohibited on narrow streets.

A. The city engineer is authorized to erect signs indicating no parking upon any street when the width of the roadway does not exceed 20 feet, or upon one side of a street as indicated by such signs when the width of the roadway does not exceed 30 feet.

B. When official signs prohibiting parking are erected upon narrow streets as authorized in this section, no person shall park a vehicle upon any such street in violation of any such sign. (Ord. 53 § 66, 1957)

### 10.20.060 No stopping, standing, or parking near hazardous or congested places.

A. The city engineer is authorized to determine and designate by proper signs, places not exceeding 100 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.

B. When official signs are erected at hazardous or congested places as authorized in this section, no person shall stop, stand, or park a vehicle in any such designated place. (Ord. 53 § 67(a) and (b), 1957)

### 10.20.070 No stopping, standing or parking – Any time – Streets designated.

No vehicle will be permitted to stop, stand or park at any time when signs are posted on the following streets:

A. On the west side of 98th Avenue Northeast between Northeast 15th Street and Northeast 24th Street.

B. On the south side of Points Drive 30 feet easterly from the centerline of 86th Avenue Northeast to a point 120 feet easterly of the centerline of 86th Avenue Northeast.

C. On the south side of Points Drive beginning at a point 340 feet easterly of the centerline of 86th Avenue Northeast to a point 360 feet easterly of the centerline of 86th Avenue Northeast.

D. On the east side of 92nd Avenue Northeast between Northeast 31st Street and the State Route 520 right-of-way line.

E. On the south side of Northeast 28th Street, from the centerline of 86th Avenue Northeast easterly for a distance of 230 feet.

F. On the north side of Northeast 28th Street, between 150 feet and 260 feet east of the centerline of 86th Avenue Northeast.

G. On the south side of Northeast 28th Street, from the centerline of 84th Avenue Northeast easterly to the centerline of 86th Avenue Northeast.

H. On the north side of Northeast 12th Street, from 84th Avenue Northeast to a point 450 feet east of the centerline of 84th Avenue Northeast.

I. On the north side of Northeast 12th Street, from 86th Avenue Northeast to a point 120 feet west of the centerline of 86th Avenue Northeast.

J. Both sides of 97th Avenue Northeast between Northeast 14th Street and Northeast 15th Street.

K. On the north side of Northeast 15th Street, between 97th Avenue Northeast and 98th Avenue Northeast.

L. On the east side of 96th Avenue Northeast from Northeast 20th Street to a point 500 feet north of Northeast 20th Street.

M. On the north side of Northeast 24th Street between 84th Avenue Northeast and 86th Avenue Northeast.

N. On the south side of Northeast 24th Street, between 84th Avenue Northeast and 85th Place Northeast.

O. On both sides of Northeast 18th Street between 96th Avenue Northeast and 98th Avenue Northeast.

P. On the south side of Points Drive from 92nd Avenue Northeast to a point 230 feet southwesterly from the centerline of 92nd Avenue Northeast.

Q. Northeast 20th Street between 94th Avenue Northeast and 96th Avenue Northeast.

R. Northeast 18th Street between 94th Avenue Northeast and 96th Avenue Northeast. (Ord. 860 § 1, 2004; Ord. 858 § 1, 2003; Ord. 839 § 1, 2001)

**10.20.080 Time limits on parking – Streets designated.**

Parking shall only be permitted on the streets listed below for the time period as specified when signs are posted:

<b>Streets</b>	<b>Allowable Parking Time</b>
A. NE 20th Street, between 84th Ave NE and 86th Avenue NE	Three-hour limit 7:00 a.m. to 6:00 p.m., except weekends and holidays
(Ord. 845 § 1, 2001; Ord. 839 § 2, 2001; Ord. 682 § 2, 1993)	

**10.20.090 No stopping, standing, or parking – Between specified times – Streets designated.**

No vehicles will be permitted to stop, stand, or park when signs are posted on the following streets for the designated hours:

A. On the west side of 98th Avenue NE, between NE 24th Street and NE 25th Street, between the hours of 7:00 a.m. and 5:00 p.m. weekdays.

B. On the north side of NE 24th Street, between 94th Avenue NE and 98th Avenue NE, between the hours of 7:00 a.m. and 4:00 p.m. weekdays when schools are in session.

C. On the south side of NE 24th Street, between 94th Avenue NE and 98th Avenue NE, between the hours of 7:00 a.m. and 4:00 p.m. on weekdays when schools are in session.

D. On the west and east sides of 96th Avenue NE, between NE 24th and NE 25th Streets, between the hours of 7:00 a.m. and 4:00 p.m. on weekdays when schools are in session.

E. On the west and east sides of 96th Avenue NE, between NE 18th and NE 20th Streets, between the hours of 7:00 a.m. and 4:00 p.m. on weekdays when schools are in session.

F. No parking shall be permitted in the parking area immediately east of the tennis courts and north of the public works garage between the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday, except holidays. (Ord. 900 § 1, 2009; Ord. 881 § 1, 2006; Ord. 839 § 3, 2001; Ord. 816 § 1, 2000; Ord. 801 § 1, 1999; Ord. 782 § 1, 1998)

**10.20.100 Penalties for stopping, standing or parking violations.**

Failure to comply with any stopping, standing or parking restriction adopted in this chapter or through the Model Traffic Ordinance (Chapter 10.05 CHMC) is an infraction and shall be cited under the applicable section of this chapter or the Model Traffic Ordinance.

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

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

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

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

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

C. The amount of the penalty for all standing, stopping or parking infractions shall be \$50.00; except that when a state penalty for the infraction either supersedes or exceeds the \$50.00 penalty the state penalty shall apply. (Ord. 842 § 1, 2001)

## Chapter 10.24

### ONE-WAY STREETS

Sections:

10.24.010 Designated.

#### **10.24.010 Designated.**

The following streets, or portions of streets, are designated as one-way streets and vehicular traffic thereon shall proceed only in the direction set forth after the street designation:

A. 94th Avenue N.E. between N.E. 20th Street and N.E. 24th Street: traffic shall proceed only in a northerly direction. (Ord. 543, 1986; Ord. 147, 1963; Ord. 53 § 94, 1957)

**Chapter 10.28****LOADING AND UNLOADING**

## Sections:

- 10.28.010 Authority to designate curb loading zones.
- 10.28.020 Permits for curb loading zones.
- 10.28.030 Standing in passenger curb loading zone.
- 10.28.040 Standing in freight curb loading zones.
- 10.28.050 Authority to designate public carrier stands.

**10.28.010 Authority to designate curb loading zones.**

The city engineer is authorized to determine the location of passenger and freight curb loading zones and shall place and maintain appropriate signs indicating the same and stating the hours during which the provisions of this section are applicable. No person shall be granted the right, use, or franchise for vehicle parking of any portion of the surface area of any public highway to the exclusion of any other like person. (Ord. 53 § 68, 1957)

**10.28.020 Permits for curb loading zones.**

The city engineer shall not hereafter designate or sign any curb loading zone upon special request of any person unless such person makes application for a permit for such zone and for two signs to indicate the ends of each such zone; provided, however, that no permit issued under this section shall be exclusive. The city engineer, upon granting a permit and issuing such signs, shall collect from the applicant and deposit in the city treasury a service fee of \$1.00 per year or fraction thereof and may by general regulations impose conditions upon the use of such signs and for reimbursement of the city for the value thereof in the event of their loss or damage and their return in the event of misuse or upon expiration of the permit. Every such permit shall expire at the end of one year. (Ord. 53 § 69, 1957)

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**10.28.030 Standing in passenger curb 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 curb loading zone during hours when the regulations applicable to such curb loading zone are effective, and then only for a period not to exceed three minutes. (Ord. 53 § 70, 1957)

**10.28.040 Standing in freight curb loading zones.**

No person shall stop, stand, or park a vehicle for any purpose or length of time other than for the expeditious unloading and delivery or pickup and loading of materials in any place marked as a freight curb loading zone during hours when the provisions applicable to such zones are in effect. In no case shall the stop for loading and unloading of materials exceed 30 minutes. (Ord. 53 § 71, 1957)

**10.28.050 Authority to designate public carrier stands.**

The city engineer is authorized and required to establish bus stops, bus stands, and taxicab stands and stands for other passenger common-carrier motor vehicles on such public streets 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. (Ord. 53 § 72, 1957)

**Chapter 10.32****REGULATION IN FIRE AREAS**

## Sections:

- 10.32.010 Fire zone designated.
- 10.32.020 Vehicular and pedestrian traffic.
- 10.32.030 Entrance and exit to fire zone.
- 10.32.040 Establishment of fire lines.
- 10.32.050 Availability of police officers.

**10.32.010 Fire zone designated.**

A fire zone shall remain in existence about the scene of every fire until such time as the chief of the fire department, or his authorized agent, shall declare the emergency past. (Ord. 183 § 2, 1965; Ord. 53 § 94, 1957)

**10.32.020 Vehicular and pedestrian traffic.**

All traffic, vehicular and pedestrian, within a fire zone shall stop in a safe place, and it shall be unlawful for any person to move, operate or start to move or operate any vehicle except upon orders of the city marshal or chief of the fire department, or their authorized agents. (Ord. 183 § 2, 1965; Ord. 53 § 95, 1957)

**10.32.030 Entrance and exit to fire zone.**

It shall be unlawful to enter a fire zone or to stop, stand or park in such a manner as to hinder the apparatus of the fire department in entering or leaving any fire zone. (Ord. 183 § 2, 1965; Ord. 53 § 96, 1957)

**10.32.040 Establishment of fire lines.**

During any emergency requiring services of the fire department, the chief or his authorized agent is authorized to establish fire lines on a public street or private property by roping the same, or by stationing a fireman in uniform or a police officer, to direct traffic, and it shall be unlawful for any person to disregard or fail to obey the orders of the fireman or police officer, or to run over the rope or to operate any vehicle inside fire lines. (Ord. 183 § 2, 1965; Ord. 53 § 97, 1957)

## 10.32.050

### **10.32.050 Availability of police officers.**

The city marshal shall maintain in readiness for immediate use a sufficient quantity of rope for establishing fire lines and, upon request of the chief of the fire department or his authorized agent, shall proceed to the scene of a fire or dispatch one or more of his deputies thereto, with the rope, and he and/or his deputies shall give full and complete cooperation to the chief of the fire department or his authorized agent and shall establish fire lines and direct traffic within and near the scene of the fire. (Ord. 183 § 2, 1965; Ord. 53 § 98, 1957)

## **Chapter 10.36**

### **SKATEBOARDS, ROLLER SKATES, COASTERS AND TOY VEHICLES**

#### Sections:

10.36.010 Purpose.

10.36.020 Prohibitions.

10.36.030 Violation – Penalty.

#### **10.36.010 Purpose.**

This chapter is enacted for the purpose of prohibiting skateboards, roller skates, coasters, toy vehicles and other similar devices on the public right-of-way. (Ord. 471 § 1, 1983)

#### **10.36.020 Prohibitions.**

The use of skateboards, roller skates, coasters, toy vehicles, and other similar devices on the public right-of-way within the city is prohibited. (Ord. 471 § 2, 1983)

#### **10.36.030 Violation – Penalty.**

Violation of this chapter shall be punishable by a fine not to exceed \$100.00 for each violation. (Ord. 471 § 3, 1983)

**Chapter 10.40****MISCELLANEOUS RULES**

## Sections:

- 10.40.010 Cutting across private property at corners to avoid intersection.
- 10.40.020 Display of certain licenses and identicards prohibited.
- 10.40.030 Left turns prohibited at certain intersections.

**10.40.010 Cutting across private property at corners to avoid intersection.**

A. It is unlawful for any person operating a motor vehicle upon the highways of the city to turn such vehicle either to the right or to the left upon approaching or leaving an intersection, and to proceed across any private property for the purpose of avoiding the intersection or any traffic-control device controlling the intersection, unless so directed by proper authorities.

B. Violation of this section is a traffic infraction and shall be punishable by a fine not to exceed \$71.00. (Ord. 831 § 1, 2001; Ord. 549, 1986)

**10.40.020 Display of certain licenses and identicards prohibited.**

A. Chapter 210, Section 4 of the Laws of 1990 is adopted by reference.

B. Any person who violates the provisions of this section shall be guilty of a traffic infraction and shall be punished by a penalty of not more than \$250.00. (Ord. 632 § 1, 1990)

**10.40.030 Left turns prohibited at certain intersections.**

At the intersection of 92nd Place N.E. and Points Drive, no person operating a vehicle shall be permitted to turn left from 92nd Place N.E. onto Points Drive between the hours of 4:00 p.m. and 7:00 p.m. on Mondays through Fridays.

At the intersection of 86th Avenue N.E. and Points Drive, no person operating a vehicle shall be permitted to turn left from 86th Avenue N.E. onto Points Drive between the hours of 4:00 p.m. and 7:00 p.m. on Mondays through Fridays. (Ord. 764 § 1, 1997)

**Chapter 10.44**

**SAFETY BELTS**

Sections:

- 10.44.010 Child passenger restraint required.
- 10.44.020 Penalty for failure to restrain child passenger.
- 10.44.030 Use of safety belts required – Definitions.
- 10.44.040 Use of safety belts required – Exemptions.
- 10.44.050 Use of safety belts required – Applicability to driver and children under 16.
- 10.44.060 Use of safety belts required – Enforcement.

**10.44.010 Child passenger restraint required.**

The parent or legal guardian of a child less than five years old, when the parent or legal guardian is operating anywhere in the state his or her own motor vehicle registered under Chapter 46.16 RCW, in which the child is a passenger, shall have the child properly secured in a manner approved by the State Commission of Equipment. Even though a separate child passenger restraint device is considered the ideal method of protection, a properly adjusted and fastened federally approved seat belt is deemed sufficient to meet the requirements of this section for children one through four years of age. (Ord. 565, 1987)

**10.44.020 Penalty for failure to restrain child passenger.**

A person failing to restrain a child passenger as required by this chapter may be issued a notice of traffic infraction as provided by this code. If the person to whom the notice was issued presents proof of acquisition of an approved child passenger restraint system within seven days to the city, the notice of traffic infraction shall be dismissed. If the person fails to present proof of acquisition within the

time required, he or she is subject to a penalty assessment of not less than \$30.00. (Ord. 565, 1987)

**10.44.030 Use of safety belts required – Definitions.**

For the purposes of this chapter, “motor vehicle” includes:

A. “Buses,” meaning motor vehicles with motive power, except trailers, designed to carry more than 10 passengers;

B. “Multipurpose passenger vehicles,” meaning motor vehicles with motive power, except trailers, designed to carry 10 persons or less that are constructed either on a truck chassis or with special features for occasional off-road operation;

C. “Passenger cars,” meaning motor vehicles with motive power, except multi-purpose passenger vehicles, motorcycles or trailers, designed for carrying 10 passengers or less; and

D. “Trucks,” meaning motor vehicles with motive power, except trailers, designed primarily for the transportation of property. (Ord. 565, 1987)

**10.44.040 Use of safety belts required – Exemptions.**

This chapter only applies to motor vehicles that meet the manual seat belt safety standards as set forth in Federal Motor Vehicle Safety Standard 208. This chapter does not apply to a vehicle occupant for whom no safety belt is available when all designated seating positions as required by Federal Motor Vehicle Safety Standard 208 are occupied. This chapter does not apply to an operator or passenger who possesses written verification from a licensed physician that the operator or passenger is unable to wear a safety belt for physical or medical reasons. This chapter does not apply to operators or occupants of farm vehicles, construction equipment and vehicles that are required to

make frequent stops exempted under rules adopted by the commission on equipment. (Ord. 565, 1987)

**10.44.050 Use of safety belts required – Applicability to driver and children under 16.**

Every person 16 years of age or older operating or riding in a motor vehicle shall wear the safety belt assembly in a properly adjusted and securely fastened manner. No person may operate a motor vehicle unless all persons under the age of 16 years are either wearing a safety belt assembly or are securely fastened into an approved child restraint device. A person violating this chapter shall be issued a notice of traffic infraction as provided by this code. (Ord. 565, 1987)

**10.44.060 Use of safety belts required – Enforcement.**

Enforcement of this chapter by law enforcement officers as it relates to safety belts may be accomplished only as a secondary action when a driver of a motor vehicle has been detained for a suspected traffic violation or infraction or some other offense. (Ord. 565, 1987)

**Chapter 10.48**

**SIZE, WEIGHT AND LOAD RESTRICTIONS**

Sections:

- 10.48.010 Restrictions adopted by reference – Reservation – Application.
- 10.48.020 Maximum lengths.
- 10.48.100 Special permits authorized.
- 10.48.110 Criteria for special permits.
- 10.48.115 Conditions and restrictions for special permit.
- 10.48.120 Enforcement.
- 10.48.130 Liability for damage or destruction to public highway.

**10.48.010 Restrictions adopted by reference – Reservation – Application.**

A. Through adoption of the Model Traffic Ordinance in CHMC 10.05.010, the city has adopted the uniform size, weight, and load restrictions prescribed by state law in Chapter 46.44 RCW.

B. The city reserves its authority pursuant to RCW 46.44.080 to adopt additional or stricter regulations governing the size, weight, and load restrictions for vehicles operating upon public highways located within city limits. Where deemed necessary to prevent serious damage or destruction to such public highways, additional and/or stricter regulations shall be codified within this chapter.

C. The size, weight, and load restrictions set forth in this chapter shall apply to all public highways located within city limits over which the city has jurisdiction and for which the city is responsible to maintain. Unless specified further herein, the restrictions in this chapter shall not apply to State Route 520 or N.E. 12th Street. (Ord. 825 § 1, 2000; Ord. 821 § 3, 2000)

**10.48.020 Maximum lengths.**

A. It is unlawful for any person to operate upon the public highways of the city any vehi-

## 10.48.100

cle or combination of vehicles, including but not limited to truck and trailer combinations, having an overall length, with or without load, in excess of 40 feet. This restriction does not apply to:

1. Articulated municipal transit vehicles;
2. School buses;
3. Emergency vehicles;
4. Solid waste utility vehicles, provided the utility is licensed or franchised by the city;
5. Fuel-tanker vehicles, provided the purpose for operation of the vehicle is to deliver product to a business located within city limits;
6. Recreational vehicles and boat trailers as defined in CHMC 8.30.050;
7. Public and private utility vehicles necessary to perform needed services to the citizens of Clyde Hill when no other smaller vehicle is available. Said vehicles must obtain a permit when they are merely transiting through the city and are not entering the city for the purpose of facilitating the utility's provision of service to the citizens of Clyde Hill.

B. For purposes of this section, the length of a vehicle shall be the maximum distance from the furthest forward projection of the vehicle or equipment or load attached or affixed to such vehicle measured to the furthest rearward projection, equipment, or load. (Ord. 908 § 2, 2010; Ord. 840 § 1, 2001; Ord. 821 § 3, 2000)

### **10.48.100 Special permits authorized.**

A. The public works director may, upon application in writing, payment of the appropriate fee, and good cause being shown therefor, issue a special permit in writing authorizing the applicant to operate or move a vehicle or combination of vehicles of a size, weight, or load exceeding the maximum specified in this chapter or otherwise not in conformity with the provisions of this chapter upon any public highway under the jurisdiction of the city.

B. In the event of an emergency, as determined in the discretion of the director, the director may authorize such special permit by telephone without formal written application or prepayment of the required fee. The director shall notify the police department in the event of the issuance of an emergency special permit issued pursuant to this subsection.

C. The original permit or certified copy must be carried on the power unit at all times the permit is in effect. Permittees who have received approval by telephone to operate under permit are exempt from this requirement.

D. The required fee for permit application shall be as specified in the appropriate fee schedule adopted by the city council. (Ord. 821 § 3, 2000)

### **10.48.110 Criteria for special permits.**

The public works director may issue a special permit in accordance with CHMC 10.48.100, upon determining that the applicant has established or demonstrated, where applicable, the following criteria:

A. The applicant has shown that the load cannot reasonably be dismantled or disassembled to conform to the limitations imposed pursuant to this chapter. Reductions in size or load shall be made even though the use of additional vehicles becomes necessary;

B. The vehicle(s) and load type have been thoroughly described and identified;

C. The vehicle operator, points of origin, destination, route of travel, and time of travel have been stated with reasonable specificity;

D. The proposed movement is consistent with public safety;

E. The applicant has shown adequate proof, in the determination of the director, that the requirements imposed in CHMC 10.48.115 will be satisfied. (Ord. 821 § 3, 2000)

**10.48.115 Conditions and restrictions for special permit.**

The operation of any vehicle upon city streets under the authority of a special permit issued pursuant to CHMC 10.48.100 shall be subject to the following conditions and requirements:

A. The owner or operator of the vehicle shall obtain and have in effect liability insurance in the amount of at least \$300,000 for the coverage of claims resulting from any accident, damage, or injury to any person or property resulting from the operation of the vehicle covered by the permit upon the public highways of the city; provided, that a commercial operator shall have such vehicle liability insurance in the amount of at least \$750,000.

B. The vehicle operator shall be properly licensed to operate the vehicle or carry the load described in accordance with any applicable provisions of federal, state, or local law and regulations.

C. The vehicles have been properly licensed to make the proposed move or carry the load described in accordance with any applicable provisions of federal, state, or local law and regulations.

D. The permittee shall make the proposed move or carry the load in strict compliance with the movement described and approved in the permit.

E. The permittee shall comply with any other condition or requirement imposed by the director and deemed to be necessary to secure and maintain the public health and safety, prevent the potential for damage or destruction to the city's public highways, or secure restoration funds in the event that such damage or destruction does occur. Such additional requirements include, but are not limited to the following:

1. The posting of a security deposit, bond, or other financial security in an amount determined by the director;

2. The limitation of the proposed movement to certain routes or times;

3. The use of certain safety equipment or measures such as flaggers, warning lights or signs. (Ord. 821 § 3, 2000)

**10.48.120 Enforcement.**

Violation of any of the provisions of this chapter is a traffic infraction, and upon the finding that a violation has occurred, the violator shall be assessed a basic penalty of \$150.00, plus any applicable costs and assessments. (Ord. 821 § 3, 2000)

**10.48.130 Liability for damage or destruction to public highway.**

Any person operating any vehicle or moving any object or conveyance upon any public highway in this city in a negligent or illegal manner is liable for all damages that the public highway may sustain as a result of the negligent or illegal operation of the vehicle or the moving of any such object or conveyance. This section applies to any person operating any vehicle or moving any object or contrivance without a special permit as provided in this chapter. When the operator is not the owner of the vehicle, object, or contrivance but is operating or moving it with the express or implied permission of the owner, the owner and the operator are jointly and severally liable for any such damage. Such damage to any public highway or structure may be recovered in a civil action instituted in the name of the city. Any measure of damage to any public highway determined by the city by reason of this section is prima facie the amount of damage caused thereby and is presumed to be the amount recoverable in any civil action therefor. (Ord. 821 § 3, 2000)

