

Title 10

VEHICLES AND TRAFFIC

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Chapter 10.04

Chapter 10.06

STATUTES ADOPTED BY REFERENCE

TOWING AND IMPOUNDMENT

Sections:

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Sections:

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10.04.010 Adoption by reference.

The Washington Model Traffic Ordinance, Chapter 308-330 WAC, hereinafter referred to as the “MTO,” is hereby adopted by reference as and for the Traffic Ordinance of the city as if set forth in full in this chapter. (Ord. 2608 § 1, 1994; Ord. 2492 § 1, 1992; Ord. 2364 § 13, 1990; Ord. 2343 § 1, 1989; Ord. 2246 § 1, 1987; Ord. 2017 § 1, 1981; Ord. 1890 § 1, 1977).

10.06.010 When a vehicle may be impounded without prior notice.

A. A vehicle may be impounded with or without citation and without giving prior notice to the owner as required in MVMC 10.06.020 only under the following circumstances:

10.04.020 Penalties.

Unless another penalty is expressly provided by law in the MTO or in the statutes that are adopted by reference therein, or in the provisions of this chapter, any person who is convicted of violating or failing to comply with any of the provisions of this chapter shall be punished as set forth in MVMC 1.20.010. (Ord. 2174 § 7, 1985; Ord. 2017 § 2, 1981; Ord. 1890 § 2, 1977).

1. When the vehicle is unattended and is impeding or is likely to impede the normal flow of vehicular or pedestrian traffic; or

2. When the vehicle is illegally occupying a truck, commercial load zone, restricted parking zone, bus, loading, hooded-meter, taxi, or other similar zone where, by order of the city council, parking is limited to designated classes of vehicles or is prohibited during certain hours, on designated days or at all times, and where such vehicle is interfering with the proper and intended use of such zones and where such zone is clearly and conspicuously marked; or

10.04.030 Disposition of traffic fines and forfeitures.

All fines or forfeitures collected upon conviction or upon the forfeiture of bail of any person charged with a violation of any of the provisions of this chapter shall be paid into the general fund of the city. (Ord. 1890 § 3, 1977).

3. When a vehicle without a special license plate, card, or decal indicating that the vehicle is being used to transport a disabled person as defined under Chapter 46.16 RCW, as now or hereafter amended, is parked in a stall or space clearly and conspicuously marked under RCW 46.61.581 which space is provided on private property without charge or on public property; or

10.04.040 Official misconduct.

Failure, refusal, or neglect on the part of any judicial or other officer or employee receiving or having custody of any such fine or forfeiture of bail, either before or after a deposit in said general fund, to comply with the provisions of MVMC 10.04.030 shall constitute misconduct in office and shall be grounds for removal therefrom, provided appropriate removal action is taken pursuant to state law relating to removal of public officials. (Ord. 1890 § 4, 1977).

4. When the vehicle poses an immediate danger to the public safety; or

5. When a police officer has probable cause to believe that the vehicle is stolen; or

6. When a police officer has probable cause to believe that the vehicle constitutes evidence of a crime or contains evidence of a crime, if impoundment is reasonably necessary in such instance to obtain or preserve such evidence; or

7. When a vehicle is parked in a publicly owned or controlled parking facility, properly posted under RCW 46.55.070; or

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8. When a vehicle is parked on private, non-residential property, properly posted under RCW 46.55.070; or

9. When a vehicle is left unattended on residential property without consent of the property owner or agent; or

10. When the vehicle is a “junk motor vehicle” as defined in MVMC 10.06.030, and is parked on a street, alley, or way open to the public, or on municipal or other public property;

11. Whenever a police officer or parking enforcement officer finds a vehicle parked in a public right-of-way or on other publicly owned or controlled property in violation of any law, ordinance or regulation and there are four or more parking infractions issued against the vehicle for each of which a person has failed to respond, failed to appear at a requested hearing, or failed to pay an adjudicated parking infraction for at least 45 days from the date of the filing of the notice of infraction.

B. Nothing in this section shall be construed to authorize seizure of a vehicle without a warrant where a warrant would otherwise be required. (Ord. 3304 § 2, 2005; Ord. 3151 § 1, 2003).

10.06.020 When a vehicle may be impounded after notice.

A vehicle not subject to impoundment under MVMC 10.06.010 may be impounded after notice of such proposed impoundment has been securely attached to and conspicuously displayed on the vehicle for a period of 24 hours prior to impoundment if such vehicle is parked and/or used in violation of any law, ordinance or regulation. The notice must comply with the provisions of RCW 46.55.085. A presumption that the notice has been securely and conspicuously attached exists when the notice is secured by placing it under the vehicle windshield wiper blade. (Ord. 3151 § 1, 2003).

10.06.030 Definition of junk motor vehicle.

A. “Junk vehicle” means a vehicle certified under MVMC 10.06.040 as meeting at least three of the following requirements:

1. Is three years old or older;
2. Is extensively damaged, such damage including, but not limited to, any of the following: a broken window or windshield, missing wheels, tires, motor, or transmission;
3. Is apparently inoperable;
4. Has an approximate fair market value equal only to the approximate value of the scrap in it.

B. Junk vehicles are subject to impoundment as provided for in MVMC 10.06.010 in addition to any other penalty provided for by law. (Ord. 3151 § 1, 2003).

10.06.040 Junk vehicles – Removal, disposal, sale – Penalties – Cleanup restitution payment.

A.1. Notwithstanding any other provision of law, any law enforcement officer having jurisdiction, or any employee or officer of a jurisdictional health department acting pursuant to RCW 70.95.240, or any other person authorized by the chief law enforcement officer shall inspect and may authorize the disposal of a junk vehicle pursuant to MVMC 10.06.010(A)(10). The person making the inspection shall record the make and vehicle identification number or license number of the vehicle if available, and shall also verify that the approximate value of the junk vehicle is equal only to the approximate value of the scrap in it.

2. A tow truck operator may authorize the disposal of an abandoned junk vehicle if the vehicle has been abandoned two or more times, the registered ownership information has not changed since the first abandonment, and the registered owner is also the legal owner.

B. Law enforcement or department representative shall provide information on the vehicle’s registered and legal owner to the landowner.

C. If a junk vehicle is subject to impound the landowner shall:

1. Upon receiving information on the vehicle’s registered and legal owner, the landowner shall mail a notice to the registered and legal owners shown on the records of the department. The notification shall describe the redemption procedure and the right to arrange for the removal of the vehicle.

2. If the vehicle remains unclaimed more than 15 days after the landowner has mailed notification to the registered and legal owner, the landowner may dispose of the vehicle or sign an affidavit of sale to be used as a title document.

3. If no information on the vehicle’s registered and legal owner is found in the records of the department, the landowner may immediately dispose of the vehicle or sign an affidavit of sale to be used as a title document.

4. Pursuant to MVMC 10.06.010(A)(10), the city retains the discretion to impound all junk vehicles parked on a street, alley, or way open to the public, or on municipal or other public property without prior notice. If the registered and legal owner(s) of the vehicle is provided with notice that

the vehicle has been declared a junk vehicle by law enforcement or any employee or officer of a jurisdictional health department acting pursuant to RCW 70.95.240, or any other person authorized by the chief law enforcement officer 15 days prior to the impound pursuant to MVMC 10.06.050, the landowner may immediately dispose of the vehicle or sign an affidavit of sale to be used as a title document.

D. It is a gross misdemeanor for a person to abandon a junk vehicle on property. If a junk vehicle is abandoned, the vehicle’s registered owner shall also pay a cleanup restitution payment equal to twice the costs incurred in the removal of the junk vehicle. The court shall distribute one-half of the restitution payment to the landowner of the property upon which the junk vehicle is located, and one-half of the restitution payment to the law enforcement agency or jurisdictional health department investigating the incident.

E. For the purposes of this section, the term “landowner” includes a legal owner of private property, a person with possession or control of private property, or a public official having jurisdiction over public property.

F. A person complying in good faith with the requirements of this section is immune from any liability arising out of an action taken or omission made in the compliance. (Ord. 3151 § 1, 2003).

10.06.050 Junk vehicles – Notice before impound, disposal and sale.

If the landowner provides notice before impounding the junk vehicle pursuant to 10.06.040(C)(4) so that immediate disposal or sale can occur after impound, then the notice shall direct the registered and legal owner of the vehicle to remove the vehicle from the landowner’s property within 15 calendar days after the notice was mailed. This notice shall be mailed to the registered and legal owners shown on the records of the department and securely attached to and conspicuously displayed on the vehicle. The notice shall include a completed junk vehicle verification, notification and affidavit form provided by the Mount Vernon police department. The notice shall be substantially as the following forms:

NOTICE TO REMOVE JUNK VEHICLE FROM CITY PROPERTY

(Name and address of person notified)

As the legal or registered owner of this vehicle you are hereby notified that the un-

dersigned, pursuant to MVMC 10.06.010 (A)(10), has determined that this vehicle is a junk vehicle as defined by MVMC 10.06.030.

You are hereby notified to remove said vehicle from all city streets, alleys, or ways open to the public, or on municipal or other public property within the City of Mount Vernon to the satisfaction of the undersigned within 15 days of the date of this notice. If you do not remove the vehicle within 15 days, the City of Mount Vernon will remove the vehicle and immediately dispose of the vehicle pursuant to MVMC 10.06.040(C)(4) at your expense.

You have the right to appeal the determination of the vehicle as a junk vehicle to the Mount Vernon Municipal Court by filing a written request with the City Attorney’s office at PO Box 809, 910 Cleveland Avenue, Mount Vernon, WA 98273 and the Mount Vernon Municipal Court 1805 Continental Place, Mount Vernon, WA 98273 within 15 days of the date this notice was mailed or served. If no appeal is made within 15 days the vehicle will be subject to immediate removal from City property and disposal.

Dated:

By:

NOTICE TO REMOVE JUNK VEHICLE FROM PROPERTY

(Name and address of person notified)

As the legal or registered owner of this vehicle you are hereby notified that the undersigned, pursuant to MVMC 10.06.010 (A)(10), has determined that this vehicle is a junk vehicle as defined by MVMC 10.06.030.

You are hereby notified to remove said vehicle from this property to the satisfaction of the undersigned within 15 days of the date of this notice. If you do not remove the vehicle within 15 days, the landowner will remove the vehicle and immediately dispose of the vehicle pursuant to MVMC 10.06.040(C)(4) at your expense.

You have the right to appeal the determination of the vehicle as a junk vehicle to

the Mount Vernon Municipal Court by filing a written request with the [landowner's name and address] and the Mount Vernon Municipal Court 1805 Continental Place, Mount Vernon, WA 98273 within 15 days of the date this notice was mailed or served. If no appeal is made within 15 days the vehicle will be subject to immediate removal from the property and disposal.

Dated:

By:

(Ord. 3151 § 1, 2003).

Chapter 10.08

TEMPORARY TRAFFIC RESTRICTIONS

Sections:

- 10.08.010 Declaration of necessity.
- 10.08.020 Street conditions – Investigation and determination authority.
- 10.08.030 Rules and regulations restricting traffic and heavy vehicles – Authorized when.
- 10.08.040 Rules and regulations restricting traffic and heavy vehicles – Publication and posting of signs required.
- 10.08.050 Violation – Penalty.

10.08.010 Declaration of necessity.

This chapter is deemed necessary for the safety, convenience and welfare of the general public of the city of Mount Vernon. (Ord. 1740 § 1, 1974).

10.08.020 Street conditions – Investigation and determination authority.

The chief of police is directed to make investigations from time to time of the conditions of city streets and roads and to consult with the city public works director to determine the necessity for temporary closure or the limiting of vehicle weights traversing said streets or roads during periods of freezing, thawing or water saturation. (Ord. 3304 § 3, 2005; Ord. 1740 § 2, 1974).

10.08.030 Rules and regulations restricting traffic and heavy vehicles – Authorized when.

If upon investigation the chief of police shall determine that continued traffic of all kinds or of specific vehicular weights is likely to cause serious or undue damage to the surface or subsurface of said streets or roads, he shall be empowered to promulgate regulations as follows:

- A. Restricting all vehicular traffic on designated streets or roads for a limited period of time not to exceed two weeks;
- B. Restricting vehicles exceeding a designated gross weight for a limited period of time not to exceed two weeks. (Ord. 1740 § 3, 1974).

10.08.040 Rules and regulations restricting traffic and heavy vehicles – Publication and posting of signs required.

All regulations made pursuant to this chapter shall be made and adopted by the chief of police

and promulgated by publication in a newspaper of general circulation and shall take effect and be in force at the time specified therein. In addition thereto, the affected streets and roads shall be posted with clearly visible signs warning the traveling public of the traffic limitations imposed. (Ord. 3304 § 4, 2005; Ord. 1740 § 4, 1974).

10.08.050 Violation – Penalty.

Any person who violates any regulation of the chief of police made pursuant to this chapter is guilty of a misdemeanor and upon conviction thereof shall be punished as provided in MVMC 1.20.010. (Ord. 1740 § 5, 1974).

Chapter 10.10

ABATEMENT OF JUNK VEHICLES

Sections:

- 10.10.010 Purposes of provisions.
- 10.10.020 Definitions.
- 10.10.030 Junk vehicle violations and penalty.
- 10.10.040 Enforcement authority.
- 10.10.050 Certification and notification.
- 10.10.060 Determination of responsibility.
- 10.10.070 Abatement.
- 10.10.080 Costs of abatement – Lien.
- 10.10.090 Exceptions.
- 10.10.100 Temporary permit.
- 10.10.110 Permit fees.

10.10.010 Purposes of provisions.

It is the purpose of this chapter to:

- A. Establish procedures for the abatement and removal of junk vehicles as public nuisances pursuant to RCW 46.55.240;
- B. Decrease the likelihood of criminal conduct associated with junk vehicles;
- C. Enhance the aesthetic qualities of Mount Vernon;
- D. Reduce the inherent public health and safety problems associated with junk vehicles;
- E. Minimize the likelihood of injury resulting from children playing on or around junk vehicles; and
- F. Conserve and stabilize property values. (Ord. 3150 § 1, 2003).

10.10.020 Definitions.

For the purposes of this chapter, the following definitions shall be applicable:

- A. “Junk vehicle” means any motor vehicle meeting at least three of the following requirements:
 - 1. Is three years old or older;
 - 2. Is extensively damaged, such damage including, but not limited to, any of the following: a broken window or windshield, missing wheels, tires, motor, or transmission;
 - 3. Is apparently inoperable;
 - 4. Has an approximate fair market value equal only to the approximate value of the scrap in it.
- B. “Vehicles” means every device capable of being moved upon a roadway and in, upon, or by which any person or property is or may be transported or drawn upon a roadway, excepting devices moved by human or animal power or used exclusively upon stationary rails or tracks.

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C. "Limited commission code enforcement officer" means that person who has been appointed by the mayor and whose work is directed by the director of development services for the purpose of administering and enforcing the provisions of this chapter, including all persons granted such authority and responsibility by contract with the city. In addition, the director of development services shall be an ex officio code enforcement officer and have like enforcement authority. (Ord. 3150 § 1, 2003).

10.10.030 Junk vehicle violations and penalty.

A. It shall be unlawful to park, store, or abandon junk vehicles on private property, subject only to the exceptions provided in MVMC 10.10.090.

B. In addition to the abatement provisions provided for in this chapter, a violation of this chapter shall carry a civil penalty of up to \$500.00 with a minimum penalty of \$250.00 per violation. Any person, firm, or corporation violating any of the provisions of this chapter shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this chapter is committed, continued, or permitted. The civil penalty is in addition to any other abatement action, and not in lieu, thereof. (Ord. 3150 § 1, 2003).

10.10.040 Enforcement authority.

The city's development services department along with the city attorney's office and city's police department shall enforce this chapter and shall be responsible for the abatement and removal of any vehicle or part thereof declared by this chapter to be a public nuisance. (Ord. 3150 § 1, 2003).

10.10.050 Certification and notification.

A. Any Mount Vernon police officer or limited commission code enforcement officer may certify that a vehicle meets the requirements of a junk vehicle. The officer making the certification shall record the make and vehicle identification number or license number of the vehicle if available, and shall also describe in detail the damage or missing equipment to verify that the fair market value equal to the approximate value of the scrap in it.

B. The officer shall provide notice by regular mail to the last registered owner of record as shown on the records of the Washington State Department of Licensing unless a vehicle is in such condition that identification numbers are not available to determine ownership and the property owner of record of the property upon which the vehicle is located that a hearing in the Mount Vernon municipal court may be requested and that if no hearing

is requested within 15 days of the date of mailing notice the vehicle will be removed.

C. If a written request for a hearing is received within the time frame specified above, a notice giving the time location, and date of the hearing on the question of abatement and removal of the vehicle, or part thereof, as a public nuisance shall be mailed to the property owner of record of the property upon which the vehicle is located and to the last registered and legal owner of record unless a vehicle is in such condition that identification numbers are not available to determine ownership. (Ord. 3150 § 1, 2003).

10.10.060 Determination of responsibility.

The owner of the property on which the vehicle is located may appear in person at the hearing or present a written statement in time for consideration at the hearing, and deny responsibility for the presence of the vehicle on the land, with his or her reasons for the denial. If it is determined at the hearing that the vehicle was placed on the land without consent of the landowner and that he or she has not subsequently acquiesced in its presence, then costs of administration or removal of the vehicle shall not be assessed against the property owner upon which the vehicle is located, nor can the costs be collected from the property owner. (Ord. 3150 § 1, 2003).

10.10.070 Abatement.

After notice has been given of Mount Vernon's intent to abate, remove, or dispose of the vehicle and after a hearing, if requested, has been held, the vehicle or part thereof shall be removed at the request of a Mount Vernon police officer or limited commission code enforcement officer and disposed of by a licensed vehicle wrecker, hulk hauler, or scrap processor with notice to the Washington State Patrol and the Washington State Department of Licensing that the vehicle has been wrecked. (Ord. 3150 § 1, 2003).

10.10.080 Costs of abatement – Lien.

A. Subject to the provisions of MVMC 10.10.060, the costs of abatement and removal of a vehicle or part thereof under this chapter including the costs of administration and hearing shall be assessed against the last registered owner of the vehicle if the identity of the owner can be determined, unless the owner in the transfer of ownership of the vehicle has complied with RCW 46.12.101, or the costs may be assessed against the owner of the property on which the vehicle is stored.

B. Subject to the provisions of MVMC 10.10.060, any and all costs incurred by the city in the abatement of the junk vehicle nuisance as provided in this chapter shall constitute a debt owed to the city by the property owner or person in charge or control of the property, and shall be enforceable as a lien against the property upon which such nuisance existed, in addition to other legal remedies available for the enforcement of debts. (Ord. 3150 § 1, 2003).

10.10.090 Exceptions.

This chapter shall not apply to:

A. Any vehicle or hulk thereof which is completely enclosed within a building in a lawful manner and not visible from the street or other public or private property; or

B. Any vehicle or hulk or part thereof stored or parked in a lawful manner on private property in connection with the legal business of a licensed dismantler/motor vehicle wrecker located on appropriately zoned property and fenced in accordance with the provisions of RCW 46.80.130; or

C. Any vehicle or hulk or part thereof stored or parked in a lawful manner on private property in connection with the business of a licensed dealer; or

D. Any vehicle or hulk or part thereof located on appropriately zoned private property in connection with the business of a junk, salvage, or wrecking yard and fenced in accordance with the provisions of the Mount Vernon Municipal Code; or

E. Any vehicle or hulk or part thereof stored or parked in a lawful manner on private property, for which the city of Mount Vernon's development services department has issued a permit as provided in MVMC 10.10.100. (Ord. 3150 § 1, 2003).

10.10.100 Temporary permit.

The owner of a single-family residence may obtain a temporary permit from the city of Mount Vernon's development services department to store or park in a lawful manner on private property a vehicle or hulk or part thereof, for the purposes of restoration, repair, or disassembly for parts, for noncommercial purposes. A permit shall be valid for not more than 60 days, and shall not be renewed. No more than one permit shall be issued for any junk vehicle for which a notice has been issued pursuant to MVMC 10.10.050. (Ord. 3150 § 1, 2003).

10.10.110 Permit fees.

A. It is the policy of the city of Mount Vernon that application fees be established at the level necessary to cover the costs of conducting the review or providing the service for which the fees are imposed. Fees for applications or services should generally be collected by the city as close as possible to the time the expenses are incurred.

B. All fees shall be payable at the time of submittal of an application for processing or, where indicated, at the time of submittal of materials for review.

C. Unless specifically stated otherwise, all application fees are in addition to other city fees that may be applicable.

D. Applicants for permits pursuant to this title shall pay to the department of development services the applicable fees identified.

E. A fee of \$15.00 shall be imposed to apply for a temporary permit to store or park in a lawful manner on private property a vehicle or hulk or part thereof, for the purposes of restoration, repair, or disassembly for parts, for noncommercial purposes. (Ord. 3150 § 1, 2003).

Chapter 10.20

PARKING ZONES

Sections:

- 10.20.010 Purpose.
- 10.20.020 Definitions.
- 10.20.030 Diagonal parking permitted in designated locations.
- 10.20.040 Parking – Prohibited during certain hours on certain streets.
- 10.20.050 Residential parking zones – Authority.
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- 10.20.070 Residential parking zones – Abuse of privileges.
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- 10.20.085 One-hour parking – Zones designated.
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- 10.20.110 School zones designated.
- 10.20.120 Service parking in regulated parking zones – Permitted when.
- 10.20.130 Repair on public property prohibited – Exception.
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- 10.20.150 Parking over 24 hours prohibited.
- 10.20.160 Time limit zones.
- 10.20.170 Parking restrictions for commercial and recreational vehicles.
- 10.20.180 Occupation of recreational vehicle.
- 10.20.185 Alley parking.
- 10.20.190 Parking regulations.
- 10.20.200 Responsibility – Presumptions.
- 10.20.210 Penalties for parking infractions.
- 10.20.220 Failure to comply with notice of parking.
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- 10.20.240 Notice of infraction – Determination final unless contested – Form.
- 10.20.250 Response to notice of parking infraction – Contesting determination – Hearing – Failure to respond or appear.
- 10.20.260 Collection – Authorized.
- 10.20.270 Impoundment of vehicles with unpaid tickets.

- 10.20.280 Rules and regulations.
- 10.20.290 Parking rates.

10.20.010 Purpose.

The parking of motor vehicles is properly regarded as incident to travel on public thoroughfares. The purpose of this chapter is to promote the health, safety, and general welfare of the public by providing for public parking of motor vehicles. (Ord. 3304 § 5, 2005).

10.20.020 Definitions.

For the purpose of this chapter, the following terms shall have the following definitions:

A. “Parking facility” or “parking facilities” shall mean any structure, garage, or parking lot, owned or controlled by the city of Mount Vernon, at which parking is made available to the public.

B. “Recreational vehicle” shall include all travel trailers, tent trailers, boats, boat trailers, snowmobile trailers or any similar vehicle. The term shall also include any “motor home” or “camper” as such terms are defined in RCW 82.50.010, which definitions are adopted by reference.

C. “Commercial vehicle” shall mean all motor vehicles exceeding 20 feet in length, including trailers, and all nonmotorized vehicles or trailers designed to be or actually attached or connected to a motor vehicle which exceed 20 feet in length measured from the front of the motor vehicle to the end of the nonmotorized vehicle or trailer, and all vehicles exceeding 10,000 pounds gross vehicle weight, which vehicles are used, in whole or in part, for the transportation of commodities, merchandise, produce, freight, vehicles, animals, passengers for hire, or which are used, in whole or in part, in construction or farming. (Ord. 3304 § 5, 2005).

10.20.030 Diagonal parking permitted in designated locations.

Diagonal parking shall be permitted on the following streets:

A. On the south side of West Division Street from Ball Street to 800 feet west of Wall Street;

B. On the south side of Kincaid Street from 14th Street (projected) to 15th Street. (Ord. 3304 § 5, 2005).

10.20.040 Parking – Prohibited during certain hours on certain streets.

When signs are erected giving notice thereof, no person shall park a vehicle between the hours and/or on the days specified on such signs. Any

vehicles parked in violation of this section shall be subject to immediate impoundment of the vehicle at the owner’s expense, in addition to any other penalty provided by this chapter. No person shall park a vehicle on the following streets at the listed times and locations:

Street	Extent	Side
Kulshan Avenue	2400-2500 blocks Mondays between 8 a.m. and 12 p.m.	East and North, East End
N. 26th	1300-1600 blocks Kulshan to Laventure Mondays between 8 a.m. and 12 p.m.	East
Kulshan View	2300 block Mondays between 8 a.m. and 12 p.m.	South
S. 3rd	Section to the 1900 block Mondays between 9 a.m. and 12 p.m. Tuesdays between 9 a.m. and 12 p.m.	West East
Stanford	Division to N. 21st Tuesdays between 9 a.m. and 12 p.m.	East

(Ord. 3482 § 1, 2010; Ord. 3443 § 1, 2009; Ord. 3350 § 1, 2007; Ord. 3304 § 5, 2005).

10.20.050 Residential parking zones – Authority.

The city may, at its discretion, establish a restricted parking zone in an area where any of the following instances occur:

- A. On-street parking is reserved for the exclusive use of residents in prescribed vicinity, their visitors, and service vehicles serving such residents.
- B. On-street parking is reserved during certain posted hours for such exclusive use and available at all other times without restrictions.
- C. Time limits are established for on-street parking which apply to all vehicles owned or used by such residents, their visitors, or service vehicles serving such residents.

In any restricted parking zone, the city may issue permits or other means of identification, maintain lists of vehicles used by residents, or adopt any other reasonable means of distinguishing vehicles that may validly be parked in any restricted parking zone from other vehicles. The

establishment of restricted parking zones shall not limit parking of vehicles displaying special license plates or placard pursuant to RCW 46.16.381. Restricted parking zones shall be appropriately signed and/or marked. (Ord. 3304 § 5, 2005).

10.20.060 Residential parking zones – Violation.

No person shall stop, stand, or park a vehicle in violation of the posted or marked restrictions or when a permit or other authorization issued by the city is required as a condition for parking, unless the same permit or other authorization or special license plates or placard issued pursuant to RCW 46.16.381 is displayed in a prominent place on the vehicle. (Ord. 3304 § 5, 2005).

10.20.070 Residential parking zones – Abuse of privileges.

No person shall, for any valuable consideration, offer or agree to authorize or permit any person to park a vehicle in any residential parking zone. No person shall for any valuable consideration transfer or authorize to the use of any permit or other identification issued by the city authorizing a vehicle to park in any residential parking zone.

Any person to whom a permit or other authorization is granted to park in a residential parking zone shall be strictly liable for the compliance with its terms and conditions and complying with all applicable ordinances. In any of the following instances, such permit or other authorization issued shall be revoked if any person to whom such permit is issued or granted:

- A. Offers or agrees to authorize or permit any person to park a vehicle in any restricted parking zone for any monetary consideration; or
- B. Transfers for money the use of any permit or other identification issued by the city authorizing a vehicle to park in any restricted parking zone; or
- C. Allows any person under their control to perform the acts contained in subsection A or B of this section; or
- D. Allows a permit or other authorization issued to them to be used.

No new permit will be issued or other authorization granted to such person for a period of one year. (Ord. 3304 § 5, 2005).

10.20.080 Residential parking – Zone designated.

Upon the following streets no vehicle shall be parked at any time except those vehicles with a permit or other authorization issued by the city as required as a condition for parking or a special

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license plate or placard issued pursuant to RCW 46.16.381 is displayed in a prominent place on the vehicle.

Street	Extent	Side
Warren	N. 8th – N. 11th	Both
Warren	11th Street to its east end (1122 block)	South
N. 10th	210 N. 10th to 115 N. 10th	Both
N. 11th	200 block	West
N. 11th	100 block – Alley to Warren	Both

(Ord. 3443 § 2, 2009; Ord. 3304 § 5, 2005).

10.20.085 One-hour parking – Zones designated.

A. When signs are erected giving notice thereof, upon the following streets and between the hours of 6:00 a.m. to 2:00 p.m. no vehicle shall be parked for a longer period than one hour, except on Saturdays, Sundays and legal holidays.

Street	Extent	Side
Evergreen	300-400 blocks 6th – 9th	South
Evergreen	500 block 8th – 9th	Both
Highland	300-500 blocks 6th – 9th	Both
Lawrence	300-500 blocks 6th – 9th	Both
Fulton	300-500 blocks 6th – 9th	Both
Warren	300-500 blocks 6th – 8th	Both
E. Division	400-600 blocks 7th – 10th	Both
9th	400 block Lawrence to Highland	SW
9th	500 block Highland to Evergreen	West
8th	100-300 blocks Division to Lawrence	Both
8th	400 block Lawrence to Evergreen	West
7th	100-300 blocks Division to Lawrence	Both
S. 12th	100-200 blocks Division to Carpenter	Both
N. 10th	South half of 100 block	Both

B. When signs are erected giving notice thereof, upon the following streets and between the hours of 6:00 a.m. to 6:00 p.m. no vehicle shall be parked for a longer period than one hour, except on Saturdays, Sundays and legal holidays.

Street	Extent	Side
Kincaid	200 block S. 2nd – S. 3rd	North
Myrtle	200 block S. 2nd – S. 3rd	Both
S. 2nd	600 block Kincaid to Myrtle	East

(Ord. 3482 § 2, 2010; Ord. 3443 § 3, 2009; Ord. 3336 § 1, 2006).

10.20.090 Two-hour parking – Zones designated.

When signs are erected giving notice thereof, upon the following streets and between the hours of 6:00 a.m. to 6:00 p.m. no vehicle shall be parked for a longer period than two hours, except on Saturdays, Sundays and legal holidays.

Street	Extent	Side
Cleveland	800 block Kincaid to Broadway	Both
Cleveland	900 block Broadway to Snoqualmie	East
Broadway	200-300 blocks Cleveland to S. 2nd	North
Broadway	400 block 1st to Cleveland	North
Kincaid	300 block S. 1st to S. 2nd	North
Main	700 block Kincaid to Pine	West
Main	200-600 blocks Pine to Division	East
Main	200 block Montgomery to Division	West
S. 1st	200-700 blocks Kincaid to Washington	Both
S. 1st	800 block	West
S. 2nd	400-600 blocks Pine to Montgomery	Both
S. 2nd	1000-1300 blocks Park to West Hazel	Both
S. 2nd	1200 block Section to Hazel	East
S. 3rd	400 block Gates to Montgomery	East
S. 3rd	400-500 blocks Myrtle to Montgomery	West
S. 3rd	900-1100 blocks Broadway to Milwaukee	West
Pine	400 block Main to S. 1st	Both
Myrtle	300-400 blocks Main to S. 3rd	Both
Gates	200-400 blocks Main to S. 3rd	Both

Street	Extent	Side
Montgomery	200-400 blocks Main to S. 3rd	Both
Washington	300 block S. 1st – S. 2nd	North
Montgomery and Main	400 block parking lot	
Snoqualmie	400 block 1st to Cleveland	North
Snoqualmie	200 block S. 2nd to S. 3rd	Both
Milwaukee	300 block Cleveland to S. 2nd	NE Half
Section	300 block Cleveland to S. 2nd	Both
Revetment	Parking lot adjacent to Moose Lodge	South End
N. 1st St.	100 block	Both
Pacific Place	300 block Market Street to Riverside	Both
Continental Place	1700 to 2200 block	Both

The parking lot located at the north corner of the 100 block of N. 1st Street and Freeway Drive lying west of Freeway Drive and east of N. 1st Street.

(Ord. 3482 § 3, 2010; Ord. 3443 § 4, 2009; Ord. 3304 § 5, 2005).

10.20.095 Loading/unloading only – Zones designated.

When signs are erected giving notice thereof, upon the following streets no person shall park a vehicle for longer than the prescribed time limitation, except on Saturdays, Sundays and legal holidays:

A. Ten-Minute Loading/Unloading Zone.

Street	Extent	Side
N. 9th	300 block Lawrence to Fulton	West
Myrtle	300 block	NE Half North Side

B. Fifteen-Minute Loading/Unloading Zone.

Street	Extent	Side
Kincaid	300 block S. 2nd to S. 1st, 2 spaces Annually March 15th through May 15th	NW Corner North Side
Main	400 block Myrtle to Gates, 2 spaces	NE Corner East Side

Street	Extent	Side
Main	400 block Gates to Montgomery, 2 spaces	NE Corner East Side
W. Gates	200 block S. 3rd to S. 2nd, 3 spaces	North
Montgomery	300 block (east of alley)	South
Myrtle	300 block	NE Corner North Side

C. Twenty-Minute Loading/Unloading Zone.

Street	Extent	Side
S. 2nd	600 block Myrtle to W. Kincaid, 1 space	West
Fulton	1000 block	Both

D. Thirty-Minute Loading/Unloading Zone.

Street	Extent	Side
Broadway	200-300 blocks Cleveland to S. 3rd	South
Cleveland	In front of 823 Cleveland	West
Cleveland	1200 block Section to Park	East
E. Skagit	1000 block	North
Fulton	N. 6th to N. 4th	North
Myrtle	S. 2nd to S. 3rd	South
Milwaukee	S. 3rd to S. 2nd	North
Milwaukee	S. 2nd to Cleveland	NW Half North Side
Milwaukee	S. 2nd to Cleveland	SW Half South Side
E. Division	1000 block	South

(Ord. 3482 § 4, 2010; Ord. 3443 § 5, 2009).

10.20.100 No parking – Zones designated.

When signs are erected giving notice thereof, upon the following streets, no parking shall occur at any time and vehicles may be subject to impoundment:

Street	Extent	Side
9th	400 block Lawrence to Highland	NW Half
9th	400 block Lawrence to Highland	West
9th	500 block Highland to Evergreen	East

10.20.105

Street	Extent	Side
8th	400-800 blocks Lawrence to Fir	East
S. 25th	Section to 820 S. 25th	East
S. 30th	800-900 blocks S of Dakota	Both
S. 30th	800 block N of Dakota	East
N. 21st	100 feet S of Stanford Drive	North
N. 30th	Kulshan Trail to Fir	Both
W. Taylor Cleveland	Cleveland to Harrison 900 block Broadway to Snoqualmie	North West
Continental	300 feet N of College Way	East
Kulshan Trail Head	At N. 30th	All
Park	300 block Cleveland to S. 2nd	South
Hoag Road	E of railroad tracks to 1600 block	Both
Kulshan View Drive	2200 block	Both
Kulshan View Drive	2400 block	North

(Ord. 3482 § 5, 2010; Ord. 3443 § 6, 2009; Ord. 3350 § 2, 2007; Ord. 3304 § 5, 2005).

10.20.105 No overnight parking – Zones designated.

When signs are erected giving notice thereof, upon the following streets, and in the following areas, no overnight parking shall occur and vehicles may be subject to impoundment:

Street	Extent	Side
Revetment Main	Entirety 300 block lots 305 and 319	All All

(Ord. 3482 § 6, 2010; Ord. 3443 § 7, 2009).

10.20.110 School zones designated.

When signs are erected giving notice thereof, the following portions of the streets adjacent to public and private schools in the city of Mount Vernon be and they are hereby designated as restricted zones for school bus use only, to wit:

Lincoln Elementary School	1000 block of S. 11th Street, west side
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No person shall stop, stand or park a passenger vehicle for any length of time. Such acts shall be punishable by a penalty in an amount of not less than \$25.00. (Ord. 3443 § 8, 2009; Ord. 3304 § 5, 2005).

10.20.120 Service parking in regulated parking zones – Permitted when.

As used herein, the term “service parking” means the use of a parking 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. Permits for service parking shall be provided by the city in accordance with the provisions of the Model Traffic Ordinance, WAC 308-330-660. Annual service parking permits shall be issued for a fee of \$50.00. Daily service parking permits shall be issued for a fee of \$5.00. (Ord. 3304 § 5, 2005).

10.20.130 Repair on public property prohibited – Exception.

It is unlawful to disassemble, construct, reconstruct, repair and/or service motor vehicles of any kind in or upon any street, road, alley or other public thoroughfare in the city except for emergency service; provided, however, that said emergency service shall not extend over a period of two hours, and that the same does not interfere with or impede the flow of traffic. (Ord. 3304 § 5, 2005).

10.20.140 Mail receptacles.

No person shall stop, stand or park a vehicle on any roadway or right-of-way which in any way blocks, hinders or otherwise impairs access to a mail receptacle. (Ord. 3304 § 5, 2005).

10.20.150 Parking over 24 hours prohibited.

No person having control over a vehicle may park such vehicle upon any public street or public way or leave such vehicle in the same public place for a period exceeding 24 hours. When any vehicle is parked or stands for a period exceeding 24 hours, the vehicle may be deemed to constitute a hazard or obstruction to traffic or an abandoned vehicle, and may be impounded in accordance with MVMC 10.06.020. (Ord. 3304 § 5, 2005).

10.20.160 Time limit zones.

No person having control over a vehicle may park such vehicle beyond the time limit permitted by official signs. Each subsequent period of time posted on the sign which lapses following affixation to a vehicle of a notice of overtime parking shall constitute a further violation of this section.

Where a time limit is established by official signs, no person having control over a vehicle may repark that vehicle on either side of the same street in order to extend the vehicle's parking time beyond the time limits established. For purposes of this section, a vehicle shall be deemed to be reparked and in violation of this section despite any movement of the vehicle unless the vehicle is moved to a street with a different street name than the street the vehicle was originally parked upon. (Ord. 3304 § 5, 2005).

10.20.170 Parking restrictions for commercial and recreational vehicles.

A. In areas zoned residential, including multi-family areas, no recreational or commercial vehicle may be stored upon any city street or sidewalk, but may be stored in a garage or private driveway.

B. Except as provided in this section, no recreational vehicle may be parked or left standing on any city street between the hours of 2:00 a.m. and 6:00 a.m., and no commercial vehicle may be parked or left standing on any city street in areas zoned residential, including multifamily areas, between the hours of 2:00 a.m. and 6:00 a.m.

C. When signs are erected giving notice thereof, no commercial vehicle parking shall occur on the following streets and vehicles may be subject to impoundment:

Street	Extent	Side
Market	2200-2300 blocks Pacific to Hoag	East

D. The restrictions set forth in this chapter shall not apply to the parking of a recreational vehicle on a street or alley immediately abutting a street lot line of the lot upon which the owner or operator of the vehicle resides if such parking is solely for the purpose of convenient departure from or return to the lot by such resident in connection with a planned trip, outing or vacation, commencing or ending on the same day or such departure or return, including any loading or unloading of persons and personal effects, or for the preparation of the vehicle in regards to such departure or return; provided, however, that such parking may not occur on more than two consecutive days or more than two days in any seven-day period. (Ord. 3443 § 9, 2009; Ord. 3304 § 5, 2005).

10.20.180 Occupation of recreational vehicle.

It shall be unlawful to occupy any recreational vehicle for residence purposes anywhere in the

city, except in a duly established trailer park maintained in accordance with all applicable state statutes and city ordinances; provided, however, that occupation for residence purposes for a period of not more than three days shall not be construed to be a violation of this section. (Ord. 3304 § 5, 2005).

10.20.185 Alley parking.

Except in the case of an emergency or in the case of a person who has a valid right-of-way use permit or service parking permit, no person shall park or stand a vehicle in an alley within the city for purposes other than actively loading or unloading, or for the rendering of service to adjacent property. In the case of rendering service to adjacent property, no vehicle shall remain parked or standing beyond 30 minutes. Persons providing service requiring more than 30 minutes are required to obtain a service parking permit. In no event shall vehicles parked in alleys obstruct or hinder vehicular or pedestrian travel. (Ord. 3304 § 5, 2005).

10.20.190 Parking regulations.

A. Adoption and Ratification of Regulations. Parking restrictions heretofore designated by appropriate signs or other regulation (inclusive of the Model Traffic Ordinance, Chapter 308-330 WAC as adopted by MVMC 10.04.010) are appropriate and the same are recognized and adopted as the parking regulations of the city. The city's public works director shall act as the traffic engineer and shall be authorized to erect and regulate parking and traffic regulations pursuant to WAC 308-330-265.

B. Adoption of Procedures. The mayor may adopt rules and regulations, as appropriate, to implement the provisions of this chapter governing the use of the city's parking facilities. Such rules and regulations may include provisions for the enforcement of the rules and regulations not inconsistent with the provisions of this chapter, including vehicle removal or immobilization.

C. Limitation of Use of Parking Facilities. In no event shall any person park any vehicle at a parking facility identified in this chapter for the principal purpose of:

1. Displaying commercial or noncommercial signs;
2. Displaying such vehicle for sale; or
3. Selling merchandise from such vehicle, except when expressly authorized through the issuance of an appropriate permit by the city. (Ord. 3304 § 5, 2005).

10.20.200 Responsibility – Presumptions.

A. Every person in whose name a vehicle is registered shall be responsible for any violation of this chapter caused by the parking, reparking, standing or stopping of said vehicle in violation hereof. It shall be no defense that the vehicle was parked illegally by another, unless proof is presented that said vehicle had been stolen and had not been returned to the registered owner by the date of the violation. This section shall not apply to registered owners transferring vehicle ownership who have complied with the provisions of state law prior to the date of the violation.

B. In any parking infraction case involving a violation of this chapter, proof that the particular vehicle described in the notice of parking infraction was parking, reparking, standing or stopping in violation of any such provision of this chapter, together with proof that the person named in the notice of parking infraction was at the time of the violation the registered owner of the vehicle, shall constitute in evidence a prima facie presumption that the registered owner of the vehicle was the person who parked or placed the vehicle at the point where, and for the time during which, the violation occurred; provided, however:

1. Where a registered owner has transferred vehicle ownership in compliance with the provisions of state law prior to the date of the violation, then proof that the particular vehicle described in the notice of parking infraction was parking, reparking, standing or stopping in violation of any such provision of this chapter, together with proof that the person named in the notice of parking infraction was at the time of the violation the person to whom the vehicle's ownership had been transferred, shall constitute in evidence a prima facie presumption that the person to whom ownership was transferred was the person who parked or placed the vehicle at the point where, and for the time during which, the violation occurred; and

2. That in such case, any notice in this chapter required to be sent to the registered owner shall instead be sent to the person to whom ownership has been so transferred. (Ord. 3304 § 5, 2005).

10.20.210 Penalties for parking infractions.

A. Unless specifically set forth elsewhere in this chapter, the penalties for each violation of the provisions of this chapter shall be:

1. Overtime parking: \$20.00;
2. Unauthorized parking in alley: \$20.00;
3. Parking in disabled space without requisite permit, decal, or license plate, or making inac-

cessible the access aisle located next to a disabled space: \$250.00;

4. Parking, stopping or standing in fire lane in violation of this chapter: \$50.00;

5. Interfering with, concealing, obliterating or erasing marks in violation of this chapter: \$50.00;

6. Parking in a residential parking zone or school zone without requisite permit: \$25.00;

7. All other violations: \$20.00.

B. The penalties set forth in subsection A except for subsection (A)(3) of this section (disabled parking) will be reduced by 50 percent if paid in person to the municipal court during the city's business hours within 24 hours of the date of issuance, or mailed with a postmark within 24 hours of the date of issuance. In the event the municipal court is not open for business the day following the date of issuance, the violator can make payment on the next city business day and still receive the reduced penalty.

C. Unless otherwise directed by the court, payment of all parking infractions shall be made to the municipal court and at such other locations as designated by the court. All proceeds derived from individuals charged with a violation of any of the provisions of this chapter shall be paid into the general fund of the city; however, the proceeds from the penalty for parking in a disabled space without the requisite permit, placard or license plate, or making inaccessible the access aisle located next to a disabled space will be retained by the city in accordance with RCW 46.16.381 and shall be used exclusively for law enforcement.

D. Notwithstanding the language set forth in subsection B of this section, every person committing three violations of this chapter and/or any other parking ordinance of the city within the 365-day period immediately preceding a parking violation, said person will not be eligible for reduction in the parking violation penalty set forth in subsection B of this section for a period of 365 days.

1. Further, after committing three violations within a 365-day period, the penalty for each additional violation beyond three received within said time period shall be as follows:

a. For each \$20.00 penalty violation defined in subsection A of this section, the penalty shall be \$25.00;

b. For each \$25.00 penalty violation defined in subsection A of this section, the penalty shall be \$30.00;

c. For each \$50.00 penalty violation defined in subsection A of this section, the penalty shall be \$55.00.

2. After committing six violations within 365 days, the penalty for each additional ticket received within said time period shall be as follows:

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a. For each \$20.00 penalty violation defined in subsection A of this section, the penalty shall be \$50.00;

b. For each \$25.00 penalty violation defined in subsection A of this section, the penalty shall be \$55.00;

c. For each \$50.00 penalty violation defined in subsection A of this section, the penalty shall be \$65.00.

E. Additionally, there is a penalty for failure to respond to notice of a parking infraction within 30 days of the date of issuance, which shall be \$25.00.

F. For a second or subsequent violations of the disabled parking provisions within the 365-day period immediately preceding a violation of the disabled parking provision of this chapter, in addition to the monetary fine, the violator must complete a minimum of 40 hours of:

1. Community service for a nonprofit organization that serves the disabled community or persons having disabling diseases; or

2. Any other community service that may sensitize the violator to the needs and obstacles faced by persons who have disabilities.

G. The court may not suspend more than one-half of any fine imposed for a disabled parking violation.

H. For the purposes of this section, a violation occurs when the Mount Vernon municipal court enters a determination that an infraction has been committed in violation of this chapter. (Ord. 3304 § 5, 2005).

10.20.220 Failure to comply with notice of parking.

A. If no response or payment is made within 15 calendar days of the date of the issuance of the notice of infraction, a delinquency notice will be mailed to the registered owner of the vehicle to which the notice was affixed.

B. If no response or payment is made within 15 calendar days of the date of mailing of the delinquency notice, additional penalties may be assessed to the infraction including a notice to the Department of Licensing as provided in RCW 46.20.270(3) and the city may pursue such other remedies as provided by ordinance. (Ord. 3304 § 5, 2005).

10.20.230 Municipal judge.

All violations of this chapter shall be heard and determined by the judges of the Mount Vernon municipal court or their pro tem(s). (Ord. 3304 § 5, 2005).

10.20.240 Notice of infraction – Determination final unless contested – Form.

A. A notice of parking infraction represents a determination that an infraction has been committed. The determination will be final unless contested as provided in this chapter.

B. The form for the notice of parking infraction shall include substantially the following information unless otherwise required by law:

1. A statement that the notice represents a determination that a parking infraction has been committed and that the determination shall be final unless contested as provided in this chapter;

2. A statement that a parking infraction is a noncriminal offense for which imprisonment may not be imposed as a sanction; that the penalty for a parking infraction may include nonrenewal of the vehicle license;

3. A statement of the specific parking infraction for which the notice was issued;

4. A statement of monetary penalty established for the parking infraction;

5. A statement of the options provided in this chapter for responding to the notice and the procedures necessary to exercise these options;

6. A statement that at any hearing to contest the determination the city has the burden of proving, by a preponderance of the evidence, that the infraction was committed; and that the person may subpoena witnesses including the officer who issued the notice of infraction;

7. A statement that at any hearing requested for the purpose of explaining mitigating circumstances surrounding the commission of the infraction the person will be deemed to have committed the infraction and may not subpoena witnesses;

8. A statement that the person must respond to the notice as provided in this chapter within 15 calendar days or the person's vehicle license may not be renewed by the Department until any penalties imposed pursuant to this chapter have been satisfied;

9. A statement that failure to appear at a hearing requested for the purpose of contesting the determination or for the purpose of explaining mitigating circumstances may result in the refusal of the Department to renew the person's vehicle license until any penalties imposed pursuant to this chapter have been satisfied;

10. A statement, which the person shall sign, that the person promises to respond to the notice of infraction in one of the ways provided in this chapter. (Ord. 3304 § 5, 2005).

10.20.250

10.20.250 Response to notice of parking infraction – Contesting determination – Hearing – Failure to respond or appear.

A. Any person who receives a notice of parking infraction shall respond to such notice as provided in this section within 15 calendar days of the date of the notice.

B. If the person determined to have committed the infraction does not contest the determination, the person shall respond by completing the appropriate portion of the notice of infraction and submitting it, either by mail or in person, to the city as specified on the notice. A check or money order in the amount of the penalty prescribed for the infraction must be submitted with the response. When a response which does not contest the determination is received, an appropriate order shall be entered and, when appropriate, a record of the response and order shall be furnished to the Department.

C. If the person determined to have committed the infraction wishes to contest the determination, the person shall respond by completing the portion of the notice of infraction requesting a hearing and submitting it, either by mail or in person, to the city as specified on the notice. The court shall notify the person in writing of the time, place and date of the hearing, and that date shall not be sooner than seven calendar days from the date of notice, except by agreement.

D. If the person determined to have committed the infraction does not contest the determination but wishes to explain mitigating circumstances surrounding the infraction, the person shall respond by completing the portion of the notice of infraction requesting a hearing for that purpose and submitting it, either by mail or in person, to the court as specified on the notice. The court shall notify the person in writing of the time, place and date of the hearing.

E. 1. If any person cited with a notice of parking infraction:

a. Fails to respond to the notice of parking infraction as required herein; or

b. Fails to appear at a hearing request as provided herein;

the court shall enter an appropriate order assessing the monetary penalty prescribed for the parking infraction and any other penalty authorized by this chapter and shall notify the Department, in accordance with RCW 46.20.270, of the failure to respond to the notice of infraction or to appear at a requested hearing.

2. The Department may not renew the vehicle license of any person for whom the court has

entered an order(s) for two or more violations until any penalties imposed pursuant to this chapter have been satisfied. (Ord. 3304 § 5, 2005).

10.20.260 Collection – Authorized.

The city is authorized to remit any unpaid parking infraction to collection. (Ord. 3304 § 5, 2005).

10.20.270 Impoundment of vehicles with unpaid tickets.

When a vehicle is parked in a public right-of-way or on other publicly owned or controlled property in violation of any law, ordinance, or regulation and there are four or more parking infractions issued against the vehicle for each of which a person has failed to respond, failed to appear at a requested hearing, or failed to pay an adjudicated parking infraction for at least 45 days from the filing of the notice of infraction, the vehicle may be impounded pursuant to MVMC 10.06.010(A)(11) without prior notice. (Ord. 3304 § 5, 2005).

10.20.280 Rules and regulations.

The Mount Vernon municipal court, city finance department and the city's police department are authorized to promulgate rules and regulations necessary to administer this chapter. (Ord. 3304 § 5, 2005).

10.20.290 Parking rates.

A. Maximum Rates. Parking rates for city parking facilities shall be as set forth below; provided that the mayor may reduce such rates in accordance with the provisions of subsection B of this section.

1. Five dollars per hour;
2. Fifty dollars per day;
3. Two hundred fifty dollars per month.

B. Rate Adjustments. The mayor, acting upon the recommendation of the public works director, is hereby authorized to establish reduced parking rates for the city's parking facilities. In making such recommendations to the mayor, the public works director shall first examine factors appropriate to the establishment of a rate structure, including the following factors:

1. Availability of alternative parking facilities in the surrounding area;
2. The goal of the city to minimize traffic on city streets, and encourage mass transit;
3. The goal of the city to encourage tourism, business investment, and other forms of economic expansion; and
4. Costs to the city of providing and maintaining such parking facilities.

C. Special Events. The city's parking facilities may be made available at special rates or without charge to the general public to provide parking for special events where there is insufficient parking available at the location of such special event. Upon the recommendation of the public works director, the mayor may set aside all or portions of the various parking facilities to provide parking for the uses and purposes set forth in this section, provide for such parking rates, and provide for such other policies of use of the parking facilities as the mayor may deem appropriate to provide for such uses.

D. Temporary Permits. At the discretion of the finance director, temporary parking permits may be issued, without charge, for use at any city parking facility by individuals providing uncompensated service to the city, for use by any officer or employee of the city or other governmental entity, or for use by any person in order to facilitate any contractor engaged in a construction or demolition project undertaken on behalf of the city. Such parking permits shall be issued solely for the convenience of the city and, for the purpose of illustrating the decision to issue such permits, may take into account such factors as vehicle trip reduction, personal safety, and the efficient discharge of the city's responsibilities. (Ord. 3304 § 5, 2005).

Chapter 10.24

**RECREATIONAL AND COMMERCIAL
VEHICLES PARKING AND STORAGE**

(Repealed by Ord. 3304)

Chapter 10.36

COURTESY PARKING PERMITS

Sections:

- 10.36.010 Policy declared – Requirements.
- 10.36.020 Application – Required when – Contents.
- 10.36.030 Permit issuance – Display of identifying sticker – Privileges granted.
- 10.36.040 Privilege – Instruction responsibility and scope.
- 10.36.050 Permit revocation power.

10.36.010 Policy declared – Requirements.

It is declared to be the policy of the city to furnish without cost parking space to bona fide delegates to conventions being held within the city provided the group or organization holding or staging said convention has complied with the provisions of this chapter. (Ord. 1415 § 1, 1962).

10.36.020 Application – Required when – Contents.

Any group or organization desiring to obtain free parking privileges for delegates shall at least three days prior to the beginning of said convention apply to the city clerk-treasurer for courtesy parking privileges for bona fide delegates to said convention. The applicant shall furnish the city clerk-treasurer with the name of the organization holding the convention, the approximate number of delegates expected to be in attendance, the beginning time and the termination time of the convention and a sample of a sticker which the organization will distribute to delegates to affix on their automobiles. (Ord. 1415 § 2, 1962).

10.36.030 Permit issuance – Display of identifying sticker – Privileges granted.

Upon the receipt of the foregoing, the clerk shall issue a permit to said organization. Thereafter, during the actual period of the convention, delegates' automobiles displaying the identifying sticker of the organization on the windshield or on one of the front door windows shall, during the period of the convention, be privileged to park on the revetment parking area located west of Main Street without limitation as to time and without the necessity of inserting coins in parking meters. (Ord. 1415 § 3, 1962).

10.36.040 Privilege – Instruction responsibility and scope.

It shall be the responsibility of the organization holding a permit under this chapter to instruct delegates as to the location of the privileged parking areas. No privilege or exemption shall attach to any delegate of any convention or to the automobile of any delegate of any convention under the provisions of this chapter except within the limited parking area described above and during the actual period of the convention as disclosed to the city clerk. (Ord. 1415 § 4, 1962).

10.36.050 Permit revocation power.

The city council shall have the power to revoke any permit issued by the city clerk-treasurer at any regular or special meeting of the city council. (Ord. 1415 § 5, 1962).

Chapter 10.40

TURNING MOVEMENTS

(Repealed by Ord. 3304)

Chapter 10.44

RAILROADS OBSTRUCTING STREETS

Sections:

10.44.010 Interfering with pedestrian or vehicular traffic prohibited when.

10.44.010 Interfering with pedestrian or vehicular traffic prohibited when.

It is unlawful for any person in charge of any railroad train or switch train or any railroad locomotive or engine, or the engineer or conductor thereof, to obstruct or to remain in or upon any public place or railroad crossing or the right-of-way thereof so as to obstruct or interfere with pedestrian or vehicular traffic over the same for a longer period than five consecutive minutes at any one time, or to cause any railroad car or cars or railroad locomotive or engine to be moved back and forth at any such public place or railroad crossing or the right-of-way thereof so as to obstruct or interfere with pedestrian or vehicular traffic over the same for longer period than five consecutive minutes at any one time. (Ord. 1761 § 1, 1974).

Chapter 10.48

TRAFFIC RESTRICTIONS

Sections:

- 10.48.010 Vehicle traffic prohibited – Pine Street.
- 10.48.015 Vehicle weight restrictions – Sixth Street.
- 10.48.020 Violation – Penalty.

10.48.010 Vehicle traffic prohibited – Pine Street.

Vehicular traffic is prohibited on Pine Street from 1st Street to 2nd Street, except that such prohibition shall not apply to emergency and other authorized city vehicles. (Ord. 2053 § 3(A), 1981).

10.48.015 Vehicle weight restrictions – Sixth Street.

No person shall operate a motor vehicle exceeding 10 tons (20,000 lbs.) gross vehicle weight on Sixth Street between Hazel Street and Blackburn Road; provided, however, that this restriction shall not apply to vehicles traveling on Sixth Street for the purpose of providing service to residential customers, including but not limited to fuel trucks, concrete trucks, moving vans, school buses, garbage trucks, emergency vehicles, etc. (Ord. 2175 § 1, 1985).

10.48.020 Violation – Penalty.

Any person violating any provision of this chapter shall be deemed to have committed a traffic infraction, and upon a final determination of having committed such traffic infraction, such person shall be assessed a monetary penalty not to exceed \$250.00 for each offense. (Ord. 2053 § 3(B), 1981).

Chapter 10.50

SPEED LIMITS

Sections:

- 10.50.010 Fulton Street – Twenty miles per hour.
- 10.50.020 Cederdale Road – Thirty-five miles per hour.
- 10.50.030 East Division Street – Thirty-five miles per hour.
- 10.50.040 Old Highway 99 – Thirty-five miles per hour.

10.50.010 Fulton Street – Twenty miles per hour.

There is established a speed limit on Fulton Street between North Fourth Street and the Mount Vernon High School parking lot of 20 miles per hour. (Ord. 2229 § 1, 1986).

10.50.020 Cederdale Road – Thirty-five miles per hour.

That section of Cederdale Road between Hickox Road and Anderson Road shall be decreased from 50 miles per hour to 35 miles per hour. (Ord. 3261, 2005).

10.50.030 East Division Street – Thirty-five miles per hour.

That section of East Division Street from the eastern city limits to Cedarwood Court shall be decreased from 45 miles per hour to 35 miles per hour. (Ord. 3262, 2005).

10.50.040 Old Highway 99 – Thirty-five miles per hour.

That section of Old Highway 99 between Hickox Road and Suzanne Lane shall be decreased from 50 miles per hour to 35 miles per hour. (Ord. 3263, 2005).

Chapter 10.52**OFF-ROAD VEHICLES AND
ULTRALIGHT AIRCRAFT**

Sections:

- 10.52.010 Operation restrictions for off-road vehicles – Exceptions.
- 10.52.020 Ultralight aircraft regulations.
- 10.52.030 Violation – MVMC 10.52.010.
- 10.52.040 Violation – MVMC 10.52.020.

10.52.010 Operation restrictions for off-road vehicles – Exceptions.

Except for city vehicles driven by city personnel, no person shall operate any motor vehicle, including on or off-road vehicles, within any public park or other public property in the city except on paved roads or parking areas or such other areas as are clearly designated for the operation of motor vehicles. The absence of prohibiting signs, barricades or other indicators of prohibition shall not constitute or imply consent to operate a motor vehicle, nor shall the existence of any pathway or unpaved road. (Ord. 2204 § 1(1), 1986).

10.52.020 Ultralight aircraft regulations.

No person shall operate or use any ultralight aircraft or any other mechanically powered device for airborne travel, including taxi, take-off, landing or any other operation, whether or not actual flight is achieved, on any public park or other public property in the city, except for actual emergency landings where no reasonable alternative exists. (Ord. 2204 § 1(2), 1986).

10.52.030 Violation – MVMC 10.52.010.

Any person who violates the provisions of MVMC 10.52.010 shall be deemed to have committed a traffic infraction. The provisions of Chapter 46.63 RCW for the disposition of traffic infractions apply to the disposition of such infractions. (Ord. 2204 § 1(2)(A), 1986).

10.52.040 Violation – MVMC 10.52.020.

A. Any person who violates the provisions of MVMC 10.52.020 shall be deemed to have committed a nontraffic infraction. The provisions of Chapter 46.63 RCW for the disposition of traffic infractions apply to the disposition of such violations except as follows:

1. The provisions in Chapter 46.63 RCW relating to the provisions of records to the Department of Licensing in accordance with RCW 46.20.270 are not applicable to this section; and

2. The provisions in Chapter 46.63 RCW relating to the imposition of sanctions against a person's drivers license or vehicle license are not applicable to this chapter.

B. The form for the notice of infraction for a violation of this section shall be prescribed by rule of the Supreme Court. (Ord. 2204 § 1(2)(B), 1986).

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Chapter 10.56**SKATEBOARDS, ROLLER SKATES AND
MOTORIZED FOOT SCOOTERS**

Sections:

- 10.56.010 Operation unlawful where – Penalty.
- 10.56.020 Proper operation required – Penalty.
- 10.56.030 Motorized foot scooters – Defined.
- 10.56.040 Motorized foot scooters – General requirements and operation.
- 10.56.050 Helmet required – Defined.
- 10.56.060 Traffic laws apply to persons operating motorized foot scooters.
- 10.56.070 Severability.

**10.56.010 Operation unlawful where –
Penalty.**

A. It is unlawful for any person to use or operate a skateboard or roller skates in the area known as downtown Mount Vernon, including all areas west of Fourth Street, east of the Skagit River, south of Lion's Park, and north of Snoqualmie Street.

B. Any person violating the provisions of this section shall be deemed to have committed a pedestrian traffic infraction and shall be subject to a penalty of \$30.00. (Ord. 2307 § 1, 1988).

**10.56.020 Proper operation required –
Penalty.**

A. Every person using a skateboard or roller skates upon any sidewalk or public path shall use the same in a careful and prudent manner and at a rate of speed no greater than is reasonable and proper under the conditions existing at the point of operation taking into account the amount and character of pedestrian traffic, grade and width of the sidewalk or public path and condition of surface, and shall obey all traffic-control devices. Every person using a skateboard or roller skates on a sidewalk on public path shall yield the right-of-way to any pedestrian thereon.

B. Any person violating the provisions of this section shall be deemed to have committed a pedestrian traffic infraction and shall be subject to a penalty of \$30.00. (Ord. 2307 § 2, 1988).

10.56.030 Motorized foot scooters – Defined.

“Motorized foot scooter” means a device with no more than two 10-inch or smaller diameter wheels that has handle bars, is designed to be stood or sat upon by the operator, and is powered by an internal combustion engine or electric motor that is

capable of propelling the device with or without human propulsion. (Ord. 3191 § 2, 2004).

**10.56.040 Motorized foot scooters – General
requirements and operation.**

A. No person may operate a motorized foot scooter on a public way unless such person is 16 years of age or older.

B. It is unlawful for any person to use or operate a motorized foot scooter upon any sidewalk or public trail within the city of Mount Vernon.

C. Every motorized foot scooter when in use during the hours of darkness as defined in RCW 46.37.020 shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least 500 feet to the front and with a red reflector on the rear of a type approved by the state patrol which shall be visible from all distances up to 600 feet to the rear when directly in front of lawful lower beams of head lamps on a motor vehicle. A lamp emitting a red light visible from a distance of 500 feet to the rear may be used in addition to the red reflector. A light-emitting diode flashing taillight visible from a distance of 500 feet to the rear may also be used in addition to the red reflector.

D. Operation of a motorized foot scooter without a muffling device in good working order and in constant operation to prevent excessive or unusual noise or operation with a modified muffling device is unlawful.

E. Operation of a motorized foot scooter on a public way with a speed limit in excess of 25 miles per hour unless the motorized foot scooter is operated within a bicycle lane is unlawful.

F. Any person violating the provisions of this section shall be deemed to have committed a traffic infraction and shall be subject to a base penalty of \$30.00 and state fees for traffic infractions pursuant to RCW 3.62.090 and 46.63.110. (Ord. 3212 § 1, 2004; Ord. 3191 § 3, 2004).

10.56.050 Helmet required – Defined.

A. Any person operating a motorized foot scooter or riding as a passenger upon a motorized foot scooter on any public area in the city of Mount Vernon shall wear an approved helmet designed for safety and shall have either the neck or chin strap of the helmet fastened securely while the motorized scooter is in motion.

B. “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

10.56.060

required by the Federal Consumer Products Safety Commission as adopted by 16 CFR 1203.

C. Any person violating the provision of this section shall be deemed to have committed a traffic infraction and shall be subject to a base penalty of \$30.00 and state fees for traffic infractions pursuant to RCW 3.62.090 and 46.63.110. (Ord. 3212 § 2, 2004; Ord. 3191 § 4, 2004).

10.56.060 Traffic laws apply to persons operating motorized foot scooters.

Every person riding a motorized foot scooter upon a public way shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle pursuant to Chapter 46.61 RCW, except special regulations in RCW 46.61.750 through 46.61.780 shall apply to persons operating a motorized foot scooter and except as to those provisions of Chapter 46.61 RCW which by their nature can have no application. (Ord. 3191 § 5, 2004).

10.56.070 Severability.

If any section, subsection, sentence, clause, chapter, provision, or phrase of this chapter or its application to any person or circumstance is found to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remainder of the chapter or the application or the provisions to other persons or circumstances. (Ord. 3191 § 6, 2004).