

Title 10

VEHICLES AND TRAFFIC

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Chapter 10.04

TRAFFIC CODE

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10.04.010 Title.

This chapter shall be known as the traffic ordinance of the town. (Ord. 233 § 1, 1979)

10.04.020 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 town of Yarrow Point. (Ord. 426 § 1, 1994; Ord. 292 § 1, 1984; Ord. 233 § 11, 1979)

10.04.030 Arterial highways designated.

The following streets are declared to be arterial highways within the town:

- A. Points Drive within the limits of the town;
- B. 92nd Avenue NE within the limits of the town;
- C. 94th Avenue NE within the limits of the town;
- D. 95th Avenue NE within the limits of the town;

E. NE 40th Street from 92nd Avenue NE to 95th Avenue NE. (Ord. 233 § 3, 1979)

10.04.040 Driving rules.

It is unlawful for any person to throw, push, roll, drop, swing or otherwise propel or project any object, thing, or substance in such a manner as to strike or be likely to strike any moving vehicle on the streets of the town. (Ord. 233 § 4, 1979)

10.04.050 Parking rules.

The following statutes of Title 46, Motor Vehicles, Revised Code of Washington, are adopted as follows:

RCW

- 46.16.381 Special parking privileges for disabled persons. Penalties for unauthorized use or parking
- 46.16.390 Special plate or card issue by another jurisdiction
- 46.61.560 Stopping, standing or parking outside business or residential districts
- 46.61.570 Stopping, standing or parking prohibited in specified places. Reserving portion of highway prohibited

(Ord. 461 § 1, 1997; Ord. 233 § 5, 1979)

10.04.055 Parking zones established.

The following parking zones are hereby established as described herein:

- A. No Parking Zone.
 - 1. 91st Avenue NE, north of NE 47th Street.
 - 2. NE 47th Street.
 - 3. Points Drive NE between the west side of the driveway serving 8830 Points Drive NE and 88th Avenue NE.
 - 4. Within 10 feet of any mailbox or mailbox pagoda from 7:00 a.m. to 6:00 p.m.
 - 5. The west side of 92nd Avenue NE south from NE 42nd Street.

6. The west side of 92nd Avenue NE from the southern property line of 4649 92nd Avenue NE to the southeastern property line of 4664 95th Avenue NE.

7. The east side of 92nd Avenue NE south from the east-west property line dividing 4635 95th Avenue NE and 4650 92nd Avenue NE to the intersection of 92nd Avenue NE and 94th Avenue NE.

B. Load/Unload Only Zone.

1. Bus stop located near 92nd Avenue NE and SR 520.

C. Three-Hour Limited Parking.

1. Points Drive NE west from 92nd Avenue NE to the west side of the driveway serving 8830 Points Drive NE.

2. Points Drive NE east from 92nd Avenue NE for a distance of 300 feet.

3. 92nd Avenue NE north from the southern boundary of the town to NE 35th Place.

4. NE 32nd Street.

5. NE 33rd Street.

6. NE 34th Street.

D. Seventy-Two-Hour Parking. Parking on all other streets and avenues within the town, not otherwise addressed in subsections A, B and C of this section, shall be limited to 72 hours.

E. The town engineer is directed to purchase and place the appropriate signs in all areas identified herein to inform the general public of the areas of restricted parking within the town. (Ord. 623 §§ 1, 2, 2011)

10.04.060 Parking not to obstruct traffic.

No person shall park any vehicle upon any town street or way open to the public in such a manner or under such condition as to leave available for free movement of vehicular traffic less than eight feet of width from the center of the paved portion of a roadway. (Ord. 461 § 1, 1997; Ord. 233 § 6, 1979)

10.04.065 Way open to public.

A. “Way open to the public” means any road, alley, lane, parking area or any place, private or otherwise, adopted to and fitted for travel, that is in common use by the public with the consent, expressed or implied, of the owner(s).

B. “Way open to the public” applies to each and every offense listed in YPMC 10.04.050 and 10.04.060. (Ord. 461 § 1, 1997)

10.04.070 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.

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. 426 § 2, 1994)

10.04.080 Penalties – Parking violations.

In cases where a notice of traffic infraction has been issued for a parking violation involving a violation of YPMC 10.04.050 and 10.04.060 the penalty/bail schedule shall be \$50.00; provided, however, a violation of RCW 46.16.381 (disabled person) shall be in accordance with the penalty stated in RCW 46.16.381. (Ord. 461 § 1, 1997)

10.04.090 Inattention.

A. It is unlawful for any person to operate a motor vehicle in an inattentive manner over and along the streets of the town or ways open

to the public. For purposes of this section, “to operate in an inattentive manner” means the operation of a vehicle in a lax or slack manner.

B. The offense of operating a motor vehicle in an inattentive manner shall be considered to be a lesser offense than, but shall be included in, the offense of operating a vehicle in a negligent manner in the second degree. (Ord. 547 § 1, 2005)

10.04.100 Motorized foot scooters.

A. Definition. A “motorized foot scooter” is a device with no more than two 10-inch or smaller diameter wheels that has handlebars, 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.

B. Duty to Obey Traffic-Control Signs and Rules of the Road. Any person operating a motorized foot scooter or similar device shall obey all the rules of the road applicable to vehicle or pedestrian traffic, as well as the instructions of official traffic-control signals, signs, and other control devices applicable to vehicles, unless otherwise directed by a police officer.

C. Use Prohibited in Certain Areas. Motorized foot scooters shall not be operated in any park, trail, walking path or walkway. Exception: this section shall not apply to the use of wheelchair conveyances when operated by a disabled person, as defined in RCW 46.04.710, or to strollers used to transport small children.

D. Helmets Required. Any person operating a motorized foot scooter, or riding as a passenger on or in tow of a motorized foot scooter, upon any public area in the town of Yarrow Point shall wear a helmet designed for safety and shall have either a neck or chin strap on the helmet fastened securely while the motorized foot scooter is in motion. No person shall transport any person on or in tow of a motorized foot scooter upon a public area in the jurisdiction of the town of Yarrow Point unless the passenger is wearing a helmet that meets the requirements of this chapter.

E. Minimum Age. A motorized foot scooter may not be operated on public property or rights-of-way by any individual who is under 16 years of age.

F. Hours of Operation. No motorized foot scooter shall be operated between one-half hour after sunset and one-half hour after sunrise.

G. Mufflers Required. Motorized foot scooters shall have a muffler attached to muffle engine noise.

H. Penalty. A violation of this section shall be a traffic infraction with a penalty of \$101.00. (Ord. 548 § 1, 2005)

Chapter 10.08

PERMIT ONLY PARKING ZONE

Sections:

- 10.08.010 Authority.
- 10.08.020 Established.
- 10.08.030 Permit required.
- 10.08.040 Restrictions.
- 10.08.050 Service vehicles.
- 10.08.060 Fee.
- 10.08.070 Application.
- 10.08.080 Nontransferable.
- 10.08.090 Revocation.
- 10.08.100 Violation – Penalty.

10.08.010 Authority.

The town has authority to restrict parking on public streets through the exercise of its police powers. (Ord. 583 § 1, 2008)

10.08.020 Established.

There is hereby established a permit only parking zone on NE 38th Street between 94th Avenue NE and 95th Avenue NE. (Ord. 583 § 2, 2008)

10.08.030 Permit required.

A valid Yarrow Point parking permit must be obtained from the town and prominently displayed on any and all vehicles parked on public property within the permit only parking zone. Such parking permit does not authorize parking for more than 72 consecutive hours in any one location, and does not exempt the permit holder from compliance with any and all other parking restrictions within town limits. (Ord. 583 § 3, 2008)

10.08.040 Restrictions.

A Yarrow Point resident whose real property abuts NE 38th Street between 94th Avenue NE and 95th Avenue NE may apply for a zone parking permit for up to two personal use vehicles owned and registered to the property owner.

- A. No guest permits will be allowed.
- B. No commercial vehicles will be permitted.
- C. No domestic employees, such as housekeepers or child care providers, shall be permitted. (Ord. 583 § 4, 2008)

10.08.050 Service vehicles.

A service vehicle, not owned by a permittee, with conspicuous identification of the service it provides permanently affixed to the vehicle, that is used for purposes of providing short-term repair, construction, maintenance, landscaping services, delivery, utility, etc., for a residence in the zone may park in the zone without a permit for a period not to exceed 48 consecutive hours. (Ord. 583 § 5, 2008)

10.08.060 Fee.

The town is authorized to charge an annual fee in connection with the issuance of each parking permit. The fee shall be set by resolution of the town council. (Ord. 583 § 6, 2008)

10.08.070 Application.

A resident seeking a parking permit shall complete an application on a form provided by the town and shall provide the information requested, and sign it attesting to the accuracy of the information provided and acknowledging the terms and conditions of permit privileges. (Ord. 583 § 7, 2008)

10.08.080 Nontransferable.

The permit will be issued only for a specific vehicle and is nontransferable to any other vehicle or to any individual who is not an eligible Yarrow Point resident. (Ord. 583 § 8, 2008)

10.08.090 Revocation.

Permit privileges may be revoked for any of the following:

- A. Any material misrepresentation on a permit application.

B. Any unauthorized transfer of a permit to any unauthorized vehicle or person. (Ord. 583 § 9, 2008)

10.08.100 Violation – Penalty.

Any vehicle parked in the permit only zone without a valid permit permanently affixed to it shall be assessed a \$100.00 parking infraction for each day the vehicle remains parked in the permit only parking zone. (Ord. 583 § 10, 2008)

Chapter 10.12

**VEHICLE SIZE RESTRICTIONS
WITHIN TOWN LIMITS**

Sections:

- 10.12.010 Applicability.
- 10.12.020 Restrictions – Exemptions.
- 10.12.030 Violation – Penalty.
- 10.12.040 Damage – Liability.

10.12.010 Applicability.

The size restrictions set forth in this chapter shall apply to all public roadways located within town limits over which the town has jurisdiction and for which the town is responsible to maintain. (Ord. 584 § 1, 2008)

10.12.020 Restrictions – Exemptions.

It is unlawful for any person to operate upon the public roadways of the town any vehicle or combination of vehicles, including but not limited to truck and trailer combinations, having an overall length in excess of 40 feet. This restriction does not apply to:

- A. School buses.
- B. Emergency vehicles.
- C. Municipal transit vehicles.
- D. Solid waste utility vehicles.
- E. Recreation vehicles and boat trailers.
- F. Public and private utility vehicles necessary to perform needed services to the citizens of the town when no other smaller vehicle is available.
- G. Moving vans, used for the purpose of transporting household goods and furnishings, consisting of a tractor and a single semi-trailer.
- H. Truck and trailer vehicles required in the transportation of equipment used for demolition and excavation work associated with residential construction; provided, however:
 1. Said truck and trailer shall not have a combined length in excess of 60 feet.
 2. Said truck and trailer shall not be allowed on public streets and roads but for the

hours between 9:30 a.m. and 3:30 p.m. Monday through Friday. (Ord. 584 § 2, 2008)

10.12.030 Violation – Penalty.

It shall be unlawful for any person, firm, corporation or association to violate the provisions of this chapter. Any violation of this chapter shall be deemed a civil infraction and shall be punished by a civil fine not to exceed \$250.00. Each day that a violation is continued or maintained shall be considered a separate civil infraction. (Ord. 584 § 3, 2008)

10.12.040 Damage – Liability.

Any person operating any vehicle or moving any object or conveyance upon any public roadway in the town in a negligent or illegal manner is liable for all damages that the public roadway may sustain as a result of the negligent or illegal operation of the vehicle or the moving of any such object or conveyance. When the operator is not the owner of the vehicle, object, or conveyance 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 roadway or structure may be recovered in a civil action instituted in the name of the town. Any measure of damage to any public roadway determined by the town by reason of this section is prima facie evidence of the amount of damage caused and is presumed to be the amount recoverable in any civil action therefor. (Ord. 584 § 4, 2008)