

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 6276

AN ORDINANCE relating to parking; adding new Sections 11.23.027, 11.23.028, and 11.23.029 to the Bellevue City Code; amending Section 11.23.040 of the Bellevue City Code; amending Ordinance No. 4611 as previously amended by Ordinance No. 5176; and establishing an effective date.

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. A new Section 11.23.027 is added to the Bellevue City Code to read as follows:

11.23.027 Vehicle with an expired registration of more than forty-five days parked on a public street.

As an alternative to towing a vehicle with expired registration of more than forty-five days when parked on a public street (per RCW 46.55.113), such a vehicle may be issued a parking infraction per BCC 11.23.040.

Section 2. A new Section 11.23.028 is added to the Bellevue City Code to read as follows:

11.23.028 Vehicle parking in front of mailbox.

No person shall park any vehicle unattended on a public street within 10 feet of a mailbox or any portion of a mailbox stand between the hours of 8:00am and 6:00pm on days the United States Postal Service is scheduled to deliver mail.

Section 3. A new Section 11.23.029 is added to the Bellevue City Code to read as follows:

11.23.029 Illegal sale or production of RPZ permit.

No person shall sell, transfer, purchase, counterfeit, or otherwise acquire for value a Residential Parking Zone permit or decal issued by the City and to subsequently use or display the permit to park in a Residential Parking Zone.

Section 4. Section 10 of Ordinance No. 4611, as previously amended by Section 6 of Ordinance No. 5176, is hereby further amended to read as follows:

11.23.040 Penalties

Failure to comply with any parking restriction adopted pursuant to BCC 11.23.007, 11.23.010, 11.23.020, 11.23.022, ~~or 11.23.025, 11.23.027, 11.23.028, or 11.23.029~~ or any other provision of this chapter is a parking infraction and shall be cited under the applicable section of this chapter.

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.

B. Failure to respond to an infraction notice within 15 days of the date of the infraction shall 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 parking infraction.

In addition, a criminal charge may be filed against the vehicle owner for failure to respond to a notice of infraction and, consistent with applicable 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 parking infractions shall be kept in a table available to the public by the Director of the Transportation Department, or his or her designee. The penalties in this table shall be updated per BCC 11.23.040 (D).

~~The amount of the penalty for all parking infractions shall be \$25.00; except, that the penalty for the following specified infractions shall be in the amount indicated:~~

~~Violation of a RPZ Restriction (BCC 11.23.010): \$35.00;
Parking Too Close to Fire Hydrant (RCW 46.61.570): \$35.00;
Parking on Sidewalk (RCW 46.61.570): \$35.00;
Parking Too Close to Intersection (RCW 46.61.570): \$35.00;
Parking Too Close to Crosswalk (RCW 46.61.570): \$35.00;
Parking on Bridge or in Tunnel (RCW 46.61.570): \$35.00;
Parking Too Close to Railroad Crossing (RCW 46.61.570): \$35.00;
Parking Too Close to Driveway (RCW 46.61.570): \$35.00;
Parking Too Close to Stop or Yield Sign (RCW 46.61.570): \$35.00;
Parking Too Close to Traffic Control Signal (RCW 46.61.570): \$35.00;
Overtime Parking (BCC 11.23.022): \$20.00.~~

D. The penalties established in Subsection C of this Section shall be established on May 1, 2016. Penalties in Subsection C of this Section shall next be adjusted on January 1, 2018 adjusted biennially beginning on January 1, 2000, and on each succeeding January 1st of even-numbered years thereafter by multiplying the penalty amount rate then in effect times one plus the amount of the Consumer Price Index for all urban customers (Seattle-Everett area) for 2016, then taking the resultant amount (not rounded) and multiplying it by one plus the Consumer Price Index for all urban customers (Seattle-Everett area) for 2017 the previous two-year period and rounding such product the result to the nearest dollar.

Penalties in subsection C shall next be adjusted on January 1, 2020, and on each succeeding January 1st of even-numbered years thereafter by multiplying the penalty amount then in effect times one plus the Consumer Price Index for all urban customers (Seattle-Everett area) for the even number year two years proceeding, then taking the resultant amount (not rounded) and multiplying it by one plus the Consumer Price Index for all urban customers (Seattle-Everett area) for the odd numbered year proceeding, and rounding the result to the nearest dollar; provided, that the maximum penalty amount shall not exceed the penalty limit set forth in any applicable state law or court rules.

E. The inflation adjustment outlined in BCC 11.23.040(D) may be suspended by the City Manager based on his or her discretion for special circumstances such as poor economic conditions or other unforeseen events.

F. The penalty for Illegal sale or production of RPZ permit per BCC 11.23.029 shall be \$250 and shall not be adjusted per BCC 11.23.040(D).

Section 5. This Ordinance shall take effect and be in force thirty (30) days after its passage and legal publication; provided, however, the provisions of this Ordinance will not be implemented until May 1, 2016.

Passed by the City Council this _____ day of _____, 2016 and signed in authentication of its passage this _____ day of _____, 2016.

(SEAL)

John Stokes, Mayor

1510-ORD
3/3/2016

Approved as to form:

Lori M. Riordan, City Attorney

Monica A. Buck, Assistant City Attorney

Attest:

Kyle Stannert, Acting City Clerk

Published _____