

## Chapter 11.23

### PARKING

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#### **11.23.005 Purpose.**

The provisions of this chapter regulate parking, standing and stopping of vehicles upon streets and ways open to the public within the city and provide for the establishment of residential parking zones, curb pricing zones, and associated restrictions thereto. Pursuant to Chapters [11.80](#) and [11.82](#) BCC, the city has adopted by reference sections of certain state statutes,

including sections of the Model Traffic Ordinance, which provide for regulation of parking in addition to the provisions of this chapter. (Ord. 5176 § 1, 1999; Ord. 4611 § 3, 1993.)

### **11.23.007 Parking restricted – General.**

General parking restrictions are adopted to regulate parking with respect to common concerns found on city streets and ways and are generally applied. General parking restrictions include, but are not limited to, parking setback distances from driveways, intersections, fire hydrants, crosswalks, stop signs, yield signs, signals, and railroad crossings. General parking restrictions also prohibit the parking of any vehicle on a sidewalk, crosswalk, within an intersection, on a bridge, within a tunnel, on railroad tracks, or in roadway medians. General parking restrictions are adopted by the city council in the Model Traffic Ordinance, Chapter [11.80](#) BCC, which contains a complete description of these parking restrictions as well as additional restrictions placed on the stopping or standing of vehicles. (Ord. 5176 § 2, 1999.)

### **11.23.010 ~~Parking restricted – Specified streets – Residential permit parking zones.~~**

~~The city council may by ordinance establish parking restrictions, including but not limited to no-parking anytime, time of day restrictions, and time limits on all or portions of specified streets. A copy of such parking restrictions adopted by the city council, in the form in which they were adopted and suitably marked to indicate amendments, additions, deletions or exceptions, shall be authenticated and filed in the office of the city clerk. In addition, copies thereof shall be available for use and examination by the public during regular business hours. Such parking restrictions for specified streets may also carry restrictions on the stopping or standing of a vehicle.~~

The city council may ~~also~~ by ordinance establish residential permit parking zones which restrict parking on specified streets except by permits issued to area residents. Such zones allow for time-limited parking or time of day restrictions for vehicles without a permit. ~~A copy of such ordinance establishing a residential permit parking zone and restrictions applicable thereto shall be authenticated and filed in the office of the city clerk. In addition, copies thereof shall be~~

~~available for use and examination by the public during regular business hours. (Ord. 5176 § 3, 1999; Ord. 4611 § 4, 1993.)~~

### **11.23.011 Curb Pricing Zones and implementation of curb pricing**

~~A. The City Council may establish, modify, or dissolve Curb Pricing Zones where the city may implement curb pricing, which is defined as charging a fee for on-street parking, standing, or loading of a vehicle at the curb or edge of the roadway along public right-of-way.~~

~~B. Within the City Council adopted Curb Pricing Zone(s), the city may establish curb pricing. Prior to establishing curb pricing rates in a particular area, the city must notify adjacent property owners, residents, and businesses.~~

### **11.23.012 Curb pricing authority and rates**

~~A. The City Council may establish a range of rates that the city may charge for on-street parking, standing, or loading of vehicles within the Curb Pricing Zone. From time to time, the City Council may modify the allowed rates.~~

~~B. For on-street paid parking, standing, or loading, the minimum hourly rate shall be \$1.00 and the maximum hourly rate shall be \$8.00.~~

~~C. For parking device removal and reinstallation due to construction, project owners shall remove and replace devices to the city's satisfaction, or the city shall charge a fee per station approximating the actual associated costs.~~

~~D. The Director of Transportation or designee is hereby authorized:~~

- ~~1. To establish rates for on-street parking, standing, or loading in a curb pricing schedule consistent with the limits set by the City Council with the aim of achieving an 80 percent curbside occupancy rate where curb pricing is implemented; and~~
- ~~2. To establish rates that vary based on the time of day, the day of the week, the type of curb use, and any other factors deemed relevant by the Director of Transportation to effectively manage demand at the curb.~~

3. To raise or lower rates, no more than twice a year, based on measured parking occupancy and curb use data; and
4. To make recommendations to the City Council for updates to the limits set forth in Section 11.23(B) as needed.

### **11.23.013 Notice of curb pricing rates and payment collection**

A. In areas where payment is required to park, stand, or load vehicles, appropriate signs shall be posted at reasonable intervals to provide notice that payment is required.

B. The city shall collect curb pricing fees through a payment collection system(s), such as parking pay stations, parking payment mobile applications, or any similar technology. The payment collection system signage or stations shall be clearly marked and spaced at reasonable intervals. The payment collection system will disclose the rate, time limits, and days and hours of enforcement. Payment collection systems may require users to input information, such as a parking stall number or license plate number, and provide evidence of payment, such as displaying receipt of payment on dashboard.

C. The city shall maintain a website identifying the following information (1) the current Curb Pricing Zones established by the City Council; (2) the areas in which payment is required, and (3) the effective rates by location.

D. The city will publicize on a city website anticipated changes to curb pricing rates prior to adjustment.

### **11.23.014 Use of curb pricing-related revenue**

Curb pricing revenue includes the proceeds from (1) parking or curb use payments; and (2) fines collected as a result of any parking-related infractions issued in the Curb Pricing Zone. Curb pricing revenue will fund eligible expenses related to the installation, maintenance, management, and enforcement of the curb pricing program. Remaining curb pricing revenue beyond the cost of administering the curb pricing program shall be reinvested in the Curb Pricing Zone to support eligible activities such as parking studies, traffic safety improvements, street activation, investment concepts identified within the Curb Management Plan, and investments that support access and ridership for transit and microtransit services.

### 11.23.015 Traffic engineer – Authority.

A. The City Manager or their designee is authorized to exercise the powers and duties of Traffic Engineer as authorized pursuant to RCW 46.90.260 and 46.90.270, and Chapter 308-330 WAC, the Model Traffic Ordinance, all as now or hereafter amended.

B. WAC 308-330-265(13) of the Model Traffic Ordinance is modified to read as follows:

The City Manager or their designee is authorized to determine and designate by proper traffic control signs zones ~~not exceeding 300 feet in length~~ for no parking, stopping, or standing of vehicles where the primary basis of such zone is safety or spill over parking concerns.

C. WAC 308-330-265(15) of the Model Traffic Ordinance is modified to read as follows:

The City Manager or their designee is authorized to establish, modify, or remove transit layover zones, private shuttle zones, bus stops, taxicab stands, and stands for other for hire vehicles on such highways in such places and in such number as they shall determine to be of the greatest benefit and convenience to the public. Every such zone, stop, or stand shall be designated by appropriate signs or by curb markings supplemented with the appropriate words stenciled on the curb;

D. In addition to the powers and duties authorized pursuant to Chapter 308-330 WAC, the City Manager or their designee may:

1. Establish, modify, or remove no parking zones, time-limited parking zones, and curb pricing within the Curb Pricing Zone along public right-of-way. In such areas, the city shall place and maintain appropriate signs or curb markings supplemented with the appropriate words stenciled on the curb; and
2. Determine the location of and install or remove payment collection systems or devices and micromobility parking corrals within public right of way.

### **11.23.020 Parking over 24 hours prohibited.**

~~Unless otherwise posted by official signs~~~~Except for authorized time limit zones (BCC 11.23.022),~~ no person may park or re-park a vehicle on either side of a public street within the same block for a period exceeding 24 consecutive hours. A vehicle shall be deemed to be parked in violation of this section unless the vehicle is moved to a different block every 24 hours. For purposes of this ~~chapter~~~~section~~, a block is defined as the stretch of roadway between the two closest public street intersections on either end of the stretch. For cases where a roadway ends, a block is defined as the stretch of roadway between the end of the roadway and the closest public street intersection. (Ord. 6686 § 1, 2022; Ord. 6383 § 1, 2017; Ord. 4611 § 6, 1993.)

### **11.23.022 Time limit zone violations.**

No person having control over a vehicle may park or stand such vehicle beyond the time limit permitted by official signs.

Where a time limit is established by official signs, but no payment is required, 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. 5176 § 5, 1999.)

### **11.23.023 Curb Pricing Zone violations.**

A. Where official signs establish curb pricing, no person having control over a vehicle shall park, stand, or load a vehicle:

1. Without proper payment. Proper payment includes, remitting the appropriate amount, correctly inputting any required information, and providing any required evidence of payment, as directed by the payment collection system.
2. After the period for which payment was made has expired, unless additional payment is properly made; provided, however, that no person shall park, stand, or load a vehicle for longer than allowed by posted time restrictions.

3. On a block, or portion thereof, for a consecutive period of time longer than the limited period of time for which parking is lawfully permitted on the block as indicated on the payment collection system, regardless of the amount paid.

B. Parking, standing, or loading a vehicle beyond a time restriction or failing to make proper payment when required, is a violation under this section and subject to the penalties set forth in Section 11.23.040.

C. The prohibitions in subsection A of this section shall not apply to:

1. The act of parking.

2. The act of paying for parking through a payment collection system, or

3. The act of expeditious loading or unloading of persons.

### **11.23.025 Stopping, standing or parking.**

A. In addition to provisions of the Washington Model Traffic Ordinance adopted by Chapters [11.80](#) or [11.82](#) BCC, no person may park or leave any vehicle, whether attended or unattended, upon the traveled portion of the roadway in such a manner as to block or obstruct the flow of vehicular traffic.

1. Subsection [A](#) of this section does not apply to the driver of any vehicle which is disabled in such a manner and to such extent that it is impossible to avoid stopping and temporarily leaving the vehicle in such a position. The driver shall nonetheless arrange for the prompt removal of the vehicle as required by subsection [B](#) of this section.

2. Subsection [A](#) of this section does not apply to the driver of a public transit vehicle who temporarily stops the vehicle upon the roadway for the purpose of and while actually engaged in receiving or discharging passengers at a marked transit vehicle stop zone, or to the driver of a vehicle when actually engaged in the collection of solid waste, recyclables, or yard waste under authority of the city, so long as the vehicle is not parked or left for a longer time than reasonably necessary.

B. It is unlawful for the operator of a vehicle to leave the vehicle unattended within the limits of the roadway unless the operator of the vehicle arranges for the prompt removal of the vehicle. (Ord. 4611 § 7, 1993.)

**11.23.026 For hire vehicle stopping, standing, parking.**

The operator of a for hire vehicle shall not stop, stand, or park such vehicle upon any street at any place other than in a designated taxicab stand [or loading zone](#). This provision shall not prevent the operator of a for hire vehicle from temporarily stopping in accordance with other stopping, standing, and parking regulations at any place for the purpose of and while actually engaged in the expeditious loading and unloading of passengers. This provision does not apply to vehicles or companies that have leases or other such agreements with the city for use of its rights-of-way. (Ord. 6082 § 2, 2012.)

**11.23.027 Vehicle with an expired registration of more than 45 days parked on a public street.**

As an alternative to towing a vehicle with expired registration of more than 45 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](#). (Ord. 6276 § 1, 2016.)

**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 8:00 a.m. and 6:00 p.m. on days the United States Postal Service is scheduled to deliver mail. (Ord. 6276 § 2, 2016.)

**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. (Ord. 6276 § 3, 2016.)

**11.23.030 When vehicle may be impounded.**

Any vehicle parked or used so as to endanger any user or potential user of any street or way open to the public or parked or used in violation of BCC Title [11](#), any regulation or restriction established thereunder, or any other applicable provision of the Bellevue City Code or of any ordinance, is declared to be a nuisance which may be summarily abated by the impounding and removal of the vehicle as herein provided. Any vehicle which is stolen, or which is required by the police department for evidence or investigation, or which is unoccupied or unattended and in the judgment of any police officer in danger of being stripped or stolen, or any wrecked and unattended vehicle, may be impounded and removed as provided by state law. (Ord. 4927 § 7, 1996; Ord. 4611 § 8, 1993.)

### **11.23.035 Parking on municipal property.**

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

1. Only motor vehicles belonging to persons who work for the city, who are transacting business with the city or who otherwise have specific permission from the city, may be parked upon such property; and
2. Where pavement markings or signs designate parking stalls on such property, all motor vehicles must be parked within such stalls and not elsewhere on such property; and
3. Where pavement markings designate a parking stall or stalls, any motor vehicle parked in a stall must be parked within the designated limits as indicated by the pavement markings; and
4. Where signs or pavement markings prohibit or restrict parking without authority or permission, no motor vehicle may be parked or left standing without such permission.

B. Any motor vehicle parked or standing on such property which is not complying with the restrictions set forth herein is declared to be a nuisance. Such nuisance may be summarily abated by impounding as provided by state law. The impounding of a motor vehicle does not prevent or preclude the institution and prosecution of charges in the district court or other appropriate court for violation of any provision of this chapter. (Ord. 4611 § 9, 1993.)

## 11.23.040 Penalties.

Failure to comply with any parking restriction adopted pursuant to BCC [11.23.007](#), [11.23.010](#), [11.23.015](#), [11.23.020](#), [11.23.022](#), [11.23.023](#), [11.23.025](#), [11.23.026](#), [11.23.027](#), [11.23.028](#), or [11.23.029](#), [11.23.035](#) 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 ~~30~~<sup>15</sup> days, of the date of the issuance of the notice of infraction, ~~or if the notice is mailed, within 33 days~~, 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 ~~30~~<sup>15</sup> days of the date of the infraction, ~~or 33 days if the notice was mailed, may~~~~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 ~~and the determination shall be final; and-~~
- ~~3. In addition, a criminal charge may be filed against the vehicle owner for failure to respond to a notice of infraction and, C~~consistent with applicable state law, the Department of Licensing may place a hold on the renewal of the vehicle ~~license registration~~ for the vehicle involved in the violation, ~~and-~~
- ~~4. Referral of the case to a collection agency.~~

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 their designee. The penalties in this table shall be updated per subsection [D](#) of this section.

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, by

multiplying the penalty amount then in effect times one plus 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 and rounding the result to the nearest dollar.

Penalties in subsection [C](#) of this section 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 subsection [D](#) of this section may be suspended by the city manager based on their 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 \$250.00 and shall not be adjusted per subsection [D](#) of this section. (Ord. 6276 § 4, 2016; Ord. 5176 § 6, 1999; Ord. 4611 § 10, 1993.)

### **11.23.050 Severability.**

If any one or more sections, subsections or sentences of this chapter are held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this chapter and the same shall remain in full force and effect.

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## Chapter 11.80

### MODEL TRAFFIC ORDINANCE

#### 11.80.020 Sections deleted.

The following sections or portions of sections of the MTO are not adopted by reference and are expressly deleted:

WAC [308-330-142](#)

WAC [308-330-145](#)

WAC [308-330-148](#)

WAC [308-330-172](#)

WAC [308-330-225](#)

WAC [308-330-250](#)

WAC [308-330-255](#)

~~WAC [308-330-270\(5\)](#)~~

WAC [308-330-400](#)

WAC [308-330-469](#)

WAC [308-330-472](#)

WAC [308-330-500](#)

WAC [308-330-505](#)

WAC [308-330-510](#)

WAC [308-330-515](#)

WAC [308-330-520](#)

WAC [308-330-525](#)

WAC [308-330-530](#)

WAC [308-330-535](#)

WAC [308-330-540](#)

WAC [308-330-555](#)

WAC [308-330-560](#)

WAC [308-330-600](#)

WAC [308-330-610](#)

WAC [308-330-620](#)

WAC [308-330-630](#)

WAC [308-330-640](#)

WAC [308-330-650](#)

WAC [308-330-660](#)

WAC [308-330-710](#)