

**CITY OF BUCKLEY, WASHINGTON**

**ORDINANCE NO. 17-19**

**AN ORDINANCE OF THE CITY OF BUCKLEY, PIERCE COUNTY,  
WASHINGTON, AMENDING CHAPTER 11.16 PARKING OF THE BUCKLEY  
MUNICIPAL CODE AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, it is necessary for the City of Buckley to amend Chapter 11.16 Parking of the Buckley Municipal Code to allow for enforcement of parking rules and regulations; and

**WHEREAS**, the City of Buckley has implemented angle only parking; and

**WHEREAS**, it is necessary for the City of Buckley to have policies in place for electric vehicle charging stations on public property; and

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BUCKLEY DO ORDAIN AS FOLLOWS:**

**Section 1:** Chapter 11.16 of the Buckley Municipal Code is here by amended to read as follows:

**11.16.005 Purpose.**

The provisions of this chapter regulate parking, standing and stopping of vehicles upon streets and ways open to the public within the city. Pursuant to Chapter 11.06 BMC, 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.

**11.16.010 Parking restricted.**

The city council may from time to time establish parking restrictions on portions of certain specified streets including the establishment of residential permit parking zones which restrict parking of vehicles on certain streets at certain times except by permit. 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. Failure to comply with a parking restriction adopted by the city council and filed with the city clerk pursuant to this section is a parking infraction and shall be cited under this section and shall be subject to the penalty provisions of BMC 11.16.040.

**11.16.015 Exception**

This chapter shall not apply to emergency vehicles including, but not limited to, firefighting apparatus, police vehicles and other emergency response vehicles and equipment being used in the course of lawful duty.

**11.16.020 Parking within fire lane prohibited.**

(1) No person shall permit or allow a motor vehicle or any other object to park within or obstruct a fire lane as defined in BMC 16.24.080.

(2) Fire lanes shall be governed as specified in BMC 16.24.080.

**11.16.025 Traffic engineer – Authority.**

The city administrator or his/her designee is authorized to exercise the powers and duties of traffic engineer as authorized pursuant to RCW 46.90.260 and 46.90.270, as now or hereafter amended.

**11.16.030 Parking over 72 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 72 hours.

**11.16.035 Two-hour parking.**

(1) Any areas within the city marked with two-hour parking limit sign shall be limited for that period and it shall be a violation of this code for any person to cause, allow, permit or suffer any vehicle registered in the name of or operated by such person to be parked in any parking space designated herein for a period of more than two hours at any one time, except that residents of the street which has been so designated may apply for and obtain from the police department a parking permit exempting vehicles owned by the resident. The resident shall identify his or her vehicles to the police department. The parking permit shall not be transferable.

(2) Said areas which have been marked accordingly shall limit the length of time a vehicle may remain in any given parking area.

**11.16.040 Fifteen-minute parking.**

(1) Any areas within the city marked with a 15-minute parking limit sign shall be limited for that period and it shall be a violation of this code for any person to cause, allow, permit or suffer any vehicle registered in the name of or operated by such person to be parked in any parking space designated herein for a period of more than 15 minutes at one time.

(2) Said areas which have been marked accordingly shall limit the length of time a vehicle may remain in any given parking area.

**11.16.045 Stopping, standing, or parking**

(1) In addition to provisions of the Washington Model Traffic Ordinance adopted by Chapter 11.06 BMC, 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 intrude more than eight feet from the curb, on curbed streets, into the traveled way, to block or obstruct the flow of vehicular traffic, or to park as to obstruct the view of oncoming traffic at intersections.

(a) Subsection (1) 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 (2) of this section.

(b) Subsection (1) of this section does not apply to the driver of a public or school district transit vehicle, or emergency police, fire or ambulance vehicle who temporarily stops the vehicle upon the roadway for the purpose of an while actually engaged in receiving or discharging passengers, 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.

(2) 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.

**11.16.050 Angle parking.**

(1) Head-in parking. The front wheel of a vehicle angle parked at a curb shall be within six inches of the curb in front of such vehicle. Such vehicle shall be parked in such a manner that the entire width of such vehicle is located within the stall or parking space designated by such lines; provided, however, that no vehicle the overall length of exceeds twenty-feet shall angle park.

(2) Back-in parking. The rear wheel of a vehicle angle parked at a curb shall be within six inches of the curb immediately to the rear of such vehicle. Such a vehicle shall be parked in such a manner that the entire width of such vehicle is located within the stall or parking space designated by such lines; provided, however, that no vehicle the overall length of which exceeds twenty-feet shall angle park.

(3) All angle parking, shall be done in a manner so indicated by such signs or markings.

**11.16.055 Obedience to signs and markings.**

Upon those streets which have been signed or marked for angle parking, parallel parking or center street parking, no person shall park or stand a vehicle in any manner other than that indicated by such signs or markings and no person shall stand or park any portion of a vehicle outside the confines of such markings.

**11.16.060 Method of parking.**

On all streets of the city, no person shall stop, stand or park a vehicle in any designated public parking space so that any part of such vehicle protrudes beyond the markings designating such space. On all streets of the city, no motor vehicle shall be permitted to stand or park unless the same has been placed with the right-hand wheels parallel with the curb and within 12 inches thereof, unless otherwise designated and marked for a different method of parking.

**11.16.065 No Parking Zones.**

The city administrator and/or his or her designee is authorized to indicate no parking areas on city streets by placing upon the curbs of the city yellow paint. It is unlawful to park in such zones.

**11.16.070 Impoundment-When-Authority**

(1) A vehicle may be subject to immediate impoundment by the chief of police or his designee if:

- (a) Any vehicle is parked in violation of this chapter or violates any other provisions.
- (b) 72 hours after posting or any immediate safety hazard obstructing traffic flow.
- (c) 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.
- (d) Any wrecked and unattended vehicle, may be impounded and removed as provided by state law.

(2) The cost of such impoundment, storage and towing shall be paid by the owner or operator of such vehicle before the vehicle is released.

**11.16.075 Impoundment – Expense borne by owner.**

Impoundment of vehicles shall be at the expense of the owner or operator of the impounded vehicle, and shall be paid by him to the towing or garage company having custody of the vehicle.

**11.16.080 Impoundment – Nonliability of city.**

No liability shall attach to the city or any of its agents for damage arising from towing or storage of vehicles impounded under the terms of the ordinance codified in this section or any other ordinance of the city.

**11.16.085 Parking on municipal property.**

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

(a) 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

(b) 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

(c) Where pavement markings designate a parking stall or stalls, any motor vehicle parked in a stall must be parked within such stalls and not elsewhere on such property; and

(d) 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.

(2) 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.

**11.16.090 Electric vehicle charging stations on public property.**

(1) Public electric vehicle charging stations, as defined in Chapter 19.12 BMC, that are located on public property are reserved for parking and charging electric vehicles only.

(2) When a sign provides notice that a space is designated public electric vehicle charging station, no person shall park or stand any nonelectric vehicle in that space. Any nonelectric vehicle is subject to fine or removal.

(3) Any electric vehicle in any designated public electric vehicle charging station space on public property that is not electrically charging, or is parked beyond the days and hours designated on regulatory signs posted at or near the space shall be subject to a fine and/or removal pursuant to BMC 11.16.07. For purposes of this subsection, “charging” means an electric vehicle is parked at an electric vehicle charging station and is connected to the charging station equipment.

(4) Where public electric vehicle charging stations are constructed and installed, the city engineer shall cause appropriate signs and marking to be placed in and around the parking spaces of said stations, indicating prominently thereon the parking regulations. The signs shall define time limits and hours of operation, as applicable, shall state that the parking space is reserved for charging electric vehicles and that an electric vehicle may only park in the space for charging purposes.

**11.16.095 Tire markings – Reparking in same zone.**

(1) Obliterating Tire Markings. It is unlawful to conceal, obliterate, or erase markings on vehicle tires made by an enforcement officer or police officer for the purpose of recording parking time.

(2) Where a time limit is established by official signs, no vehicle may be reparked on either side of the same street in the restricted zone 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 another street with a different street name than the street the vehicle was originally parked upon. It is no defense that the vehicle had been moved out of the zone for less than one hour before reparked in that zone.

**11.16.100 Penalties.**

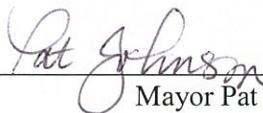
Failure to comply with any parking restriction adopted pursuant to BMC 11.16.010 or any other provision, except BMC 11.16.020, of this chapter is a parking infraction for which a penalty in the amount of \$50.00 shall be imposed.

The civil infractions shall be imposed in accordance with BMC 1.04.020, Civil infractions – Penalty.

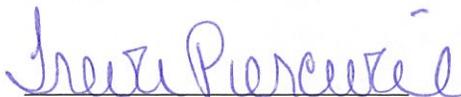
**Section 2.** Severability. If any provision of this Ordinance is held invalid, such invalidity shall not affect any other provision, or the applications thereof, which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are to be declared severable.

**Section 3.** Effective Date. This Ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after publication.

Introduced, passed, and approved this 23<sup>rd</sup> day of July 2019.

  
\_\_\_\_\_  
Mayor Pat Johnson

ATTEST:

  
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City Clerk Treva Percival, MMC

APPROVED AS TO FORM:

  
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Phil Olbrechts, City Attorney

Published: July 31, 2019  
Effective: August 5, 2019