

PLEASE NOTE SPECIAL MEETING TIME

CHEHALIS CITY COUNCIL AGENDA
CITY HALL
350 N MARKET BOULEVARD, CHEHALIS, WA 98532

Dennis L. Dawes, Position at Large Mayor		
Terry F. Harris, District 1, Mayor Pro Tem		Anthony E. Ketchum Sr., District 3
Daryl J. Lund, District 2		Chad E. Taylor, Position at Large
Dr. Isaac S. Pope, District 4		Bob Spahr, Position at Large

September 14, 2015

4:30 p.m.

EXECUTIVE SESSION		
1. <u>Executive Session Pursuant to RCW 42.30.110 (1)(i) – Potential Litigation.</u> (City Manager, City Attorney, Fire Chief)	---	

Regular Meeting of Monday, September 14, 2015

5:00 p.m.

ITEM	ADMINISTRATION RECOMMENDATION	PAGE
2. <u>Call to Order.</u> (Mayor)		
3. <u>Pledge of Allegiance.</u> (Mayor)		

CITIZENS BUSINESS		
This is an opportunity for members of the audience to address the council on matters not listed elsewhere on the agenda. Speaker identification forms are available at the door and may be given to the city clerk prior to the beginning of the meeting.		

SPECIAL BUSINESS		
4. <u>Update From Cowlitz-Wahkiakum Council of Governments on Regional Economic Development issues.</u> (CWCOG Executive Director Bill Flashing)	---	

CONSENT CALENDAR		
5. <u>Minutes of the Regular Meeting of August 24, 2015.</u> (City Clerk)	APPROVE	1
6. <u>Vouchers and Transfers.</u> (Finance Manager)	APPROVE	4

ADMINISTRATION AND CITY COUNCIL REPORTS		
7. <u>Administration Reports</u>		
a. Briefing on Joint Narcotics Enforcement Team. (Police Chief)	INFORMATION ONLY	
8. <u>Council Reports.</u>		
a. Councilor reports. (City Council)	INFORMATION ONLY	
b. Council committee reports. (City Council)	INFORMATION ONLY	

NEW BUSINESS		
9. <u>Ordinance No. 945-B, Final Reading – Replacing Chapter 10.08 of the Chehalis Municipal Code (Parking Code) and Repealing Ordinance Nos. 872-B and 889-B.</u> (City Manager, Police Chief, Municipal Court Administrator)	PASS	6

THE CITY COUNCIL MAY ADD AND TAKE ACTION ON
OTHER ITEMS NOT LISTED ON THIS AGENDA

NEXT REGULAR CITY COUNCIL MEETING WILL BE ON MONDAY, SEPTEMBER 28, 2015

August 24, 2015

The Chehalis city council met in regular session on Monday, August 24, 2015, in the Chehalis city hall. Mayor Dawes called the meeting to order at 5:00 p.m. with the following council members present: Terry Harris, Dr. Isaac Pope, Bob Spahr, and Daryl Lund. Councilors Taylor and Ketchum were absent (excused). Staff present included: Merlin MacReynold, City Manager; Bill Hillier, City Attorney; Judy Schave, City Clerk; Glenn Schaffer, Police Chief; Dennis Osborn, Community Development Director; Judy Pectol, Finance Manager; Peggy Hammer, Human Resources Administrator; and Patrick Wiltzius, Wastewater Superintendent. Members of the media included Dameon Pesanti from *The Chronicle* and Bobby Jackson from KELA/KMNT Radio.

1. **Proclamation Presentation.** Mayor Dawes presented Arnie Guenther with the Us Too Southwest Washington Prostate Cancer Support Group with a proclamation declaring September as "Prostate Cancer Awareness Month" in the city of Chehalis. Other support group members in attendance included Larry Bilyeu and Bill and Donna Zimmerman.

2. **Consent Calendar.** Councilor Spahr moved to approve the consent calendar comprised of the following:

- a. Minutes of the regular meeting of August 10, 2015;
- b. Claim Vouchers No. 113300-113474 and Electronic Funds Transfer No. 72015 in the amount of \$991,931.21 dated August 14, 2015;
- c. Approve appointment of Heather Beard to the Chehalis Historic Preservation Commission for a 3-year term expiring August 31, 2018;
- d. Adopt Resolution No. 10-2015 on first and final reading for the surplus of city property; and
- e. Authorize city manager to execute a Promissory Note in the amount of \$631,761.55 and all other related documents required by Security State Bank for the purpose of purchasing a 2016 Pierce Dash Class I Engine Pumper.

The motion was seconded by Councilor Pope and carried unanimously.

3. **Administration Reports.**

a. **July Financial Report.** Finance Manager Judy Pectol reported some of the percentages in the general fund expenditures were a little high. She noted this is mostly due to the contra-expenses that still need to be allocated to the airport and utility funds. Ms. Pectol indicated she's drafted a cost allocation plan, but it still needs to be put into action. She plans to have the journal entries done for the August financial report, which will make some of the general fund expenses go down.

Councilor Harris asked if the Auditor's Office has to approve the cost allocation plan and the percentages we use.

Ms. Pectol reported the State Auditor's Office does not pre-approve the allocations, or tell us whether or not they accept the percentages we use. She noted our previous plan had too many rough percentages, adding the auditors want it to be based on specific calculations. Ms. Pectol stated they don't really care what the specific computation is, noting it just has to be based on some specific statistical argument.

Ms. Pectol reported on the utility revenues, noting some are still coming in low. She stated she would be asking for help from the utility department to determine why that is.

Ms. Pectol reported on the revenues and expenditures for the airport fund. She indicated she's still waiting on some grant funding to come in, and she still needs to transfer money from the utilities to cover their portion of the work being done.

Councilor Harris inquired about the line item for miscellaneous revenues and insurance.

Ms. Pectol reported the revenue in this fund is from insurance claim recoveries, adding, in most cases, it's for money that's already been spent.

August 24, 2015

Councilor Spahr thanked Ms. Pectol for providing the financial activity for the pool. He noted the report showed revenues of \$76,039 through July 31 and expenditures of \$102,807, leaving a net operating loss of \$26,768. Councilor Spahr asked about the concessions revenue, adding he was surprised that it was so low.

Ms. Pectol reported they have vending machines on-site to sell concessions and she too was surprised by the low number. She noted they originally budgeted \$9,500 for 2015, which was based on the short time the pool was open in 2014.

Councilor Spahr asked how the information provided compared to years past.

Ms. Pectol stated she didn't know, but she could do a comparison to find out.

Councilor Lund asked if the vending machines are owned by the city.

Ms. Pectol stated she didn't know, but would find that out, as well.

Councilor Lund reported when he was a kid they sold frozen candy bars and they were a big hit. He stated it was interesting that we have vending machines because there's a lot of money in concessions.

Ms. Pectol reported on the 2014 audit exit conference with the State Auditor's Office. She noted the auditors made some recommendations; however, in their informal recommendations, the city had no findings and received a clean opinion. She also noted there would be no management letter issued. Ms. Pectol reported the 2014 audit impacted every department in the city, noting they looked at financial records, processes and procedures, and grant reporting.

4. Council Reports.

a. **Update From Councilor Lund.** Councilor Lund reported he attended the opening day of the Southwest Washington Fair, adding it was fun to see everything and all the people there.

Councilor Lund also attended the Lewis County Historical Society Board meeting, noting it's sad when you try to help a group figure out ways to make money and they don't want to do anything. He suggested they could be making \$3,500 to \$4,500 per month, but all they can think about is the hotel/motel tax and how it's owed to them.

b. **Update From Councilor Spahr.** Councilor Spahr reported he too attended the opening of the fair. He also attended the Lewis County Economic Development Board meeting, noting a lot of the discussion was around the performance of Executive Director Matt Matayoshi. Councilor Spahr stated he gave Mr. Matayoshi high marks, adding he felt he's done a good job of mending some fences and being open with the city council and the administration.

c. **Update From Councilor Harris.** Councilor Harris reported he attended the fair on Wednesday. He noted it was his anniversary, adding he and his wife went on their first date to a fair in California and figured what better way to celebrate it.

d. **Update From Mayor Dawes.** Mayor Dawes congratulated the city's financial staff and all of the departments on a clean audit. He noted the Auditor's Office was very complimentary of the folks they interacted with while they were here, adding that's always good to hear. Mayor Dawes reported this year's audit cost about \$30,000 because it was such an encompassing audit.

Mayor Dawes reported he also attended the opening day of the fair.

5. **Ordinance No. 944-B, Second and Final Reading – Addressing Panhandling in the City of Chehalis.** Police Chief Glenn Schaffer reported the only change to the ordinance since first reading was some paragraph numbering and lettering.

Councilor Spahr moved to pass Ordinance No. 944-B on second and final reading.

Councilor Pope seconded the motion.

August 24, 2015

Mayor Dawes inquired about folks moving to other 'like' areas and we start experiencing similar problems.

Chief Schaffer reported the areas addressed in the ordinance are very specific and they need to be. He stated the idea of 'coercive' panhandling is obviously city-wide, but peaceful panhandling elsewhere is a constitutionally protected right.

City Attorney Hillier reminded the council that they can always amend the ordinance to pick up any issues that come up.

Councilor Spahr stated it has to be intimidating to have someone walk up behind you when you're loading your car, especially at night. He suggested, without the ordinance, if someone comes within 25 feet of you there's not much that can be done.

Chief Schaffer stated that's correct. He added, the act of loading things in the car is distracting and you're not really paying attention to the environment. Chief Schaffer noted it's a pretty common tactic that they see, particularly at the Twin City Town Center.

Councilor Spahr suggested it's not going to stop people from doing it, but it does give us some teeth if we do catch them.

The motion carried unanimously.

6. **Update on Recent Travels.** City Attorney Bill Hillier reported, in his recent travels to Montana, he was with his wife paying a propane bill when he struck up a conversation with the gentleman who sets the propane tanks. He noted the gentleman asked where he was from and he replied, "Chehalis, Washington." The gentleman indicated he learned to swim in the pool in Chehalis, noting he lived in Montana, but spent the summers with his dad who lived in Onalaska, Washington.

There being no further business to come before the council, the meeting adjourned at 5:24 p.m.

Mayor

Attest:

City Clerk

SUGGESTED MOTION

I move that the council approve the minutes of the regular city council meeting of August 24, 2015.

**CITY OF CHEHALIS
AGENDA REPORT**

DATE: August 31, 2015
TO: The Honorable Mayor and City Council
FROM: Judy Pectol, Finance Manager *JP*
PREPARED BY: Michelle White, Accounting Tech II *MW*
SUBJECT: Vouchers and Transfers

ISSUE

Council approval is requested of the following:

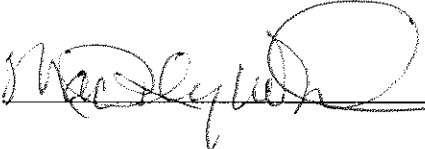
Claim Vouchers No. 113475 through 113587 in the amount of \$314,046.40 dated August 31, 2015 and the transfer of \$82,437.70 from the General Fund, \$4,942.88 from the Dedicated Street Fund - 4% Sales Tax, \$23,778.02 from the Arterial Street Fund, \$34,082.58 from the Wastewater Fund, \$134,815.27 from the Water Fund, \$959.13 from the Storm & Surface Water Utility Fund, \$32,118.14 from the Airport Fund and \$912.68 from the Firemen's Pension Fund.

RECOMMENDATION/COUNCIL ACTION DESIRED

The administration recommends that the council approve the August 31, 2015 Claim Vouchers No. 113475 through 113587 in the amount of \$314,046.40.

SUGGESTED MOTION

I move to approve the August 31, 2015 Claim Vouchers No. 113475 through 113587 in the amount of \$314,046.40.

Reviewed by: , City Manager

CITY OF CHEHALIS
AGENDA REPORT

DATE: August 31, 2015
TO: The Honorable Mayor and City Council
FROM: Judy Pectol, Finance Manager *JP*
PREPARED BY: Michelle White, Accounting Tech II *MW*
SUBJECT: Payroll Vouchers and Transfers

ISSUE

Council approval is requested of the following financial transactions:

Payroll Vouchers No. 38319 through 38405, Direct Deposit Payroll Vouchers No. 6323 through 6412 and Electronic Federal Tax Payment No. 151 dated August 31, 2015 in the amount of \$762,515.36 and the transfer of \$533,501.25 from the General Fund, \$14,239.69 from the Arterial Street Fund, \$79,560.23 from the Wastewater Fund, \$88,246.34 from the Water Fund, \$19,001.84 from the Storm & Surface Water Utility Fund, \$26,420.02 from the Airport Fund and \$1,545.99 from the Firemen's Pension Fund.

RECOMMENDATION/COUNCIL ACTION DESIRED

The administration recommends that the council approve the August 31, 2015 Payroll Vouchers No. 38319 through 38405, Direct Deposit Payroll Vouchers No. 6323 through 6412, and Electronic Federal Tax Payment No. 151 in the amount of \$762,515.36.

SUGGESTED MOTION

I move to approve the August 31, 2015, Payroll Vouchers No. 38319 through 38405, Direct Deposit Payroll Vouchers No. 6323 through 6412, and Electronic Federal Tax Payment No. 151 in the amount of \$762,515.36.

Reviewed by: , City Manager

CITY OF CHEHALIS

AGENDA REPORT

DATE: September 8, 2015

TO: The Honorable Mayor and City Council

FROM: Becky Fox, Court Administrator
Glenn Schaffer, Police Chief

SUBJECT: Repeal Parking Ordinance Nos. 872-B and 889-B and adopt Ordinance No. 945-B which shall replace Chapter 10.08 of the Chehalis Municipal Parking Code

ISSUE

The current Municipal Parking Code, 10.08.140 is not in compliance with IRLJ 2.4 in that it establishes a time period of 72 hours for a person to respond to a notice of parking infraction before a delinquent penalty is assessed.

In addition, the administration would like to add the violation of occupying more than one parking space to our current code.

DISCUSSION

It was recently brought to the court's attention that our current Municipal Parking Code is out of compliance with IRLJ 2.4 because we are requiring a person to respond to a notice of parking infraction within 72 hours of issuance before assessing a \$25 delinquent fee. This court rule states the following:

“A person who has been served with a notice of infraction must respond to the notice within 15 days of the date the notice is personally served or, if the notice is served by mail, within 18 days of the date the notice is mailed”.

We were also made aware that our current parking infraction form is out of compliance with IRLJ 2.1 as it does not contain the information required by the court rule; contains incorrect language as to response time; and has not been approved by the Administrative Office of the Courts (AOC). The administration has since worked with AOC and obtained approval of a parking infraction form for use upon passage of this ordinance.

We are also asking that parking violation no. 10.08.020.A.1 (q) be added as follows: No person shall: Stop, stand or park a vehicle:

“In any parking area designated by lines or marks in any manner that the vehicle extends over or across any such line or mark or in such manner that the vehicle is not within the area so designated by such lines or marks”.

RECCOMENDATION/COUNCIL ACTION DESIRED

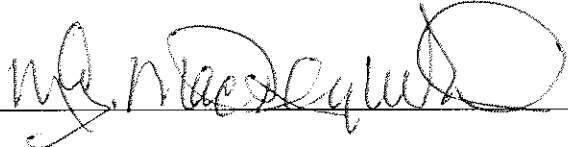
It is recommended that the council suspend the rules requiring two readings of an ordinance.

It is recommended that the council pass Ordinance No. 945-B on first and final reading.

SUGGESTED MOTION

I move that the council suspend the rules requiring two readings of an ordinance.

I move that the council pass Ordinance No. 945-B on first and final reading.

Reviewed by: , City Manager

ORDINANCE NO. 945-B

AN ORDINANCE OF THE CITY OF CHEHALIS, WASHINGTON, REPEALING ORDINANCE NO. 872-B, WHICH ESTABLISHED THE CHEHALIS PARKING CODE AND REPEALING ORDINANCE NO. 889-B, WHICH AMENDED ORDINANCE NO. 872-B, MUNICIPAL PARKING CODE 10.08.140 CIVIL ASSESSMENTS AND ESTABLISHING THE CHEHALIS PARKING CODE CHAPTER 10.08 OF THE CHEHALIS MUNICIPAL CODE.

WHEREAS, the City Council of the city of Chehalis has concluded that it is in the best interest of the city and its citizens to repeal the parking code enforcement provided in Ordinances 872-B and 889-B and replace Chapter 10.08 in its entirety to clarify and update the same, now therefore,

THE CITY COUNCIL OF THE CITY OF CHEHALIS, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Ordinance No. 872-B of the city of Chehalis passed the 25th day of April, 2011, shall be, and the same hereby is, repealed in its entirety.

Section 2. Ordinance No. 889-B of the city of Chehalis passed the 13th day of February, 2012, shall be, and the same hereby is, repealed in its entirety.

Section 3. The following provisions shall replace Chapter 10.08 of the Chehalis Municipal Code, the Parking Code, together with future amendments thereto;

Chapter 10.08

PARKING

Sections:

- 10.08.010 Definitions.
- 10.08.020 Stopping, standing, or parking prohibited in specific places.
- 10.08.030 Additional rules and regulations – Establishment.
- 10.08.040 Applicability.
- 10.08.050 Rules and regulations – Violation – Penalty.
- 10.08.060 Parking prohibited at all times on certain streets – Penalty for violation.
- 10.08.070 Parking limited on certain streets.
- 10.08.080 Angle parking.
- 10.08.090 Physically disabled parking.
- 10.08.100 Zone 1 – Two-hour parking
- 10.08.110 Zone 2 – Two-hour parking.

- 10.08.115 Parking prohibited on all city streets – Penalty for violation
- 10.08.120 Parking adjacent to schools.
- 10.08.130 Parking time limits – Penalty for violation.
- 10.08.140 Civil assessments.
- 10.08.150 Parking zones – Sign posting.
- 10.08.160 Parking of motorcycles, motor-driven cycles, and mopeds within parking spaces.
- 10.08.170 Tampering with parking enforcement process is a violation.
- 10.08.180 City parking lots – Regulations.
- 10.08.190 City parking lots – Fee schedule.
- 10.08.200 City parking lots – Penalty for violation.

10.080.010 Definitions.

“Camper” means a structure designed to be mounted upon a motor vehicle which provides facilities for human habitation or for temporary outdoor or recreational lodging and which is five feet or more in overall length and five feet or more in height from its floor to its ceiling when fully extended, but shall not include motor homes as defined in RCW 46.04.305.

“Motor home” means a motor vehicle originally designed, reconstructed, or permanently altered to provide facilities for human habitation, which include lodging and cooking or sewage disposal, and is enclosed within a solid body shell with the vehicle, but excludes a camper or like unit constructed separately and affixed to a motor vehicle.

“Motor vehicles” means any and all vehicles licensed in accordance with RCW Title 46, with the exception of motor vehicles licensed for a gross weight of 20,000 pounds or more, including their trailers.

“Right-of-way” means all public streets and property granted or reserved for, or dedicated to, public use for streets, together with public property granted or reserved for, or dedicated to, public use for walkways, sidewalks, and bikeways, whether improved or unimproved, including air rights, subsurface rights, and easements related thereto.

“Travel trailer” means a trailer built on a single chassis transportable upon the public streets and highways that is designed to be used as a temporary dwelling without a permanent foundation and may be used without being connected to utilities. [Ord. 725B, 2002; Ord. 679B, 2000.]

“Full trailer” means every vehicle without motive power, designed for carrying persons or property, drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

“Semitrailer” means every vehicle without motive power designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by the towing vehicle.

“Utility trailer” means any full trailer or semitrailer constructed and used solely for the purpose of carrying property and not to exceed a gross weight of 6,000 pounds.

10.08.020 Stopping, standing, or parking prohibited in specific places.

- A. Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a police officer or official traffic control device, no person shall:
1. Stop, stand, or park a vehicle:
 - a. On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
 - b. On a sidewalk or street planting strip;
 - c. Within an intersection;
 - d. On a crosswalk;
 - e. Opposite the direction of authorized traffic movement;
 - f. Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic;
 - g. Upon any bridge or other elevated structure upon a highway or within a highway tunnel;
 - h. On any railroad tracks;
 - i. In the area between roadways of a divided highway including crossovers;
 - j. In front of a public or private driveway or within five feet of the end of the curb radius leading thereto;
 - k. Within 15 feet of a fire hydrant;
 - l. Within 20 feet of a crosswalk;
 - m. Within 30 feet upon the approach to any flashing signal, stop sign, yield sign, or traffic control signal located at the side of a roadway;
 - n. Within 20 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within 75 feet of said entrance when properly signposted; or

- o. Within 50 feet of the nearest rail of a railroad crossing; or
 - p. At any place where official signs prohibit stopping, standing, or parking;
 - q. In any parking area designated by lines or marks in any manner that the vehicle extends over or across any such line or mark or in such manner that the vehicle is not within the area so designated by such lines or marks.
- B. Stopping, standing, or parking shall be permitted in the manner provided by law at all other places, except a time limit and/or other restrictions as otherwise designated may be imposed.
- C. No person shall move a vehicle not lawfully under his or her control into any such prohibited area or away from a curb such a distance as is unlawful.
- D. It shall be unlawful for any person to reserve or attempt to reserve any portion of a highway for the purpose of stopping, standing, or parking to the exclusion of any other like person, nor shall any person be granted such right.
- E. It shall be unlawful for any person to cause or allow their vehicle to remain parked on city streets rights-of-way for longer than 24 hours after notice by city officials requesting removal of said vehicle for municipal purposes and/or posting of impending parking restrictions.
- F. Campers, motor homes, travel trailers, full trailers, semitrailers, utility trailers, and boat trailers are prohibited from parking on a city street, alley, or right-of-way, unless the owner/operator is in the process of loading or unloading supplies, or in the process of cleaning. Further, any camper, motor home, travel trailer, full trailer, semitrailer, utility trailer, or boat trailer parked in a manner that constitutes traffic or visibility obstruction shall be removed immediately. If an officer is unable to locate the owner within a reasonable period of time, the officer may cause the vehicle to be impounded. [Ord. 725B, 2002; Ord. 679B, 2000.]

10.08.030 Additional rules and regulations – Establishment.

The Chief of Police shall establish rules and regulations for the parking of motor vehicles in or upon the public streets and rights-of-way of the city. Said rules and regulations shall make provision for no-parking areas, limited-parking areas, and methods of parking. The rules and regulations promulgated by the Chief shall be accepted by the city upon presentation and notice as determined appropriate by the city. Said rules and regulations shall have no force and effect until such time as they are promulgated by the Chief, together with notification being made to the public. [Ord. 766B, 2004; Ord. 725B, 2002; Ord. 679B, 2000.]

10.08.040 Applicability.

The provisions of this chapter prohibiting the stopping, standing or parking of a vehicle shall apply at all times or those times specified in this chapter or as indicated on official signs, except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the directions of a police officer or an official traffic control device. [Ord. 725B, 2002; Ord. 679B, 2000.]

10.08.050 Rules and regulations – Violation – Penalty.

Any person, firm, or corporation violating any provisions of the rules and regulations promulgated under this chapter may, upon notice being received, be responsible for payment of a civil assessment in an amount to be established from time to time by the city, dependent upon the type of violation occurring. Should any person, firm, or corporation found to have violated any provision under this chapter fail to pay the assessment in the time required by the city, said person, firm, or corporation subject himself, herself, or itself to a misdemeanor charge for failure to comply with a mandate of the city. In addition, whenever a police officer finds a vehicle standing upon the roadway in violation of any provision of CMC 10.08.020, the officer may provide for the removal of the vehicle or require the driver or other person in charge of the vehicle to move the vehicle to a position off the roadway in accordance with RCW 46.55.113. [Ord. 725B, 2002; ord. 679B, 2000.]

10.08.060 Parking prohibited at all times on certain streets – Penalty for violation.

- A. When signs are erected giving notice thereof, no person shall stop, stand, or park a vehicle at any time upon streets so posted. Such areas shall be so designated by the police department and/or public works department.
- B. Vehicles found in violation of this section may incur an infraction of \$15.00 per violation and/or impoundment of the vehicle. [Ord. 766B, 2004; Ord. 725B, 2002; Ord. 679B, 2000.]

10.08.070 Parking limited on certain streets.

When signs are erected giving notice thereof, no person shall stop, stand, or park a motor vehicle for a period longer than the time indicated for the various streets so posted; provided, these limitations shall not apply on Saturdays, Sundays, or those legal holidays enumerated in RCW 1.16.050; and provided further, these limitations shall apply only between the hours of 8:00 a.m. and 5:00 p.m. [Ord. 725B, 2002; Ord. 679B, 2000.]

10.08.080 Angle parking.

There shall be authorized within the city, subject to the approval of the Chief of Police, angle parking, which currently exists on Chehalis Avenue, Cascade Avenue, and Market

Boulevard. Such parking shall be authorized subject to any modification of this rule by the Chief. [Ord. 766B, 2004; Ord. 725B, 2002; Ord. 679B, 2000.]

10.08.090 Physically disabled parking.

No vehicle shall be parked in a parking place reserved for physically disabled persons pursuant to RCW 46.19, without a special license plate, card or decal issued by the State of Washington Department of Licensing. [Ord. 725B, 2002; Ord. 679B, 2000.]

10.08.100 Zone 1 -- Two-hour parking.

- A. There shall be a two-hour parking zone at N.E. Boistfort Street from and including the intersection with N.W. Pacific Avenue and N.W. Chehalis Avenue to and including the intersection with N.E. Washington Avenue; N.E. Washington Avenue from and including the intersection with N.E. Boistfort Street to and including the intersection with N.E. Cascade Avenue; N.E. Cascade Avenue from and including its intersection with N.E. Washington Avenue to and including its intersection with North Market Boulevard and N.W. Park Street; N.W. Park Street from and including its intersection with North Market Boulevard to and including its intersection with N.W. Chehalis Avenue; and all streets in between, unless otherwise indicated.
- B. No person, firm, or corporation shall stop, stand, or park any vehicle on the streets within the parking zone created by this section for a period of more than two hours, or other time as indicated for a particular street, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, excluding legal holidays. [Ord. 725B, 2002; Ord. 679B, 2000.]

10.08.110 Zone 2 – Two hour parking.

- A. There shall be a two-hour parking zone at N.E. Washington Avenue from, but not including, its intersection with N.E. Division Street to, but not including, its intersection with N.E. Boistfort Street; N.W. Front Street from and including its intersection with North Market Boulevard to and including its intersection with N.W. Pacific Avenue; N.W. Pacific Avenue from and including its intersection with N.W. Front Street to, but not including, its intersection with N.E. Boistfort Street; and all streets in between, unless otherwise indicated.
- B. No person, firm, or corporation shall stop, stand, or park any vehicle on the streets within the zone created by this section for a period of more than two hours, or other time as indicated for a particular street, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, excluding legal holidays. [Ord. 725B, 2002; Ord. 679B, 2000.]

10.08.115 Parking prohibited on all city streets – Penalty for violation.

It is unlawful for any person to park or leave standing or cause to be parked or left standing any vehicle upon any public street in the city of Chehalis for 72 or more consecutive hours. Vehicles found in violation of this section and upon notice of a potential violation shall be tagged by the police department for a 72-hour period, after which said vehicle shall be subject to impoundment at the expense of the owner. [Ord. 887B § 1, 2012].

10.08.120 Parking adjacent to schools.

- A. The public works department is authorized to erect signs indicating no parking upon that side of any street adjacent to any school property when such parking would interfere with traffic or create a hazardous situation.
- B. When official signs are erected indicating no parking upon the side of the street adjacent to any school property, no person, firm, or corporation shall park a vehicle in any such designated place. [Ord. 725B, 2002; Ord. 679B, 2000.]

10.08.130 Parking time limits – Penalty for violation.

- A. No person, firm, or corporation shall park any vehicle on streets designated as timed parking for a consecutive period of more than the indicated limit set forth in CMC 10.08.100 and 10.08.110, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, excluding legal holidays. It shall be no defense that the vehicle has been moved from one parking space to another within the same parking zone or that the vehicle traversed streets not within the zone in so being moved.
- B. A showing that a vehicle was found parked in any on-street parking space within said parking zone or within the city lots more than two hours after it was previously noted in the same or any other on-street parking space within the zone, within any consecutive eight-hour period, shall constitute a prima facie presumption that the vehicle has been parked in violation of this section.
- C. A first infraction shall constitute overtime parking and shall result in a penalty of \$5.00. If a vehicle is found, pursuant to this chapter, parked within the areas designated herein subsequent to the issuance of the first violation notice in that same day, the same shall constitute chain parking and shall be assessed a penalty pursuant to CMC 10.08.140. [Ord. 725B, 2002; Ord. 679B, 2000.]

10.08.140 Civil assessments.

The following shall constitute the assessment for parking violations within the city not otherwise prescribed in this chapter;

- A. Overtime parking – exceeding the established time limit for a designated parking space: \$5.00 for the first (1st) offense in a 24 hour period and \$10.00 for the second (2nd) and/or each subsequent offense within the same 24 hour period.
- B. Chain parking – parking in a designated zone as set forth in CMC 10.08.100 and 10.08.110 and relocating the vehicle within the same zone during the original time limit and thereafter exceeding the zone limit (i.e. parking in a two-hour time zone for 20 minutes in one space then moving the vehicle to a different space within the same two-hour time zone for a period exceeding the two-hour time-zone limit) constitutes overtime parking as defined in Section A.
- C. Handicapped parking violations shall be penalized as established by state statute, incorporated herein by reference. [Ord. 766B, 2004; Ord. 725B, 2002; Ord. 679B, 2000.]
- D. Miscellaneous parking violations as defined by CMC 10.08.020: \$15.00 per violation within a 24-hour period.
- E. The monetary penalty for failure to respond to a parking infraction within 15 days of the issuance shall be \$25.00 for each parking infraction regardless of the time period in which the offense(s) occurred and regardless of the violation.

10.08.150 Parking zones – Sign posting.

Appropriate signs shall be erected in established time parking zones to reasonably inform the public of parking regulations enacted in this chapter. Neither failure of a person to observe any sign nor the nonexistence of a sign in a particular location, shall be a defense to any violation of CMC 10.08.100 and 10.08.110. [Ord. 725B, 2002; Ord. 679B, 2000.]

10.08.160 Parking of motorcycles, motor-driven cycles, and mopeds within parking spaces.

- A. Notwithstanding any provisions of the model traffic ordinance as adopted in this chapter or any other provisions of this chapter, more than one motorcycle, as defined in RCW 46.04.332, and/or moped, as defined in RCW 46.04.304, may be parked within a single parking space within the city, subject to the following provisions:
 - 1. That no more than three motorcycles, motor-driven cycles and/or mopeds be allowed within a single parking space and that same are parked so as not to unreasonably interfere with other such vehicles;
 - 2. That the vehicles be parked at any angle with the rear tire touching the curb and in manner so as not to interfere with traffic;
 - 3. That any violation would result in a citation being given to all the vehicles then and there parked; and

4. That each vehicle must comply with the relevant time limits established for that parking zone.

B. In all other regards, the vehicles must comply with all other appropriate traffic and/or parking regulations. [Ord. 725B, 2002; Ord. 679B, 2000.]

10.08.170 Tampering with parking enforcement process is a violation.

A. It shall be a violation of this chapter for a person to erase chalk marks placed on tires or vehicles by enforcement officers of the city to enforce provisions of this chapter or to tamper with any other enforcement process implemented by the officials, with the intent of circumventing that enforcement process or the provisions of this chapter.

B. The penalty for violation of this section shall be \$47.00. [Ord. 725B, 2002; Ord. 679B, 2000.]

10.08.180 City parking lots – Regulations.

When signs are erected giving notice thereof, no person, firm, or corporation shall stop, stand, or park a vehicle within any city-maintained parking lots for a period of time longer than indicated, contrary to any restrictions or without paying the applicable parking fee established pursuant to this chapter. [Ord. 766B, 2004; Ord. 725B, 2002; Ord. 679B, 2000.]

10.08.190 City parking lots – Fee schedule.

The city council shall establish and post a fee schedule, where applicable, for the city-owned and operated parking lots and to implement the parking regulations by the installation of appropriate signs and/or collection devices. The fee schedule, and any changes thereto, shall be filed with the police department. [Ord. 766B, 2004; Ord. 725B, 2002; Ord. 679B, 2000.]

10.08.200 City parking lots – Violations/penalties.

A. Failure to pay fees in a time-regulated municipal parking lot pursuant to this chapter shall constitute a parking infraction and shall be penalized as follows:

1. City parking lots – 4-hour and 24 hours: if a vehicle is found, pursuant to this Chapter, parked within a time-regulated municipal lot in excess of the established time, the same shall constitute an infraction resulting in a penalty of \$15.00 per violation. Nothing in this section will prohibit a vehicle from being cited for multiple violations.
2. Permitted City parking lots: If a vehicle is found, pursuant to this Chapter, parked in a permit lot without a valid City-issued permit, the same shall constitute an

infraction resulting in a penalty of \$15.00 per violation. Nothing in this section will prohibit a vehicle from being cited for multiple violations.

B. Moving the vehicle is not a defense: It shall be no defense that a vehicle has been moved from one parking space to another within a parking lot if the vehicle remains in the lot at the end of the applicable time limit or without a permit.

C. Towing vehicles: Vehicles found in violation of this Chapter may be impounded and towed at the direction of the Chehalis Police or other law enforcement agencies. [Ord. 766B, 2004; Ord. 725B, 2002; Ord. 679B, 2000.]

Section 3. The City Clerk shall be, and she hereby is, instructed to repeal Chapter 10.08 of the Chehalis Municipal Code and replace the same as set forth herein.

PASSED by the City Council of the city of Chehalis, Washington, and **APPROVED** by its Mayor at a regularly scheduled open public meeting thereof this _____ day of _____, 2015.

Mayor

Attest:

City Clerk

Approved as to form and content:

City Attorney