

**CITY OF MARYSVILLE AGENDA BILL**

**EXECUTIVE SUMMARY FOR ACTION**

**CITY COUNCIL MEETING DATE: 6/27/16**

<b>AGENDA ITEM:</b> Parking Restrictions	
<b>PREPARED BY:</b> Gloria Hirashima, Chief Administrative Officer	<b>DIRECTOR APPROVAL:</b>
<b>DEPARTMENT:</b> Executive	
<b>ATTACHMENTS:</b> 1. Email from resident 2. Parking Ordinance	
<b>BUDGET CODE:</b>	<b>AMOUNT:</b>
<b>SUMMARY:</b>	

City staff was contacted by a resident regarding concerns on the absence of time restrictions for vehicle parking on public streets if the vehicle displays a disabled card, decal or plate. An apparently inoperable vehicle with placard has been parked on the public street in front of the resident’s house for over 2 years. This has made it difficult for the homeowner to access his yard and has become an eyesore as the area around the car is difficult to maintain.

Currently state law provides no time limitations for vehicles displaying a disabled card, decal or plate. Cities may pass local ordinances to regulate parking. The City Attorney researched parking restrictions in other communities and found examples of local ordinances placing time restrictions on public right of way in these situations.

The proposed ordinance places a 7-day restriction on public streets for vehicles displaying disabled card, decal or plate and a 24-hour restriction in timed parking areas. The ordinance also provides language for 7 day restrictions on boats, trailers and other licensed or unlicensed vehicles or devices within public right of way.

<b>RECOMMENDED ACTION:</b> Approve proposed ordinance.
---

## Gloria Hirashima

---

**From:** charles221s@aol.com  
**Sent:** Thursday, June 02, 2016 10:08 AM  
**To:** Gloria Hirashima  
**Subject:** Re: Parking ordinance

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Gloria-for the last 2 1/2 years we have had a Lincoln vehicle 321-ZBK parked in front of our home at 7110 67th Dr. NE in Marysville. It hasn't been moved since it was parked there, grass is growing up around it & it has become a real eyesore. I have talked to the owner & his brother repeatably to please do something about it. I want to cut down a pine tree in my front yard & I'm in the process of putting up a new fence on our property & I can't even get my truck unto my front yard so I can load the old lumber to haul it away. I take a great deal of pride in my home & yard & have worked hard to keep it looking nice. This situation is really unacceptable to myself & my wife, we are both seniors & shouldn't have to deal with things like this. I have made numerous calls to the city & talked to the city attorneys several time, state patrol, as well as street dept. employees. I have done everything possible to resolve this situation & I need assistance. He has a handicapped placard (Z665178) he's been hiding behind in hopes that makes it okay for him to leave his abandoned car here ( it doesn't even run & he claims he wants to sell it). He was cited because the placard was expired so he got an updated one. I hope the city of Marysville can come to a resolution to get this matter resolved.

Respectably, Charles Smith

-----Original Message-----

From: Gloria Hirashima <GHirashima@marysvillewa.gov>  
To: charles221s <charles221s@aol.com>  
Sent: Thu, Jun 2, 2016 9:16 am  
Subject: Parking ordinance

Charles – thank you for your phone call. If you could send a short written description of the problem and how it impacts you, that would be helpful in supporting our proposal to resolve this issue by revising the parking code. Thank you. –  
Gloria

Gloria Hirashima  
Chief Administrative Officer  
1049 State Avenue  
Marysville, WA 98270  
(360) 363-8088  
[ghirashima@marysvillewa.gov](mailto:ghirashima@marysvillewa.gov)

**CITY OF MARYSVILLE**  
**Marysville, Washington**

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MARYSVILLE, WASHINGTON, AMENDING CHAPTER 11.08 OF THE MUNICIPAL CODE AND IMPOSING TIME LIMITS ON PARKING OF VEHICLE AND VEHICLES WITH A DISABLED PARKING PRIVILEGE.**

WHEREAS, the City's streets and rights-of-way are for the public convenience and use; and

WHEREAS, public streets are not designed for long-term or permanent parking of vehicles, trailers, boats, or similar devices; and

WHEREAS, parking of vehicles, trailers, boats, or other devices for lengthy periods of time interferes with the availability of parking and access to private property; and

WHEREAS, in areas where there are no on-street parking spaces the municipal code currently allows vehicles, trailers, boats, and other devices to park without any time restriction; and

WHEREAS, public welfare would be enhanced by limiting parking in city rights-of-way where there are no on-street parking spaces to seven consecutive days; and

WHEREAS, on-street parking spaces should be available for public use; and

WHEREAS, RCW 46.19.050 authorizes the City to set time restrictions on parking in on-street parking spaces for those with disabled parking privileges of no less than four hours.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MARYSVILLE, WASHINGTON, DO ORDAIN AS FOLLOWS:

SECTION 1. Amendment of Municipal Code. Sections 11.08.030 and 11.08.070 of the municipal code are amended as set forth in Exhibit A.

SECTION 2. Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this ordinance.

SECTION 3. Effective Date. This ordinance shall become effective five days after the date of its publication by summary.

PASSED by the City Council and APPROVED by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

CITY OF MARYSVILLE

By \_\_\_\_\_

JON NEHRING, MAYOR

Attest:

By \_\_\_\_\_

APRIL O'BRIEN, DEPUTY CITY CLERK

Approved as to from:

By \_\_\_\_\_

JON WALKER, CITY ATTORNEY

Date of publication: \_\_\_\_\_

Effective Date (5 days after publication): \_\_\_\_\_

# EXHIBIT A

## **11.08.030 Stopping, standing or parking prohibited in specified places.**

---

(1) Except when necessary to avoid conflict with other traffic, or in compliance with the law or the directions of a police officer or official traffic control device, no person shall:

(a) Stop, stand or park a vehicle:

(i) On the roadway side of any vehicle stopped or parked at the edge or curb of a street,

(ii) On a sidewalk or street planting strip,

(iii) Within an intersection,

(iv) On a crosswalk,

(v) Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless official signs or markings indicate a different no-parking area opposite the ends of a safety zone,

(vi) Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic,

(vii) Upon any bridge or other elevated structure upon a highway or within a highway tunnel,

(viii) On any railroad tracks,

(ix) In the area between roadways of a divided highway, including cross-overs,

(x) At any place where official signs prohibit stopping, or

(xi) Within any fire zone or fire exit;

(b) Stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger or passengers:

(i) In front of a public or private driveway or within five feet of the end of the curb radius leading thereto,

(ii) Within 15 feet of a fire hydrant,

(iii) Within 20 feet of a crosswalk,

(iv) 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,

(v) Within 20 feet of the driveway entrance to any and on the side of a street opposite the entrance to any fire station within 75 feet of said entrance when properly signed,

(vi) At any place where official signs prohibit standing, or

(vii) At any place where city barricades are placed;

(c) Park a vehicle, whether occupied or not, except temporarily for the purpose of and while actually engaged in loading or unloading property or passengers;

(i) Within 50 feet of the nearest rail of a railroad crossing, or

(ii) At any place where official signs prohibit parking;

(d) Reserve or attempt to reserve any portion of a street or alley for the purpose of stopping, standing, or parking to the exclusion of any other like person, nor shall any person be granted such right.

(2) Parking or standing shall be permitted in the manner provided by law at all other places except where a time limitation or parking restriction has been imposed.

(3) No one shall leave a vehicle, boat trailer, recreation trailer, camper, or other licensed or unlicensed vehicle or device parked for a period of time longer than seven consecutive days on any public street or alley right-of-way.

(34) 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 prohibited.

**11.08.070 Parking for disabled persons – RCW [46.19.050](#) adopted by reference.**

(1) RCW [46.19.050](#), Restrictions – Prohibitions – Violations – Penalties, is hereby adopted and incorporated by reference.

(2) A person who has received a current and valid special disabled person's card, decal or license plate from the Washington State Department of Licensing under RCW [46.19.050](#) shall be allowed to park a vehicle being used to

transport such person in parking meter spaces free of charge and for ~~unlimited periods of time~~ up to 24 hours in parking zones or areas which are otherwise restricted as to the length of time parking is permitted and up to seven consecutive days in areas where there is no posted time limitation. Such person shall not be permitted the foregoing privilege unless the person obtains and displays a distinguishing card, decal or license plate issued pursuant to Chapter 46.19 RCW.

This section shall have no application to those zones or areas in which the stopping, parking or standing of all vehicles is prohibited or which are reserved for special types of vehicles. ~~Such person shall not be permitted the foregoing privilege unless the person obtains and displays a distinguishing card, decal or license plate issued pursuant to Chapter 46.19 RCW.~~

(3) No person shall stop, stand or park a vehicle in a parking space reserved for disabled persons provided on public property or on private property without charge without a special license plate, card or decal issued pursuant to Chapter [46.19](#) RCW. In addition to assessing the penalty identified in MMC [11.08.250](#), the police department may remove and impound the offending vehicle.

(4) A public parking space or stall for a disabled person shall be identified by a vertical sign, between 36 and 84 inches off the ground, with the international symbol of access, whose colors are white on a blue background, described under RCW [70.92.120](#) and the notice "State disabled parking permit required."

(5) A parking space or stall for a disabled person shall also be identified by a painted white line at least four inches in width on the improved surface delineating the perimeter of the parking space or stall and a legend of the international symbol of access on the surface of the stall in white per city standards.