

CITY OF MARYSVILLE AGENDA BILL

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: May 10, 2021

AGENDA ITEM: Ordinance Amending MMC 11.08.250	
PREPARED BY: Burton Eggertsen	DIRECTOR APPROVAL:
DEPARTMENT: Legal	
ATTACHMENTS:	Draft Ordinance amending MMC 11.08.250
BUDGET CODE:	AMOUNT:
SUMMARY:	

The current penalty for parking a tractor-trailer combination on a street not authorized by MMC 11.08.200(2) is \$40.00. The City has been receiving calls regarding tractor-trailer combinations improperly and repeatedly parking in residential areas; while citations have been issued for these violations, the concern is that the current \$40.00 penalty is not sufficient to ensure compliance with MMC 11.08.200(2).

The attached amendment to MMC 11.08.250 would create a graduated penalty scale for violations of MMC 11.08.200(2): the first violation would be \$40; the second violation \$150; and the third and subsequent violations \$300.

RECOMMENDED ACTION: Staff recommends that the Council consider adopting the ordinance amending MMC 11.08.200(2).
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CITY OF MARYSVILLE
Marysville, Washington

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MARYSVILLE, WASHINGTON, AMENDING SECTION 11.08.250 OF THE MUNICIPAL CODE, BY ESTABLISHING A GRADUATED PENALTY SCALE FOR PARKING TRACTOR-TRAILER COMBINATIONS ON UNAUTHORIZED CITY STREETS.

WHEREAS, Section 11.08.200 of the Marysville Municipal Code (MMC) regulates the parking of recreational vehicles and tractor-trailer combinations within the City; and

WHEREAS, the current penalty for parking a tractor-trailer combination on a street not authorized by MMC 11.08.200(2) is \$40.00, as established by MMC 11.08.250; and

WHEREAS, the current \$40.00 penalty may not be sufficient to ensure compliance with MMC 11.08.200(2); and

WHEREAS, it is appropriate to amend the municipal code in response to changes in state law or conditions in the City; and

WHEREAS, public health, safety, and welfare benefits from periodic updates to the municipal code.

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

SECTION 1. Section 11.08.250 of the Marysville Municipal Code is 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. Upon approval by the city attorney, the city clerk or the code reviser are authorized to make necessary corrections to this ordinance, including scrivener's errors or clerical mistakes; references to other local, state, or federal laws, rules, or regulations; or numbering or referencing of ordinances or their sections and subsections.

SECTION 4. 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 _____, 20_____.

CITY OF MARYSVILLE

By _____
JON NEHRING, MAYOR

Attest:

By _____
_____, DEPUTY CITY CLERK

Approved as to form:

By _____
JON WALKER, CITY ATTORNEY

Date of publication: _____

Effective Date (5 days after publication): _____

Exhibit A

11.08.250 Penalties.

(1) Unless specifically set forth elsewhere in this chapter, the penalties for each violation of the provisions of this chapter shall be:

- (a) Overtime parking: \$40.00;
- (b) Unauthorized parking in alley: \$40.00;
- (c) Parking in a disabled space without requisite permit, decal or license: \$250.00 as set forth in RCW 46.19.050;
- (d) Parking, stopping or standing in fire lane in violation of MMC 11.08.130: \$175.00;
- (e) Interfering with, concealing, obliterating or erasing marks in violation of MMC 11.08.230(5): \$40.00;
- (f) Unattended vehicles in violation of RCW 46.61.600(1): \$25.00;
- (g) Use of streets and alleys: \$250.00;
- (h) Parking a tractor-trailer combination in violation of MMC 11.08.200(2): first violation: \$40.00; second violation: \$150.00; third and subsequent violations: \$300.00.
- (hi) All other violations of this chapter: \$40.00.

(2) If no response or payment is made within 15 calendar days from the date of issuance of the notice of parking violation, the penalty for each violation may be referred to a collection agency 30 days from the due date, or 15 days after the penalty is due, pursuant to RCW 3.02.045 and 19.16.500. The violator may be liable for any and all collection costs.

(3) The penalties set forth in subsection (1) of this section will be reduced in half if the parking violation is paid in person to the municipal court clerk's office during the city's business hours within 24 hours of the time and date of issuance. In the event the municipal court clerk's office is not open for business the day following the date of issuance, the violator may make payment on the next city business day following the issuance of the ticket and still receive the reduced penalty.

(4) Payment of all parking violations shall be made to the municipal court clerk's office. All proceeds derived from individuals charged with a violation of any of the provisions of this chapter shall be paid into the general fund of the city.

(5) Notwithstanding the language set forth in subsection (3) of this section, if a vehicle or a violator has been cited for five or more violations of this chapter and/or any other parking ordinance of the city within a six-month period, that vehicle or violator will not be eligible for reduction in the parking violation penalty set forth in subsection (3) of this section for a period of 180 days.