

Ordinance No. 119782

Council Bill No. 112977

AN ORDINANCE related to towing vehicles without prior notice in Restricted Parking Zones; amending SMC 11.30.040

The City of Seattle
Council Bill/Ordinance

Law Department

Do Pass as

11-29-99 Full

(Exec)

CF No.

Date Introduced:	OCT 25 1999		
Date 1st Referred:	OCT 25 1999	To: (committee)	Business, Economic & Community Development
Date Re - Referred:		To: (committee)	Committee
Date Re - Referred:		To: (committee)	
Date of Final Passage:	11-29-99	Full Council Vote:	8-0
Date Presented to Mayor:	11-29-99	Date Approved:	12/1/99
Date Returned to City Clerk:	12/3/99	Date Published:	2/9/00
Date Vetted by Mayor:		Date Veto Published:	
Date Passed Over Veto:		Veto Sustained:	

This file is complete and ready

Law Dept. Review

The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: _____

DRAGO

Councilmember

Law Department

(S)
(D)

Committee Action:

Do Pass as Amended, 4-0, 11/19/99 (JD RM BS JB)

11-29-99 Full Council: Passed 8-0

(Excused: Steinbroeck)

This file is complete and ready for presentation to Full Council.

Committee: _____

(Initial/Date)

Law Dept. Review

OMP
Review

(JD)
City Clerk
Review

(S)
Electronic
Copy Loaded

Indexed

ORDINANCE 119782

AN ORDINANCE related to towing vehicles without prior notice in Restricted Parking Zones; amending SMC 11.30.040.

WHEREAS, citations have been ineffective at achieving the desired level of compliance with the City's Restricted Parking Zone laws and impounding vehicles unlawfully parked in a Restricted Parking Zone is necessary to protect traffic safety;

NOW THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 11.30.040 of the Seattle Municipal Code, which was last amended by Ordinance 119180 Section 3, is amended as follows:

11.30.040 When a vehicle may be impounded without prior notice.

A. A vehicle may be impounded with or without citation and without giving prior notice to its owner as required in Section 11.30.060 hereof only under the following circumstances:

1. When the vehicle is impeding or is likely to impede the normal flow of vehicular or pedestrian traffic; or

2. When the vehicle is illegally occupying a truck, commercial load zone, restricted parking zone, bus, loading, hooded-meter, taxi, or other similar zone where, by order of the Director of Transportation or Chiefs of Police or Fire, parking is limited to designated classes of vehicles or is prohibited during certain hours, on designated days or at all times, and where such vehicle is interfering with the proper and intended use of such zones; or

3. When a vehicle without a special license plate, card, or decal indicating that the vehicle is being used to transport a disabled person as defined under Chapter 46.16 RCW, as now or hereafter amended, is parked in a stall or space clearly and conspicuously marked as provided in Section 11.72.065 A, as now or hereafter amended, whether the space is provided on private property without charge or on public property; or

4. When the vehicle poses an immediate danger to the public safety; or

5. When a police officer has probable cause to believe that the vehicle is stolen; or

6. When a police officer has probable cause to believe that the vehicle constitutes evidence of a crime or contains evidence of a crime, if impoundment is reasonably necessary in such instance to obtain or preserve such evidence; or

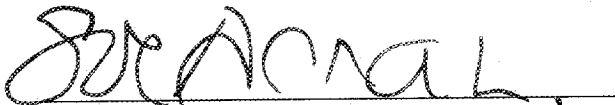


1 7. When a vehicle is parked in a public right-of-way or on other publicly owned or controlled
2 property in violation of any law, ordinance, or regulation and there are four (4) or more parking
3 infractions issued against the vehicle for each of which a person has failed to respond, failed to appear at
4 a requested hearing, or failed to pay an adjudicated parking infraction for at least forty-five (45) days
5 from the date of the filing of the notice of infraction.

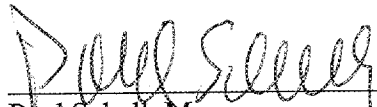
6 B. Nothing in this section shall be construed to authorize seizure of a vehicle without a warrant
7 where a warrant would otherwise be required.

8 **Section 2.** This ordinance shall take effect and be in force thirty (30) days from and after its
9 approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after
10 presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

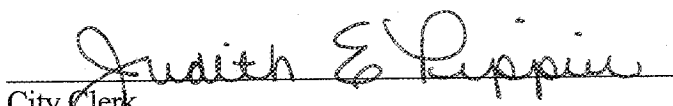
11 Passed by the City Council the 29th day of November, 1999, and signed by me in
12 open session in authentication of its passage this 29th day of November, 1999.

13 
14 President _____ of the City Council

15 Approved by me this 6th day of December, 1999.

16 
17 Paul Schell, Mayor

18 Filed by me this 3rd day of December, 1999.

19 
20 City Clerk

21 (Seal)
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City of Seattle

Paul Schell, Mayor

Executive Department - Strategic Planning Office

Lizanne Lyons, Director

Memorandum

October 19, 1999

To: The Honorable Sue Donaldson, President
Seattle City Council

Via: Joan Walters, Director, City Budget Office
Attn. Cameron Keyes, Budget Analyst

From: Lizanne Lyons, Director *Nancy D...*

Subject: AN ORDINANCE related to towing vehicles without prior notice in Restricted Parking Zones; amending SMC 11.30.040. (*One of four related pieces of legislation transmitted concurrently to City Council addressing Seattle Seahawks use of Husky Stadium for the 2000 and 2001 NFL seasons*).

The attached ordinance clarifies language in the Municipal Code to explicitly allow the towing of vehicles unlawfully parked in Restricted Parking Zones, including the Husky Stadium Event Restricted Parking Zone (HSERPZ). In September 1999, the Husky Stadium Advisory Group made recommendations to City Council on conditions for approval of Seattle Seahawk games at Husky Stadium during the 2000 and 2001 NFL seasons. The Advisory Group recognized the problem of event attendees parking in neighborhoods near to the stadium. Noting that the City would have difficulty physically towing away the likely number of illegally parked vehicles, and that City impound lots are currently full as a result of other legislation requiring towing, the Group recommended that the City first expand RPZs, provide adequate parking enforcement of RPZs, and increase parking fines in RPZs. The Advisory Group recommended that if these strategies fail then City should consider towing of violators.

At a recent briefing of City Council, some Councilmembers expressed interest in pursuing towing of vehicles in the HSERPZ immediately, particularly for the deterrent effect this would have on potential violators. Currently the Seattle Police Department does not tow vehicles from Residential Parking Zones. The proposed ordinance clarifies that a vehicle may be impounded by SPD when illegally occupying a Restricted Parking Zone.

Seattle Municipal Building, 600 Fourth Avenue, Suite 300, Seattle, WA 98104-1826

Tel: (206) 684-8080, TDD: (206) 684-8118, Fax: (206) 233-0085

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The Honorable Sue Donaldson
October 19, 1999
Page 2

Please contact Steve Pearce at 684-8371 if you have any questions about this legislation.

cc. Jim Diers, Director, DON
Lt. Mark Evenson, SPD
Daryl Grigsby, Director, SEATRAN
Billy Jack, SEATRAN
Scott Kemp, DCLU
Joyce Kling, City Council Staff
Rick Krochalis, Director, DCLU
Steve Pearce, SPO



ORDINANCE _____

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2. When the vehicle is illegally occupying a truck, commercial load zone, restricted parking zone, bus, loading, hooded-meter, taxi, or other similar zone where, by order of the Director of ~~((Engineering))~~ Transportation or Chiefs of Police or Fire, parking is limited to designated classes of vehicles or is prohibited during certain hours, on designated days or at all times, and where such vehicle is interfering with the proper and intended use of such zones; or

3. When a vehicle without a special license plate, card, or decal indicating that the vehicle is being used to transport a disabled person as defined under Chapter 46.16 RCW, as now or hereafter amended, is parked in a stall or space clearly and conspicuously marked as provided in Section 11.72.065 A, as now or hereafter amended, whether the space is provided on private property without charge or on public property; or

4. When the vehicle poses an immediate danger to the public safety; or

5. When a police officer has probable cause to believe that the vehicle is stolen; or



TITLE AND DATE STAMP

SPONSORSHIP

THE ATTACHED DOCUMENT IS SPONSORED FOR FILING WITH THE CITY COUNCIL BY THE MEMBER(S) OF THE CITY COUNCIL WHOSE SIGNATURE(S) ARE SHOWN BELOW:

Jan Prager

FOR CITY COUNCIL PRESIDENT USE ONLY

COMMITTEE(S) REFERRED TO:

PRESIDENT'S SIGNATURE



STATE OF WASHINGTON - KING COUNTY

113074

City of Seattle, City Clerk

—ss.

No.

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:119782 ORD IN FUL

was published on

12/21/99

The amount of the fee charged for the foregoing publication is the sum of \$, which amount has been paid in full.

[Handwritten signature]

Subscribed and sworn to before me on

12/21/99

[Handwritten signature]

Notary Public for the State of Washington, residing in Seattle

City of Seattle

ORDINANCE NO. 119782

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7. When a vehicle is parked in a public right-of-way or on other publicly owned or controlled property in violation of any law, ordinance, or regulation and there are four (4) or more parking infractions issued against the vehicle for each of which a person has failed to respond, failed to appear at a requested hearing, or failed to pay an adjudicated parking infraction for at least forty-five (45) days from the date of the filing of the notice of infraction.

B. Nothing in this section shall be construed to authorize seizure of a vehicle without a warrant where a warrant would otherwise be required.

SECTION 2. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the 25th day of November, 1999, and signed by me in open session in authentication of its passage this 25th day of November, 1999.

SUE DONALDSON

President of the City Council

Approved by me this 1st day of December, 1999.

PAUL SCHELL,

Mayor

Filed by me this 3rd day of December, 1999.

(Seal) JUDITH E. PIPPIN,

City Clerk

Publication ordered by JUDITH PIPPIN,
City Clerk.

Date of official publication in Daily Journal of Commerce, Seattle, December 21, 1999.
12/21(119782)