

Ordinance No. 121954

Council Bill No. 115394

AN ORDINANCE relating to the Traffic Code, amending Section 11.76.005 of the Seattle Municipal Code to clarify pay station receipt display instructions and establish a limit on the number of parking pay station receipts a vehicle may display, and amending Section 11.31.121 of the Seattle Municipal Code to lower the monetary penalty for improper receipt display, and amending Section 11.76.015 of the Seattle Municipal Code to clarify that this section does not apply to improperly displayed parking pay station receipts.

CF No. \_\_\_\_\_

Date Introduced:	SEP 19 2005	
Date 1st Referred:	SEP 19 2005	To: (committee)
Date Re - Referred:		To: (committee)
Date Re - Referred:		To: (committee)
Date of Final Passage:	10-3-05	Full Council Vote: 9-0
Date Presented to Mayor:	10-4-05	Date Approved: 10/10/05
Date Returned to City Clerk:	10/10/05	Date Published: 3pp T.O. <input checked="" type="checkbox"/> F.T. <input checked="" type="checkbox"/>
Date Vetoed by Mayor:		Date Veto Published:
Date Passed Over Veto:		Veto Sustained:

me

The City of Seattle - Legislative Department  
Council Bill/Ordinance sponsored by: Richard Conlin  
Councilmember

**Committee Action:**

9/21/05 - passed unanimously 2-0 yes  
Conlin, Rasmussen

10-3-05 Passed 9-0

This file is complete and ready for presentation to Full Council. Committee: RC 9/27/05  
(Initial/Date)

*Law Department*

Law Dept. Review      OMP Review      City Clerk Review      Electronic Copy Loaded      Indexed

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ORDINANCE 121954

AN ORDINANCE relating to the Traffic Code, amending Section 11.76.005 of the Seattle Municipal Code to clarify pay station receipt display instructions and establish a limit on the number of parking pay station receipts a vehicle may display, and amending Section 11.31.121 of the Seattle Municipal Code to lower the monetary penalty for improper receipt display, and amending Section 11.76.015 of the Seattle Municipal Code to clarify that this section does not apply to improperly displayed parking pay station receipts.

WHEREAS, in 2004 the City of Seattle started a program to replace single-space parking meters with parking pay stations that issue a receipt that must be displayed in each parked vehicle's window; and

WHEREAS, the Seattle Department of Transportation and the Seattle Police Department worked closely to establish user requirements regarding the proper display of pay station receipts; and

WHEREAS, after one year of operating the pay station program, the Seattle Department of Transportation and the Seattle Police Department have identified the need to modify user instructions and limit the number of receipts that a vehicle can display in its windows to make pay station enforcement easier while also establishing a lower citation fee for situations where customers have paid for parking, yet displayed their receipt in an improper manner; NOW, THEREFORE,

**BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

Section 1. Section 11.76.005 of the Seattle Municipal Code, as last amended by Ordinance 121388, is amended as follows:

**SMC 11.76.005 Proper ((D))display of proof of payment receipt.**

It is unlawful to park or permit to be parked any vehicle in a space controlled by a "pay and display" parking pay station without properly displaying proof of payment as described in this section. For parallel parking on one- and two-way streets, proper display of proof of payment requires affixing the receipt dispensed by the parking pay station ~~((to the interior of the front curbside window of the vehicle))~~ inside the vehicle to the front seat's side window nearest the curb in such a manner that the expiration time and date are readily visible from the exterior. For front-and rear-end angle parking, proper display of proof of payment means affixing the receipt to the interior of the ~~((front window on the driver's))~~ window next to the driver's seat of the vehicle in such a manner that the expiration time and date are



1 readily visible from the exterior. For motorcycles, receipts shall be affixed on the headlight cover. No  
2 more than one receipt shall be displayed.

3 Section 2. Section 11.32.121 of the Seattle Municipal Code is amended as follows:

4 **SMC 11.31.12 Monetary penalties – Parking infractions.**

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11.76.005	<u>IMPROPER PARKING RECEIPT</u> <u>DISPLAY</u>	<del>(\$35.00)</del> <u>\$20.00</u>
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11.76.015	<del>((PROHIB. METER INDICATES</del> <del>VIOL.))</del> <u>PARKING PAYMENT</u> <u>DEVICE VIOLATIONS</u>	\$35.00
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13 Section 3. Subsection B of Section 11.76.015 of the Seattle Municipal Code, as last amended by  
14 Ordinance 121388, is amended as follows:

15 **SMC 11.76.015 Parking violations at parking payment devices.**

16 \* \* \*

17 B. No person shall stop, stand or permit a vehicle within his control to be parked in any parking  
18 space controlled by a “pay and display” parking pay station without displaying on the vehicle an  
19 unexpired ~~((and valid))~~ proof of payment receipt issued by a parking pay station ~~((in the manner~~  
20 ~~described in the directions on the receipt.))~~

21 \* \* \*

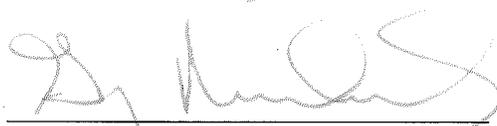


1 Section 4. This ordinance shall take effect and be in force thirty (30) days from and after its  
2 approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after  
3 presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

4 Passed by the City Council the 3<sup>rd</sup> day of October, 2005, and signed by me in open  
5 session in authentication of its passage this 3<sup>rd</sup> day of October, 2005.

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7   
8 President \_\_\_\_\_ of the City Council

9 Approved by me this 10<sup>th</sup> day of October, 2005.

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12 Gregory J. Nickels, Mayor

13 Filed by me this 10<sup>th</sup> day of October, 2005.

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15 City Clerk

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# City of Seattle

Gregory J. Nickels, Mayor

## Office of the Mayor

August 16, 2005

Honorable Jan Drago  
President  
Seattle City Council  
City Hall, 2<sup>nd</sup> Floor

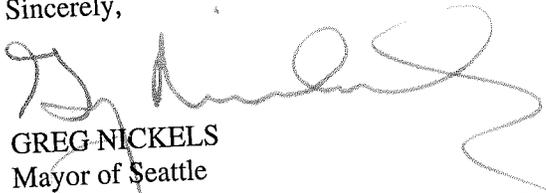
Dear Council President Drago:

I am transmitting the attached proposed Council Bill addressing proper parking pay station receipt display. This legislation clarifies instructions for drivers who display pay station receipts, limits the number of receipts a car may display, and establishes a separate, lower penalty for improper receipt display.

After analyzing operations of parking pay stations over the last year, the Seattle Department of Transportation and the Seattle Police Department have identified three changes that would clarify the requirements for receipt display. The first would clarify proper receipt display for cars parked in angled-parking spaces. The existing language in the Traffic Code has resulted in drivers displaying receipts in a variety of locations in their vehicles. The second change would limit to one the number of receipts a vehicle may display. The Parking Enforcement Officers report several cases of multiple receipts being displayed on a vehicle window, requiring them to expend additional time and effort determining which, if any, of the posted receipts apply to the current time period. The third change is a response to citizens who have complained about receiving a ticket when they paid for and posted a parking receipt, but had not put it in a proper location. Parking Enforcement Officers would like the option of writing a ticket with a lower penalty for situations when the customer has partially complied with requirements by purchasing a parking receipt.

The changes proposed in the Bill will improve Parking Enforcement Officer efficiency while providing improved customer service. Thank you for your consideration of this legislation. Should you have questions, please contact Meghan Shepard at 684-4208.

Sincerely,



GREG NICKELS  
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

**FISCAL NOTE FOR NON-CAPITAL PROJECTS**

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>DOF Analyst/Phone:</b>
Seattle Department of Transportation	Meghan Shepard/4-4208	Jennifer Devore/5-1328

**Legislation Title:**

AN ORDINANCE relating to the Traffic Code, amending Section 11.76.005 of the Seattle Municipal Code to clarify pay station receipt display instructions and establish a limit on the number of parking pay station receipts a vehicle may display, and amending Section 11.31.121 of the Seattle Municipal Code to lower the monetary penalty for improper receipt display.

• **Summary of the Legislation:**

The proposed legislation would clarify proper receipt display for cars parked in angled-parking spaces, limit the number of receipts a vehicle may display to one, and establish a lower penalty of \$20 for citations of improper receipt display. The current penalty is \$35.

• **Background:**

After more than a year of pay station operations, the Seattle Department of Transportation and the Seattle Police Department have identified the need to clarify the requirements for receipt display. The existing regulations for proper receipt display in angled parking spaces have resulted in the display of receipts in a variety of vehicle locations, some of which are difficult for Parking Enforcement Officers to see. Parking Enforcement Officers have reported several cases of multiple receipt display, requiring them to expend addition time and effort to determine if any of the posted receipts apply to the current time period. In a situation where a valid receipt is displayed, but in an improper location, the Parking Enforcement Officers would like the ability to issue a citation with a lower penalty for these situations. Both written and phone complaints have been received from the public regarding the magnitude of the current penalty for improper display.

• *Please check one of the following:*

**This legislation does not have any financial implications.** *(Stop here and delete the remainder of this document prior to saving and printing.)*

**This legislation has financial implications.** *(Please complete all relevant sections that follow.)*



**Appropriations:** This table should reflect appropriations that are a direct result of this legislation. In the event that the project/ programs associated with this ordinance have appropriations that were, or will be, received because of previous or future legislation or budget actions, please provide details in the Notes section below.

Fund Name and Number	Department	Budget Control Level*	2005 Appropriation	2006 Anticipated Appropriation
	N/A			
<b>TOTAL</b>				

\*See budget book to obtain the appropriate Budget Control Level for your department.

**Notes:**

**Anticipated Revenue/Reimbursement: Resulting From This Legislation:** This table should reflect revenues/reimbursements that are a direct result of this legislation. In the event that the issues/projects associated with this ordinance/resolution have revenues or reimbursements that were, or will be, received because of previous or future legislation or budget actions, please provide details in the Notes section below the table.

Fund Name and Number	Department	Revenue Source	2005 Revenue	2006 Revenue
Fund 00100	Municipal Courts	Parking Bail	(\$6,500)	(\$50,000)
<b>TOTAL</b>			<b>(\$6,500)</b>	<b>(\$50,000)</b>

**Notes:** According to Municipal Court records, approximately 3,000 citations have been written from April 2005 (the inception of the 11.76.005 Improper Display citation) through July 20, 2005. To date, the collection rate of 59% is quite low, compared to other parking citations. The collection rate reflects a combination of mitigating actions by the Magistrates and citations that were ignored by the violators. Additionally, collection rates typically rise over time as violations are sent to outside agencies to secure repayment.

In both the 2005 Adopted and 2006 Endorsed budget the parking bail revenues are \$16,500,000 annually. Given the current collection rate, the Seattle Department of Transportation has projected a 2005 revenue impact of approximately \$6,500 if the citation penalty were lowered from \$35 to \$20. The 2006 revenue impact is approximately \$50,000. This represents 0.3% of the projected 2006 parking bail revenue.

What the projections cannot estimate is the impact of increased user education. As Seattle's citizens and visitors become more familiar with the pay stations and their receipt display requirement, violations may decrease. Additionally, with a lower citation penalty, more violators may pay their parking bail, resulting in a higher collection rate and increased revenue.



**Total Regular Positions Created Or Abrogated Through This Legislation, Including FTE**

**Impact:** This table should only reflect the actual number of positions created by this legislation. In the event that positions have been, or will be, created as a result of previous or future legislation or budget actions, please provide details in the Notes section below the table.

Position Title and Department*	Fund Name	Fund Number	Part-Time/Full Time	2005 Positions	2005 FTE	2006 Positions**	2006 FTE**
	N/A						
<b>TOTAL</b>							

\* List each position separately

\*\* 2006 positions and FTE are total 2006 position changes resulting from this legislation, not incremental changes. Therefore, under 2006, please be sure to include any continuing positions from 2005

**Notes:**

- **Do positions sunset in the future?** (If yes, identify sunset date):

**Spending/Cash Flow:** This table should be completed only in those cases where part or all of the funds authorized by this legislation will be spent in a different year than when they were appropriated (e.g., as in the case of certain grants and capital projects). Details surrounding spending that will occur in future years should be provided in the Notes section below the table.

Fund Name and Number	Department	Budget Control Level*	2005 Expenditures	2006 Anticipated Expenditures
	N/A			
<b>TOTAL</b>				

\* See budget book to obtain the appropriate Budget Control Level for your department.

**Notes:**

- **What is the financial cost of not implementing the legislation?** (Estimate the costs to the City of not implementing the legislation, including estimated costs to maintain or expand an existing facility or the cost avoidance due to replacement of an existing facility, potential conflicts with regulatory requirements, or other potential costs if the legislation is not implemented.)

There is no financial cost of not implementing the legislation.



- **What are the possible alternatives to the legislation that could achieve the same or similar objectives?** (Include any potential alternatives to the proposed legislation, such as reducing fee-supported activities, identifying outside funding sources for fee-supported activities, etc.)

The Seattle Department of Transportation, Seattle Police Department and the Municipal Courts have not identified an alternative that would achieve the same customer service goals.

- **Is the legislation subject to public hearing requirements:** (If yes, what public hearings have been held to date, and/or what plans are in place to hold a public hearing(s) in the future.)

No.

- **Other Issues** (including long-term implications of the legislation):

**Please list attachments to the fiscal note below:**

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**STATE OF WASHINGTON – KING COUNTY**

--SS.

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No.

190881  
CITY OF SEATTLE, CLERKS OFFICE

**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 12<sup>th</sup> 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:121954 ORDINANCE

was published on

10/14/05



*[Signature]*  
Subscribed and sworn to before me on  
10/14/05 *[Signature]*  
Notary public for the State of Washington,  
residing in Seattle

# City of Seattle

## ORDINANCE 12,354

AN ORDINANCE relating to the Traffic Code, amending Section 11.76.005 of the Seattle Municipal Code to clarify pay station receipt display instructions and establish a limit on the number of parking pay station receipts a vehicle may display, and amending Section 11.31.121 of the Seattle Municipal Code to lower the monetary penalty for improper receipt display, and amending Section 11.76.015 of the Seattle Municipal Code to clarify that this section does not apply to improperly displayed parking pay station receipts.

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WHEREAS, after one year of operating the pay station program, the Seattle Department of Transportation and the Seattle Police Department have identified the need to modify user instructions and limit the number of receipts that a vehicle can display in its windows to make pay station enforcement easier while also establishing a lower citation fee for situations where customers have paid for parking, yet displayed their receipt in an improper manner; NOW, THEREFORE,

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Section 1. Section 11.76.005 of the Seattle Municipal Code, as last amended by Ordinance 121388, is amended as follows:

**SMC 11.76.005 Proper (M) display of proof of payment receipt.**

It is unlawful to park or permit to be parked any vehicle in a space controlled by a "pay and display" parking pay station without properly displaying proof of payment as described in this section. For parallel parking on one- and two-way streets, proper display of proof of payment requires affixing the receipt dispensed by the parking pay station ((to the interior of the front curbside window of the vehicle)) ~~inside the vehicle to the front seat's side window nearest the curb in such a manner that the expiration time and date are readily visible from the exterior. For front- and rear-end angle parking, proper display of proof of payment means affixing the receipt to the interior of the ((front window on the driver's)) side window next to the driver's seat of the vehicle in such a manner that the expiration time and date are readily visible from the exterior. For motorcycles, receipts shall be affixed on the headlight cover. No more than one receipt shall be displayed.~~

Section 2. Section 11.32.121 of the Seattle Municipal Code is amended as follows:

**SMC 11.31.12 Monetary penalties - Parking infractions.**

# State of Washington, King County

\*\*\*  
11.76.005 - IMPROPER PARKING  
RECEIPT DISPLAY - (~~(\$35.00)~~) \$20.00  
\*\*\*

11.76.015 - (~~PROHIB~~ - METER  
INDICATES VIOL.) PARKING PAYMENT  
DEVICE VIOLATIONS - \$35.00  
\*\*\*

\*Section 3. Subsection B of Section 11.76.015 of the Seattle Municipal Code, as last amended by Ordinance 121388, is amended as follows:

**SMC 11.76.015 Parking violations at parking payment devices.**  
\*\*\*

B. No person shall stop, stand or permit a vehicle within his control to be parked in any parking space controlled by a "pay and display" parking pay station without displaying on the vehicle an unexpired ((and valid)) proof of payment receipt issued by a parking pay station ((in the manner described in the directions on the receipt.))  
\*\*\*

Section 4. 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 3rd day of October, 2005, and signed by me in open session in authentication of its passage this 3rd day of October, 2005.

Jan Drago

President of the City Council

Approved by me this 10th day of October, 2005.

Gregory J. Nickels, Mayor

Filed by me this 10th day of October, 2005.

(Seal) Judith Pippin

City Clerk

Publication ordered by JUDITH PIPPIN,  
City Clerk

Date of publication in the Seattle Daily  
Journal of Commerce, October 14, 2005.  
10/14(190881)