

Seattle City Clerk's Office

Comptroller File

154793

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE
IT IS DUE TO THE QUALITY OF THE DOCUMENT.

FILE NO. 154793

Petition OF

Board of Public Works

That parking on Dilling Way be limited to city cars

C.P. 58368

APR 5 1937

FILED

BY

ADDRESS

H. W. CARROLL
CITY COMPTROLLER AND EX-OFFICIO CITY CLERK

BY

DEPUTY

ACTION OF THE COUNCIL

REFERRED

APR 5 1937

REFERRED

REPORTED

REPORTED

REF. FOR ORD.

TO

PUBLIC SAFETY

TO

REPORT ADOPTED

REPORT ADOPTED

C. B.
ORD.

APR 26 1937

DISPOSITION
GRANTED

REPORT OF COMMITTEE

Mr. President:

Your.....Public Safety.....Committee
to which was referred the within.....petition
would respectfully report that we have considered the same and respectfully recommend that.....
that it be granted (C.B. 58368)

CHAIRMAN

CHAIRMAN

Hamley
Powell

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DEPARTMENT OF PUBLIC WORKS

THE CITY OF SEATTLE

ROOM 511 COUNTY-CITY BUILDING

G. W. ROBERGE, SECRETARY

April 1, 1937.

Re: Auto Parking on Dilling Way

Hon. City Council,

City of Seattle.

Gentlemen:

There is transmitted herewith copy of a letter from the Corporation Counsel, dated March 29th, 1937, the same being in reply to the Board's inquiry of February 1st, for advice as to a possible remedy for the parking problem on Dilling Way.


The Board at today's meeting took action to request your Honorable Body to enact the proper ordinance to limit the parking in this area to City-owned cars.

Respectfully yours,

BOARD OF PUBLIC WORKS

GWR/s

cc - City Engr
Supt Bldgs
Mr Bollong


G. W. Roberge
Secretary

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THE CITY OF SEATTLE

March 29, 1937.

Re: Parking Restrictions on Dilling Way:

Board of Public Works
Seattle. "

Gentlemen:

You request to be advised if the City may prohibit the parking of automobiles along the north side of Dilling Way excepting from such prohibition City owned and operated cars.

Your request does not state, and we have been unable to ascertain, facts clearly showing whether Dilling Way, is in whole or in part, a public street or is a private way owned exclusively by the City. From records in the Engineer's and Comptroller's Departments, it appears that Block 38 of Boren's Addition, of which Dilling Way is a part extending from Jefferson Street to Yesler Way, was acquired in fee by the City as a site for a City hall. Since the construction of the County-City Building the block has been maintained as a public square or park as an approach to such building.

Dilling Way apparently was never established or named by ordinance or other action of the City Council and was opened up and paved in 1915 or 1916, presumably in lieu of Jefferson Street which was closed between Third and Fourth Avenue through never formally vacated.

There is no existing ordinance regulating parking on Dilling Way. We are informed by the City Engineer that signs have been maintained thereon stating that parking is prohibited except as to "exempt cars" (which would include city, county, state and other publicly owned cars.) The theory of placing such signs is that Dilling Way, or at least the ~~portion~~ portion that is used exclusively for parking, is a private way on land owned in fee by the City and under the jurisdiction of the Board of Public Works. However, the regulations of the Board of Public Works do not have the force and effect of law in the sense that prosecution may be had for violation thereof, and therefore whether Dilling way is a private way or a public street, an ordinance is necessary to make violation of regulations appertaining thereto punishable in the Police Court.

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If a public street, there is some question whether police regulations restricting parking thereon of City owned cars would be considered reasonable and therefore valid, though the proximity of the County-City Building in which the official business of the City is conducted might be a sufficient ground to establish the reasonableness of such a regulation. If a private way the City could, of course, by ordinance make such enforceable restrictions as it sees fit.

To clarify the situation, we suggest that the Council by ordinance affirmatively declare its policy in respect to the use by the public of the whole or a part of Dilling Way, and to avoid any question the City, being the owner in fee of all property abutting on Dilling way, may be proper vacation proceedings vacate any portion desired.

Yours very truly,

A C Van Soelen

By C V Hoard
Assistant

CVH/GMC

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April 6th, 1937.

Honorable A. G. Van Soelen,
Corporation Counsel,
City of Seattle.

Dear Sir:

At the direction of the Public Safety Committee I am handing you herewith Comptroller's File No. 154793, being the petition of the Board of Public Works that parking on Dilling Way be limited to City cars, with the request that you prepare the proper form of ordinance limiting parking on Dilling Way to City owned vehicles and prescribing penalties for violation.

The method of parking ("Angle Parking") to be as now prescribed by rules of the Board of Public Works.

Very truly yours,

James Scavotto, Chm.,
Public Safety Committee.

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