

Title 10

VEHICLES AND TRAFFIC

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(Ord. 1227 § 1, 1994; Ord. 1057 § 1, 1988; Ord. 935 §§ 1, 2, 1984; Ord. 819 § 1, 1980; Ord. 610 § 2, 1976; Ord. 566 § 2, 1975; Ord. 508 § 1, 1972).

10.04.020 Adoption of Washington Model Traffic Ordinance by reference.

The “Washington Model Traffic Ordinance,” Chapter 308-330 WAC, is hereby adopted by reference as the traffic ordinance of the city of Pacific as if set forth in full herein, except as provided in PMC 10.04.025. (Ord. 1227 § 2, 1994).

10.04.025 Sections of Washington Model Traffic Ordinance not adopted.

The following sections of the Model Traffic Ordinance are not adopted by reference and are expressly deleted:

- WAC
 - 308-330-118 City.
 - 308-330-181 Demolish.
 - 308-330-187 Traffic division.
 - 308-330-220 Authority of police and fire department officials.
 - 308-330-469 When permits required for parades and processions.
 - 308-330-472 Interfering with processions.
 - 308-330-475 Boarding or alighting from vehicles.
 - 308-330-478 Unlawful riding.
- (Ord. 1227 § 3, 1994).

**10.04.030 Amends RCW 46.08.065 –
Exemption of law enforcement
vehicle.**

One law enforcement vehicle owned and/or operated by the police department is exempt from the marking requirements of Chapter 169, Laws of 1975. That one vehicle is to be selected by the chief of police. (Ord. 591 § 1, 1976).

10.04.040 Driving under the influence.

The following statutes of the state of Washington, as presently existing and as hereafter amended, are adopted by reference as if set forth in full:

Chapter 275, Sections 4, 5, 6, 7, 10, 11, and 12, Laws of 1994;

RCW 46.61.511, Seizure and forfeiture of vehicle;

RCW 46.61.512, Notice to person charged and to director. (Ord. 1230 § 1, 1994).

Chapter 10.08

DEFINITIONS¹

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- 10.08.025 Commercial vehicle.
- 10.08.030 Curb loading zone.
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- 10.08.080 Right-of-way.
- 10.08.090 Stop.
- 10.08.100 Stop, stopping, or standing.
- 10.08.110 Traffic division.
- 10.08.120 Trailer.
- 10.08.130 Truck.

10.08.010 Generally.

The following words and phrases when used in this title shall for the purpose of this title have the meanings respectively ascribed to them in this chapter, unless where used the context thereof clearly indicates to the contrary. (Ord. 373 § 1, 1964).

10.08.020 Central business district.

“Central business (or traffic) district” means all streets and portions of streets within the area described as follows: West Valley Road on the west; Chicago, Milwaukee, St. Paul and Pacific Railroad on the east; 2nd Avenue S.W. on the north extending to West Valley Road on the west and to the Chicago, Milwaukee, St. Paul and Pacific Railroad on the east. (Ord. 373 § 7, 1964).

10.08.025 Commercial vehicle.

“Commercial vehicle” means any truck with a gross vehicle weight in excess of 10,000 pounds or more, or any trailer in excess of 20 feet in length or seven and one-half feet in width. (Ord. 1370 § 14, 1998).

1. For Washington motor vehicle definitions, see Chapter 46.04 RCW.

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10.08.030 Curb loading zone.

“Curb loading zone” means a space adjacent to a curb reserved for the exclusive use of vehicles during the loading and/or unloading of passengers or materials. (Ord. 373 § 6(a), 1964).

10.08.040 Freight curb loading zone.

“Freight curb loading zone” means a space adjacent to a curb for the exclusive use of vehicles during the loading or unloading of freight. (Ord. 373 § 6(c), 1964).

10.08.050 Official time standard.

Whenever certain hours are named in this title, they shall mean standard time or daylight saving time as may be in current use in this city. (Ord. 373 § 4, 1964).

10.08.060 Park.

“Park” when prohibited, means the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of, and while actually engaged in, loading or unloading. (Ord. 373 § 3(c), 1964).

10.08.070 Passenger curb loading zone.

“Passenger curb loading zone” means a place adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers. (Ord. 373 § 6(b), 1964).

10.08.075 Recreational vehicle.

“Recreational vehicle” means a vehicular-type unit primarily designed as temporary living quarters for recreational, camping or travel use which either has its own motor power or is mounted on or drawn by another vehicle. The basic entities of recreational vehicles are travel trailer, camping trailer, truck camper and motor home. (Ord. 1370 § 15, 1998).

10.08.080 Right-of-way.

“Right-of-way” means the privilege of the immediate use of the roadway. (Ord. 373 § 2, 1964).

10.08.090 Stop.

When required, “stop” means complete cessation of movement. (Ord. 373 § 3(a), 1964).

10.08.100 Stop, stopping, or standing.

When prohibited, “stop, stopping, or standing” means any stopping or standing of a vehicle whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic-control sign or signal. (Ord. 373 § 3(b), 1964).

10.08.110 Traffic division.

“Traffic division” means the traffic division of the police department of this city, or in the event a traffic division is not established, then the term, whenever used in this title, refers to the police department of this city. (Ord. 373 § 5(b), 1964).

10.08.120 Trailer.

“Trailer” means any vehicle without motor power designed for carrying persons or property on its own structure and to be drawn by a vehicle with motor power. The term “trailer” includes trailer coach, semi-trailer or utility trailer, but does not include recreational vehicles. (Ord. 1370 § 16, 1998).

10.08.130 Truck.

“Truck” means any motor vehicle designed primarily for the transportation of property. (Ord. 1370 § 17, 1998).

Chapter 10.12**GENERAL PROVISIONS¹**

Sections:

- 10.12.010 Enforcement.
- 10.12.020 Authority to direct traffic.
- 10.12.030 Scene of fire.
- 10.12.040 Compliance.
- 10.12.050 Obedience to police and fire department officials.

10.12.010 Enforcement.

It shall be the duty of the officers of the police department or such officers as are assigned by the chief of police to enforce this title. (Ord. 373 § 8(a), 1964).

10.12.020 Authority to direct traffic.

Officers of the police department or such officers as are assigned by the chief of police are authorized to direct all traffic by voice, hand, or signal in conformance with the traffic laws. In the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, officers of the police department may direct traffic as conditions may require notwithstanding the provisions of the traffic laws. (Ord. 373 § 8(b), 1964).

10.12.030 Scene of fire.

Officers of the fire department, when at the scene of a fire, may direct or assist the police in directing traffic thereat or in the immediate vicinity. (Ord. 373 § 8(c), 1964).

10.12.040 Compliance.

It is unlawful for any person to do any act forbidden or fail to perform any act required in this title. (Ord. 373 § 9, 1964).

10.12.050 Obedience to police and fire department officials.

No person shall wilfully fail or refuse to comply with any lawful order or direction of a police officer or fire department official. (Ord. 373 § 10, 1964).

1. For statutory provisions establishing the jurisdiction of the courts, see RCW 46.08.190.

Chapter 10.16**OPERATORS' LICENSES²**

Sections:

- 10.16.010 State law adopted by reference.
- 10.16.020 Copies on file.
- 10.16.030 Penalty for violation.

10.16.010 State law adopted by reference.

Chapter 232 of the 1967 Regular Session Laws is adopted by reference. (Ord. 419 § 1, 1967).

10.16.020 Copies on file.

Three copies of Chapter 232 of the 1967 Regular Session Laws adopted by reference in PMC 10.16.010 are on file in the office of the city clerk and are available at all times to the public. (Ord. 419 § 2, 1967).

10.16.030 Penalty for violation.

Every person convicted of a violation of any provision of the laws adopted in this chapter shall be punished by a fine of not more than \$300.00 or by imprisonment for not more than 90 days or by both such fine and imprisonment. (Ord. 419 § 3, 1967).

2. For statutory references regarding operators' licenses, see Chapter 46.20 RCW.

Chapter 10.20

OVERWEIGHT LOADS AND TRUCK ROUTES¹

Sections:

- 10.20.005 Maximum weight – Designation of limits – Violation and penalty.
- 10.20.010 Unlawful – When – Exception.
- 10.20.020 Permit – Required – Prerequisites.
- 10.20.030 Permit – Contents.
- 10.20.040 Permit – Term.
- 10.20.050 Permit – Issuance – Restrictions.
- 10.20.060 Overload permit – Fees.
- 10.20.070 *Repealed.*
- 10.20.080 *Repealed.*
- 10.20.090 Oversize load – Fee.
- 10.20.100 Permit – Fee – Exemptions.
- 10.20.105 Action by police officer.
- 10.20.110 Violation – Penalty.
- 10.20.120 Truck routes established.

10.20.005 Maximum weight – Designation of limits – Violation and penalty.

A. In order to properly police and protect the city streets from damage due to excessive loads and weights on vehicles using city streets, a load limit of 16,500 pounds of gross weight shall be the maximum weight of any vehicle or combination of vehicles using any city street except for vehicles operating on truck routes designated in PMC 10.20.120. The load limit on truck routes shall be 80,000 pounds.

B. The mayor and the public works committee are designated the proper authorities to decide and issue the load limit restrictions upon any given street in the city. Upon such designation by the mayor and public works committee, the community development director shall place load limit restriction signs upon the street or streets.

C. The community development director shall have the authority to temporarily close streets or restrict load limits at such time as any

1. For statutory provisions setting limits on size, weight and load for motor vehicles, see Chapter 46.44 RCW. For more provisions governing streets, see Title 13 of this code.

street is declared to be in danger and subject to breaking up and deterioration due to rains, freezing, earthquakes and similar circumstances. (Ord. 1459 § 1, 2000; Ord. 952 § 1, 1984; Ord. 755 § 1, 1979; Ord. 385 §§ 1 – 3, 1965).

10.20.010 Unlawful – When – Exception.

It is unlawful, without a valid permit, to operate any vehicle or combination of vehicles on any street or alley of the city with a gross weight exceeding the limits set forth in PMC 10.20.005. (Ord. 1459 § 1, 2000; Ord. 952 § 2, 1984; Ord. 750 § 1, 1979).

10.20.020 Permit – Required – Prerequisites.

Each operator owner or owner’s agent desiring to operate or drive any vehicle or combination of vehicles on the streets and alleys of the city which will be in excess of the weight limits as set forth in PMC 10.20.005(A) must first obtain a permit from the city. Such permits may be obtained from the city clerk when the following requirements have been met:

- A. An application stating the nature of the load;
- B. The location by name and address of the job site and vehicle identification;
- C. The application shall also give a reasonable estimate of the time in days that the permit will be required. Information as to whether it is a single trip or multiple trips must be stated;
- D. The excess in pounds over the legal limit stated in PMC 10.20.005(A) must be determined;
- E. The street or streets within the city upon which the overload vehicles will travel must be named and such routes must be acceptable to the city. (Ord. 1459 § 1, 2000; Ord. 952 § 3, 1984; Ord. 750 § 2, 1979).

10.20.030 Permit – Contents.

Overload permits will list the information contained in PMC 10.20.020(A) through (E) and will be issued only if and not before such information is provided. (Ord. 1459 § 1, 2000; Ord. 750 § 3, 1979).

10.20.040 Permit – Term.

Overload permits will be issued only for the length of time required to complete a particular job. No permit will be issued for more than one year. (Ord. 1459 § 1, 2000; Ord. 750 § 4, 1979).

10.20.050 Permit – Issuance – Restrictions.

The city, under authority granted to it under RCW 46.44.093, may issue or withhold such special overload permits at its discretion; or if such permit is issued, to limit the number of trips, or to establish seasonal or other time limitations within which the vehicle, vehicles or combination of vehicles described in the permit may be operated on the city streets indicated, or otherwise to limit or prescribe conditions of operation of such vehicle or vehicles when necessary to assure against undue damage to the road or street foundation surfaces or structures or safety or traffic and may require such undertaking or other security as may be deemed necessary to compensate for injury to streets, roads and roadbeds. (Ord. 1459 § 1, 2000; Ord. 750 § 5, 1979).

10.20.060 Overload permit – Fees.

There shall be a fee for overload permits as established by city resolution. (Ord. 1459 § 1, 2000; Ord. 1375 § 16, 1998; Ord. 750 § 6, 1979).

10.20.070 Permit – Fee – Payment schedule.

Repealed by Ord. 1459. (Ord. 750 § 7, 1979).

10.20.080 Permit – Fee – Minimum.

Repealed by Ord. 1459. (Ord. 952 § 4, 1984; Ord. 750 § 8, 1979).

10.20.090 Oversize load – Fee.

Loads which are oversize shall be charged the fee for the overload permit without additional fees being assessed for the oversized features. (Ord. 1459 § 1, 2000; Ord. 750 § 9, 1979).

10.20.100 Permit – Fee – Exemptions.

A. The fees prescribed in this chapter shall not apply to any vehicle owned and operated by the state, any county within the state, or any city or town within the state, or by the federal government.

B. Travel to and from any permitted parking site shall not be for more than a minimum distance necessary. Owners or drivers of trucks or vehicles exceeding 80,000 pounds may obtain an annual permit from the public works department to park such a vehicle on property owned or occupied by them. The application for such permit shall be on a form provided by the city clerk's office. If an owner or driver of such a vehicle wishes to park any vehicle weighing in excess of 80,000 pounds on the right-of-way adjacent to property owned or occupied by such individual, then the initial application for a permit to park the vehicle on the right-of-way shall state this fact, and the site where parking is proposed shall be reviewed by the public works administrator/engineer and the chief of police to make sure that the parking of such vehicle will not do any damage to the public right-of-way, impair access to and from the public right-of-way, obstruct traffic on any city street, or in any other way infringe on public interests. Such permit to park on city right-of-way shall be subject to annual review. There shall be a fee for such a permit as established by city resolution. (Ord. 1459 § 1, 2000; Ord. 1375 § 17, 1998; Ord. 952 § 5, 1984; Ord. 750 § 10, 1979).

10.20.105 Action by police officer.

Whenever any police officer of the city shall have probable cause to believe that a vehicle is being driven in violation of this chapter, then such police officer is authorized to stop such vehicle and to direct that the vehicle be driven to the nearest state or local weighing station if the suspected violation involves the actual weight of the vehicle. (Ord. 1459 § 1, 2000; Ord. 952 § 7, 1984).

10.20.110 Violation – Penalty.

Any person or persons who violate or fail to comply with any provision of this chapter, or

who misrepresent the size, or weight or any load or vehicle in obtaining a permit as required under this chapter, or who do not follow the conditions and requirements of the permit issued under this chapter shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than \$100.00 and not more than \$1,000 or by 90 days in jail, or both. Furthermore, the municipal court shall have the power to require any person convicted of a violation to pay, in addition to the fine provided for in this section, for any damage caused to any city street, alley or right-of-way, sidewalk, bridge or elevated structure. (Ord. 1459 § 1, 2000; Ord. 952 § 6, 1984; Ord. 750 § 12, 1979).

10.20.120 Truck routes established.

A. While traveling within the city, all trucks, truck tractors, truck and trailer combinations or truck tractor and semitrailer combinations licensed for a gross weight in excess of 16,500 pounds shall be restricted to the state highway system or to one of the truck routes set forth on the map attached to the ordinance codified in this section as exhibit A; provided, such vehicles may make deliveries to a site not located immediately adjacent to a state highway or truck route via the shortest and most direct city arterial route between the nearest state highway or truck route and the delivery site, and such vehicles may not use city nonarterial streets except when traveling directly between the delivery site and the nearest arterial street, state highway, or truck route. Trucks making deliveries allowed under this section must comply with the load limits and permitting requirements set forth in this chapter.

B. The director of community development is authorized to place such signs as the director deems necessary to designate the city truck routes and to direct trucks to such routes. (Ord. 1459 § 1, 2000).

Chapter 10.24

RULES OF THE ROAD¹

Sections:

- 10.24.010 Parking regulations.
- 10.24.020 Driving through funeral or other procession.
- 10.24.030 Operators in a procession.
- 10.24.040 Funeral processions to be identified.
- 10.24.050 When permits required for parades and processions.
- 10.24.060 Driving on sidewalk.
- 10.24.070 Boarding or alighting from vehicles.
- 10.24.080 Unlawful riding.
- 10.24.090 Railroad trains blocking streets.
- 10.24.100 Hauling garbage and other debris.
- 10.24.140 Inattentive driving.

10.24.010 Parking regulations.

A. All vehicles, including motor vehicles, motorcycles and bicycles, trailers, campers, motor homes and mobile homes, must be removed from all streets in the city.

B. It is unlawful for the owner, operator or user of any motor vehicle, motorcycle, bicycle, trailer, camper, motor home or mobile home to park and/or leave remaining parked said motor equipment on any city streets between the hours of 6:00 a.m. and 9:00 a.m., Monday through Friday. This regulation is necessary to allow for the health, welfare and safety of the citizens of the city and in particular to allow the street department to supervise, service and clean the city streets.

C. It is unlawful for any person, firm or corporation to park any motor vehicle, motorcycle and bicycle, trailer, camper, motor home or mobile home on a city street in a direction facing the oncoming traffic which results in parking against the oncoming traffic. (Ord. 514 § 2, 1972).

1. For statutory provisions regarding rules of the road, see Chapter 46.61 RCW.

10.24.020 Driving through funeral or other procession.

No operator of a vehicle shall drive between the vehicles comprising a funeral or other authorized procession while they are in motion and when such vehicles are conspicuously designated as required in this title. This provision shall not apply at intersections where traffic is controlled by traffic-control signals unless a police officer is present at such intersection to direct traffic so as to preserve the continuity of the funeral procession. (Ord. 373 § 38, 1964).

10.24.030 Operators in a procession.

Each operator in a funeral or other procession shall drive as near to the right-hand edge of the roadway as practical and shall follow the vehicle ahead as closely as is practical and safe. (Ord. 373 § 39, 1964).

10.24.040 Funeral processions to be identified.

A funeral composed of a procession of vehicles shall be identified as such by the display upon the outside of each vehicle of a pennant or other identifying insignia or by such other method as may be determined and designated by the traffic division. (Ord. 373 § 40, 1964).

10.24.050 When permits required for parades and processions.

With the exception of funeral processions and parades of the armed forces of the United States or the military forces of this state, no processions or parades shall be conducted on the city streets and the persons or groups to whom such permits are issued shall only occupy, march, or proceed along any street in accordance with a permit issued by the chief of police and such other regulations as are set forth in this title which may be applicable. (Ord. 373 § 41, 1964).

10.24.060 Driving on sidewalk.

The operator of a vehicle shall not drive within any sidewalk area except at a permanent or temporary roadway or driveway. (Ord. 373 § 42, 1964).

10.24.070 Boarding or alighting from vehicles.

No person shall board or alight from any vehicle while such vehicle is in motion. (Ord. 373 § 44, 1964).

10.24.080 Unlawful riding.

No person shall ride on any vehicle upon any portion thereof not designated or intended for the use of passengers. This provision shall not apply to an employee engaged in the necessary discharge of a duty or to persons riding within truck bodies intended for merchandise. (Ord. 373 § 45, 1964).

10.24.090 Railroad trains blocking streets.

It is unlawful for the directing officer or the operator of any railroad train to direct the operation of or to operate the same in such a manner as to prevent the use of any street for the purposes of travel for a period of time longer than five minutes, except that this provision shall not apply to trains or cars in motion other than those engaged in switching. (Ord. 373 § 46, 1964).

10.24.100 Hauling garbage and other debris.

A. Any person, firm, company, corporation or other body who hauls or permits to be hauled by any type of vehicle, garbage, refuse, gravel, earth or any debris whatsoever upon the city streets shall not allow any of the material to drop from the vehicle in any way upon the city streets or escape from the vehicle so as to be deposited upon the city streets, public sidewalks or any private or public property.

B. Any violation of this section is a misdemeanor and is punishable by a fine of not less than \$5.00 and not more than \$50.00. (Ord. 306 §§ 1, 2, 1959).

10.24.140 Inattentive driving.

A. No person shall operate a vehicle in an inattentive manner over and along the streets, alleys or ways open to the public of this city. For the purpose of this section, "inattentive manner" means such a manner so as to fail to maintain a careful lookout for persons, animals or property in or near the path of the vehicle, or

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to drive without due vigilance for persons, animals or property in or near the path of the vehicle.

B. The offense of operating a vehicle in an inattentive manner shall be considered a lesser offense than, but included in, the offense of operating a vehicle in a negligent manner, and any person charged with operating a vehicle in a negligent manner may be found to have committed the lesser offense of operating a vehicle in an inattentive manner. Violation of this section is a class 2 civil infraction. (Ord. 1391 § 1, 1998).

Chapter 10.28

TRAFFIC CONTROL AND CONTROL DEVICES¹

Sections:

- 10.28.010 Authority to install devices – Community development director.
- 10.28.015 Authority to install devices – Chief of police, fire chief and community development director.
- 10.28.020 Design for traffic-control devices.
- 10.28.030 When traffic devices required for enforcement purposes.
- 10.28.035 Temporary and permanent stop signs.
- 10.28.040 Authority to require traffic calming devices.
- 10.28.050 *Repealed.*
- 10.28.060 Crosswalks and safety zones.
- 10.28.070 Traffic lanes.
- 10.28.080 Authority to place, and obedience to turning markers.
- 10.28.090 Authority to place restricted turn signs.
- 10.28.100 Obedience to no-turn signs.
- 10.28.110 One-way streets and alleys – Sign erection, maintenance authority.
- 10.28.120 One-way streets and alleys – Direction of traffic.
- 10.28.130 Authority to restrict direction of movement on streets during certain periods.
- 10.28.140 *Repealed.*
- 10.28.150 *Repealed.*
- 10.28.160 *Repealed.*

10.28.010 Authority to install devices – Community development director.

The community development director, under the authorization and direction of the city council, shall place and maintain traffic-control devices when required under the traffic ordinance of this city to make effective the provisions of the ordinance, and may place and maintain such additional traffic-control de-

1. For provisions governing traffic-control devices, see Chapter 47.36 RCW.

VICES as are necessary to regulate traffic under ordinances of the city or under state law, or to guide or warn traffic. (Ord. 1459 § 2, 2000; Ord. 1343 § 1, 1997; Ord. 373 § 13, 1964).

10.28.015 Authority to install devices – Chief of police, fire chief and community development director.

The chief of police, fire chief and community development director are granted the authority to erect, change, or remove traffic-control devices, other than traffic-control signals, when, in any official's opinion, the same is necessary for the health, welfare, and/or safety of the citizens of the city. The official directing the erection, change or removal shall seek its ratification at the next regular city council meeting. (Ord. 1459 § 2, 2000; Ord. 1343 § 2, 1997; Ord. 637 §§ 1, 2, 1977).

10.28.020 Design for traffic-control devices.

All signs and signals required under this chapter for a particular purpose shall, so far as practicable, be uniform as to type and location throughout the city. All traffic-control devices so erected and not inconsistent with the provisions of state law or this title shall be official traffic-control devices. (Ord. 1459 § 2, 2000; Ord. 373 § 14, 1964).

10.28.030 When traffic devices required for enforcement purposes.

No provision of this title for which signs are required shall be enforced against an alleged violator if at the time and place of the alleged violation an official sign is not in proper position and sufficiently legible to be seen by an ordinarily prudent person. Whenever a particular section does not state that signs are required, such section shall be effective even though no signs are erected or in place. (Ord. 1459 § 2, 2000; Ord. 373 § 15, 1964).

10.28.035 Temporary and permanent stop signs.

It is decreed that any and all stop signs within the city limits which, to date, have only been temporary stop signs, are permanent stop

signs. Any temporary stop signs erected in the future are declared to be enforceable. (Ord. 1459 § 2, 2000; Ord. 600 § 1, 1976).

10.28.040 Authority to require traffic calming devices.

The community development director, after conducting a traffic study, shall have the authority to install or require traffic calming devices on any street or part thereof. (Ord. 1459 § 2, 2000; Ord. 373 § 18, 1964).

10.28.050 Play streets – Driving upon.

Repealed by Ord. 1459. (Ord. 373 § 19, 1964).

10.28.060 Crosswalks and safety zones.

The community development director, under the authorization and direction of the city council, shall:

A. Designate and maintain, by appropriate devices, marks, or lines upon the surface of the roadway, crosswalks or intersections where, in the opinion of the city council, there is particular danger to pedestrians crossing the roadway, and at such other places as the city council may deem necessary;

B. Establish safety zones of such kind and character and at such places as the city council may deem necessary for the protection of pedestrians. (Ord. 1459 § 2, 2000; Ord. 373 § 20, 1964).

10.28.070 Traffic lanes.

A. The community development director, under the authorization and direction of the city council, shall make traffic lanes upon the roadway of any street or highway where regular alignment of traffic is necessary.

B. Where such traffic lanes have been marked, it is unlawful for the operator of any vehicle to fail or refuse to keep such vehicle within the boundaries of any such lane except when lawfully passing another vehicle or preparatory to making turning movement. (Ord. 1459 § 2, 2000; Ord. 373 § 21, 1964).

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10.28.080 Authority to place, and obedience to turning markers.

A. The community development director is authorized to place markers, buttons, or signs within or adjacent to intersections indicating the course to be traveled by vehicles turning at such intersections in accordance with the provisions of this title and RCW 47.36.060 (1959 Supp.).

B. When authorized markers, buttons, or other indications are placed within an intersection indicating the course to be traveled by vehicles turning thereat, no operator of a vehicle shall disobey the directions of such indications. (Ord. 1459 § 2, 2000; Ord. 373 § 25, 1964).

10.28.090 Authority to place restricted turn signs.

The city council shall determine those intersections at which the operators of vehicles shall not make a right, left or U-turn, and shall place proper signs at such intersections. The making of such turns may be prohibited between certain hours of any day and permitted at other hours, in which event the same shall be plainly indicated on the signs, or they may be removed when such turns are permitted. (Ord. 1459 § 2, 2000; Ord. 373 § 26, 1964).

10.28.100 Obedience to no-turn signs.

Whenever authorized signs are erected indicating that no right or left or U-turn is permitted, no operator of a vehicle shall disobey the directions of any such sign. (Ord. 1459 § 2, 2000; Ord. 373 § 27, 1964).

10.28.110 One-way streets and alleys – Sign erection, maintenance authority.

Whenever any ordinance of this city designates any one-way street or alley, the community development director shall place and maintain signs giving notice thereof, and no such regulation shall be effective unless such signs are in place. Signs indicating the direction of lawful traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited. (Ord. 1459 § 2, 2000; Ord. 373 § 28, 1964).

10.28.120 One-way streets and alleys – Direction of traffic.

Upon those streets and parts of streets and in those alleys described in Schedule 1 on file with the city clerk, vehicular traffic shall move only in the indicated direction when signs indicating the direction of traffic are erected and maintained at every intersection where movement in the opposite direction is prohibited, and a vehicle passing around a rotary traffic island shall be driven only to the right of such island. (Ord. 1459 § 2, 2000; Ord. 373 § 29, 1964).

10.28.130 Authority to restrict direction of movement on streets during certain periods.

A. If authorized by ordinance, the community development director may designate streets, parts of streets, or specific lanes thereof upon which vehicular traffic shall proceed in one direction during one period and the opposite direction during another period of the day and shall place and maintain appropriate markings, signs, barriers, or other devices to give notice thereof. The community development director may erect signs temporarily designating lanes to be used by traffic moving in a particular direction, regardless of the centerline of the roadway.

B. It is unlawful for any person to operate any vehicle in violation of such markings, signs, barriers, or other devices so placed in accordance with this section. (Ord. 1459 § 2, 2000; Ord. 373 § 30, 1964).

10.28.140 Signs – Determination.

Repealed by Ord. 1343. (Ord. 390 § 1, 1964).

10.28.150 Signs – Report to council.

Repealed by Ord. 1343. (Ord. 390 § 2, 1964).

10.28.160 Signs – Erected – Report to chief of police.

Repealed by Ord. 1343. (Ord. 390 § 3, 1964).

Chapter 10.30**PARKING**

Sections:

- 10.30.005 Description and purpose.
- 10.30.010 Parking zones established.
- 10.30.020 Restriction of unlicensed vehicles and/or other equipment on city streets.
- 10.30.030 *Repealed.*
- 10.30.040 No parking – Commercial vehicles.
- 10.30.050 Blocking mailboxes with motor vehicle prohibited.
- 10.30.060 *Repealed.*
- 10.30.070 *Repealed.*
- 10.30.080 *Repealed.*
- 10.30.090 Fire lanes.
- 10.30.095 No parking near intersection.
- 10.30.100 No parking zones.
- 10.30.110 Parking on right-of-way.
- 10.30.120 Parking within 20 feet of crosswalk prohibited.
- 10.30.130 Parking within 15 feet of fire hydrant prohibited.
- 10.30.140 Blocking or obstructing sidewalk prohibited.
- 10.30.150 Parking on city streets restricted.
- 10.30.160 No parking against oncoming traffic.
- 10.30.170 Seventy-two-hour restriction.
- 10.30.180 Vehicle repairs.

10.30.005 Description and purpose.

PMC 10.04.020 adopts by reference the Washington Model Traffic Ordinance, Chapter 308-330 WAC, except as provided in PMC 10.04.025. Pursuant to RCW 46.61.570, the Model Traffic Ordinance authorizes the city to restrict parking and establish no parking zones on city streets and other rights-of-way within the city. The city council finds that it is necessary and appropriate for public safety reasons to establish restricted parking and no parking zones on city streets and other rights-of-way within the city. It is the intent of this chapter to promote and protect property values and to provide for the health, safety, and welfare of the citizens. (Ord. 1370 § 1, 1998).

10.30.010 Parking zones established.

A. Definitions. The terms “park,” “parking,” and “vehicle” shall be as defined in PMC 10.30.090(A).

B. Parking shall be permitted on 3rd Avenue Southwest, between West Valley Highway and Frontage Road, from 8:00 a.m. to 5:00 p.m.

C. Parking shall be permitted adjacent to the eastbound lane of 3rd Avenue Southwest, between Frontage Road and Seattle Boulevard South, from 8:00 a.m. to 5:00 p.m.

D. It is unlawful for any person to park any vehicle on those portions of 3rd Avenue Southwest identified in subsections B or C of this section after 5:00 p.m. and before 8:00 a.m.

E. Violation of this section shall be a class 2 civil infraction. Vehicles parked in violation of this section are subject to impoundment. (Ord. 1448 §§ 1 – 5, 2000; Ord. 1370 § 2, 1998; Ord. 724 §§ 1, 2, 1979).

10.30.020 Restriction of unlicensed vehicles and/or other equipment on city streets.

No person shall park, leave, or allow to remain any unlicensed vehicle and/or other equipment on any city street. Violation of this section shall be a class 2 civil infraction. (Ord. 1370 § 3, 1998; Ord. 847 § 1, 1981).

10.30.030 No parking – Third and Milwaukee.

Repealed by Ord. 1370. (Ord. 859 § 1, 1982).

10.30.040 No parking – Commercial vehicles.

It is unlawful to park any commercial vehicle on any public right-of-way in the city except along Frontage Road. Violation of this section shall be a class 2 civil infraction. (Ord. 1370 § 4, 1998; Ord. 1171 § 1, 1992).

10.30.050 Blocking mailboxes with motor vehicle prohibited.

It is unlawful to park a motor vehicle within 15 feet of a clearly visible mailbox which is located directly adjacent to curbside or on a

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public right-of-way, between the hours of 8:00 a.m. and 6:00 p.m., except on Sundays and holidays. Vehicles in violation of this section are subject to impoundment as provided by law. Violation of this section is a class 4 civil infraction. (Ord. 1370 § 5, 1998; Ord. 1078 §§ 1, 2, 1989).

10.30.060 No parking – Passenger loading and unloading – Intersection of Milwaukee Boulevard South and Third Avenue Northwest.

Repealed by Ord. 1370. (Ord. 1082 § 1, 1989).

10.30.070 No parking – Third Avenue between Skinner Road and West Valley Highway.

Repealed by Ord. 1370. (Ord. 1136 § 1, 1991).

10.30.080 No parking – Frontage Road and Ellingson Road.

Repealed by Ord. 1370. (Ord. 1252 § 1, 1995).

10.30.090 Fire lanes.

A. Definitions. The following definitions shall apply in the interpretation and enforcement of this section:

1. “Fire lane” means that area within any public right-of-way, easement, or private property designated for the purpose of permitting fire trucks and other fire-fighting or emergency equipment to use, travel upon and park.

2. “Park,” “parking,” “stop,” “stand” or “standing” means the halting of a vehicle, other than an emergency vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or fire official or traffic-control sign or signal.

3. “Vehicle” means a machine propelled by power other than human power, designed to travel along the ground or rail by use of wheels, treads, runners or slides, and transport persons or property, or pull machinery, and shall include, without limitations, automobile, truck, trailer, motorcycle, tractor, buggy, wagon and locomotive.

B. Requirements – Standards. When required by the fire department, hard-surfaced driving fire lanes shall be provided around facilities which by their size, location, design or contents warrant access which exceeds that normally provided by the proximity of city streets.

1. Fire lanes shall provide a minimum, unobstructed continuous width of 20 feet and a minimum vertical clearance of 13 feet, six inches.

2. Fire lanes shall be either asphalt or reinforced concrete, or, when specifically authorized by the fire department, compacted crushed rock.

3. Where fire lanes connect to city streets or parking lots, adequate clearance and turning radius shall be provided. All proposed plans for fire lanes must have fire department approval.

C. Fire Lanes as Part of Driveways and/or Parking Areas. The fire department may require that areas specified for use as driveways or private thoroughfares shall not be used for parking. These areas, when specified, shall be marked or identified by one of the two means detailed in subsection E of this section.

D. Parking in Fire Lane Prohibited. Except when necessary to avoid conflict with other traffic, or in compliance with the direction of a police officer or fire official or traffic-control sign, signal or device, no person shall stop, stand or park a vehicle, whether occupied or not, in a designated fire lane, except momentarily to pick up or discharge a passenger or passengers, or temporarily for the purpose of and while actually engaged in loading or unloading property. Vehicles parked in a fire lane are subject to immediate impoundment, in addition to other penalties.

E. Fire Lane Identification. Lanes shall be identified by a four-inch-wide line or by painting of the curb in bright yellow color. Marking shall be by one of the following methods:

1. Fire lane signs (in accordance with the Washington State Highway Commission Sign Fabrication Manual M24-70 HT and the Manual of Uniform Traffic Control Devices

issued by the Federal Highway Administration), per illustration:



Lettering Specifications

- 3" – Class C width
- 3" – Class B width
- 2" – Class C width
- 1/2" – Class C width

- a. Reflective in nature;
- b. Red letters on white background;
- c. Signs to be spaced 50 feet apart and posted on or immediately next to the curb, or on the building;
- d. Signs to be no less than four feet from the ground.

2. Fire lane painting (where signs cannot be safely or securely posted, or where required in addition to signs).

a. Block letters 18 inches high, 12 inches wide and four-inch stroke stating "FIRE LANE – NO PARKING" shall be painted on the lane at 50-foot intervals in bright yellow color using paint that shall be suited for traffic markings.

3. Alternate Materials and Methods. The fire chief may modify any of the provisions herein where there are practical difficulties in the way of carrying out the strict letter of the standard; provided, that the spirit of this section shall be complied with, public safety shall be secured and substantial justice shall be done. The particulars of such modification shall be granted or allowed and the decision of the fire chief shall be entered upon the records of the fire department.

F. Existing Buildings. When the fire chief determines that a hazard due to inaccessibility of fire apparatus exists around existing build-

ings, he may require fire lanes to be constructed and maintained as detailed in subsections B and C of this section.

G. Enforcement. It shall be the joint duty of the police chief and the fire chief and/or their authorized designees to enforce subsection D of this section. It shall be the duty of the fire chief or his authorized designee to enforce the other subsections of this section.

H. Violation. It is a violation of this section for any person, firm or individual to sign or to attempt to designate an unauthorized fire lane.

I. Penalties. Any person violating any of the provisions of this section shall be guilty of a misdemeanor, and upon conviction, shall pay a fine of not more than \$75.00. (Ord. 1358 § 1, 1998).

10.30.095 No parking near intersection.¹

It is unlawful to park a motor vehicle upon the roadway within 30 feet of an intersection. Violation of this section is a class 4 civil infraction. (Ord. 1370 § 6, 1998).

10.30.100 No parking zones.

It is unlawful to park a motor vehicle upon any portion of the roadway designated as a no parking zone by an official sign defining the area and times of prohibited parking. Violation of this section is a class 4 civil infraction. (Ord. 1370 § 7, 1998).

10.30.110 Parking on right-of-way.

A. A motor vehicle may not be parked on a city street or right-of-way unless the vehicle can be placed completely off the traveled portion of the roadway.

B. No person shall park a vehicle upon any street or right-of-way in a manner that obstructs, interferes with, or impedes the flow of traffic or in any manner that otherwise creates a safety hazard.

C. No person shall park a vehicle upon any street or right-of-way in such a manner as to

1. Code reviser's note: Ordinance 1370 adds these provisions as Section 10.30.090. The section has been editorially renumbered to prevent duplication of numbering.

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leave available less than 10 feet of the width of the roadway for free movement of vehicular traffic.

D. Violation of this section shall be a class 3 civil infraction. (Ord. 1370 § 8, 1998).

10.30.120 Parking within 20 feet of crosswalk prohibited.

No person shall park a vehicle within 20 feet upon the approach to a crosswalk. Violation of this section is a class 2 civil infraction. (Ord. 1370 § 9, 1998).

10.30.130 Parking within 15 feet of fire hydrant prohibited.

No person shall park a vehicle within 15 feet of a fire hydrant. Violation of this section is a class 1 civil infraction. (Ord. 1370 § 10, 1998).

10.30.140 Blocking or obstructing sidewalk prohibited.

No person shall stop, stand, or park a vehicle on or over a sidewalk. Violation of this section is a class 2 civil infraction. (Ord. 1370 § 11, 1998).

10.30.150 Parking on city streets restricted.

It is unlawful for the owner, operator, or user of any recreational vehicle, including but not limited to a travel trailer, camper, motor home, or mobile home, or other trailer, to park or leave such vehicle parked on a city street right-of-way. Violation of this section is a class 4 civil infraction. (Ord. 1370 § 12, 1998).

10.30.160 No parking against oncoming traffic.

It is unlawful for any person or business to park any vehicle, including but not limited to any motor vehicle, motorcycle, bicycle, trailer, camper, motor home, or mobile home, on a city street in a direction facing the oncoming traffic which results in parking against the oncoming traffic. Violation of this section is a class 3 civil infraction. (Ord. 1370 § 13, 1998).

10.30.170 Seventy-two-hour restriction.

It is unlawful for any person or business to park or leave any licensed vehicle or licensed

equipment on a city street or city right-of-way for a period exceeding 72 hours. It is not a defense that the vehicle was moved to a different geographical location, unless the vehicle is moved prior to the expiration of 72 hours, and to a location other than a city street or city right-of-way as permitted by law or ordinance. Violation of this section is a class 3 civil infraction. (Ord. 1383 § 1, 1998).

10.30.180 Vehicle repairs.

It is unlawful to park, keep or store a motor vehicle on any premises in a state of major disassembly, disrepair, or in the process of being stripped, dismantled, repaired, or overhauled, unless such work is performed inside an enclosed area. "Enclosed area" means within a structure that conceals the motor vehicle from the view of the roadways adjacent and near to the property, and which conceals the vehicle from the view of adjoining properties. Violation of this section is a class 3 civil infraction. (Ord. 1388 § 1, 1998).

Chapter 10.32**SPEED LIMITS¹**

Sections:

- 10.32.010 State speed laws applicable.
- 10.32.020 Regulation of speed by traffic signals.
- 10.32.030 Increasing speed limit in certain zones.
- 10.32.035 East Valley Highway.
- 10.32.040 Third Avenue.
- 10.32.050 Valentine Road and Pacific Avenue.
- 10.32.055 Ellingson Road – Generally.
- 10.32.060 Ellingson Road – Additional provisions.
- 10.32.070 Milwaukee Boulevard.
- 10.32.080 Trains.
- 10.32.090 Speed and school zones.
- 10.32.100 Stuck River bridge.
- 10.32.110 Tacoma Boulevard.

10.32.010 State speed laws applicable.

The state traffic laws regulating the speed of vehicles shall be applicable upon all streets within the city, except as this title, as authorized by state law, declares and determines upon the basis of engineering and traffic investigation that certain speed regulations shall be applicable upon specified streets or in certain areas, in which event it is unlawful for any person to drive a vehicle at a speed in excess of any speed so declared in this title when signs are in place giving notice thereof. (Ord. 373 § 22, 1964).

10.32.020 Regulation of speed by traffic signals.

The city engineer, under the direction and control of the city council, and where authorized by state statute, shall regulate the timing of traffic signals so as to permit the movement of traffic in an orderly and safe manner. (Ord. 373 § 24, 1964).

1. For statutory provisions establishing speed restrictions, see RCW 46.61.400 – 46.61.475.

10.32.030 Increasing speed limit in certain zones.

It is determined upon the basis of an engineering and traffic investigation that the speed limits permitted by state law upon the streets designated in this section is less than is necessary for safe operation of vehicles thereon by reason of the designation and signposting of the streets as arterial highways and/or by reason of widely spaced intersections, and it is declared that the speed limit shall be as set forth in this section on those streets or parts of streets designated in this section at the times specified when signs are erected giving notice thereof.

| Name of Street | Speed Limit |
|------------------------|---------------------|
| 1. West Valley Highway | 40 MPH at all times |
| 2. All other streets | 25 MPH |

(Ord. 1056 § 2, 1988; Ord. 373 § 23, 1964).

10.32.035 East Valley Highway.

Except as provided in PMC 10.32.100, the speed limit along the East Valley Highway shall be 35 miles per hour. (Ord. 1056 § 1, 1988).

10.32.040 Third Avenue.

Maximum traffic speed for all motor vehicles including motorcycles and bicycles is as prescribed on the following streets:

A. Maximum speed on Third Avenue, 25 miles per hour subject to a maximum speed of 20 miles per hour on that portion of Third Avenue adjacent to the Pacific City Park; except as provided in subsection C of this section;

B. Maximum speed on Third Avenue East from Pacific Avenue to Skinner Avenue, 30 miles per hour;

C. There is established a speed limit of 10 miles per hour at the corner of Third Southeast and Skinner, extending 200 feet in a westerly direction from said corner on Third Southeast and 200 feet in a northerly direction on Skinner.

Any person found guilty of violating any provision of this section is subject to a fine of up to \$300.00 for each violation and/or up to 30 days in jail. (Ord. 771 § 1, 1980; Ord. 766 § 2, 1980; Ord. 514 § 3, 1972).

10.32.050

10.32.050 Valentine Road and Pacific Avenue.

The speed limit for vehicular traffic on Valentine Road from County Line Road north to Fifth Avenue and on Pacific Avenue from First Avenue to Third Avenue located within the city limits shall be reduced from 35 miles per hour to 25 miles per hour.

Any person violating this section is guilty of a misdemeanor which is punishable by a fine not to exceed \$500.00 and/or imprisonment not to exceed 90 days. (Ord. 439 § 2, 1969; Ord. 387 §§ 1, 2, 1965).

10.32.055 Ellingson Road – Generally.

The maximum speed at which all vehicular traffic may travel on Ellingson Road, in Pacific, Washington, is 35 miles per hour, unless otherwise posted. (Ord. 599 § 1, 1976).

10.32.060 Ellingson Road – Additional provisions.

A. The city now accepts the first stage of construction of the Ellingson Road extension and frontage roads constructed in conjunction therewith and accepts and takes official control and complete traffic control of Ellingson Road extension and frontage roads including the erection and ownership of traffic control signs, the responsibility for maintaining traffic speed control, and the maintenance of the ditches and drainage of the streets and roads.

B. There is established a speed limit of 35 miles per hour on the entire Ellingson Road and Ellingson Road extension and on Frontage Road No. 1 of SR 167, WAX No. 11071 A.A. except that portion designated as school zones as established from time to time by the police department. (Ord. 535 §§ 1, 2, 1974).

10.32.070 Milwaukee Boulevard.

The speed limit on Milwaukee Boulevard in the city from Homer to Fifth Avenue North is 20 miles per hour during school hours. (Ord. 577 § 2, 1975).

10.32.080 Trains.

There is established a maximum speed limit of 79 miles per hour for railroad tracks passing

through the city on the Burlington-Northern tracks. (Ord. 636 § 1, 1977).

10.32.090 Speed and school zones.

The speed limit in school zones, as established by the erection of signs under the authority of and at the direction of the chief of police, shall be 20 miles per hour.

A. Said signs shall read as follows: “School Zone - 20 miles per hour when children are present.”

B. For the purpose of this section, “when children are present” means when children are outside of the school building engaged in school activities. (Ord. 705 § 1, 1978).

10.32.100 Stuck River bridge.

The speed limit on the Stuck River bridge located in the city crossing the Stuck or White River, connected to the East Valley Highway, is reduced and set at a maximum of 25 miles per hour, beginning 150 feet on each side of said bridge, for all vehicles. (Ord. 863 § 1, 1982).

10.32.110 Tacoma Boulevard.

The speed limit on Tacoma Boulevard between Ellingson Road and Second Avenue S.W. shall be 20 miles per hour. (Ord. 1147 § 1, 1991).

Chapter 10.36**PEDESTRIANS**

Sections:

- 10.36.010 Pedestrians subject to traffic-control signals.
- 10.36.020 Pedestrians to use right half of crosswalk.
- 10.36.030 Pedestrians' duties.
- 10.36.040 Obedience of pedestrians to bridge and railroad signals.
- 10.36.050 Operators to exercise due care.

10.36.010 Pedestrians subject to traffic-control signals.

Pedestrians shall be subject to traffic-control signals as described in PMC 10.28.050 and RCW 46.60.240 but at all other places pedestrians shall be granted those rights and be subject to the restrictions stated in this chapter. (Ord. 373 § 47, 1964).

10.36.020 Pedestrians to use right half of crosswalk.

Pedestrians shall move, whenever practicable, upon the right half of crosswalks. (Ord. 373 § 48, 1964).

10.36.030 Pedestrians' duties.

A. Pedestrians shall not step into that portion of the street open to moving traffic at any point between intersections in the central business district, in any business district, on any arterial highway, or between adjacent intersections of streets protected by stop signs, except at marked crosswalks or other places specially provided.

B. Pedestrians shall not cross street intersections diagonally except at such signalized intersections that provide for a pedestrian all-walk phase.

C. Pedestrians crossing a roadway other than at intersection crosswalks shall yield the right-of-way to all vehicles upon the roadway. (Ord. 373 § 49, 1964).

10.36.040 Obedience of pedestrians to bridge and railroad signals.

A. No pedestrian shall enter or remain upon any bridge or approach thereto beyond the bridge signal, gate or barrier after a bridge operation signal indication has been given.

B. No pedestrian shall pass through, around, over, or under any crossing gate or barrier at a railroad grade crossing or bridge while such gate or barrier is closed or is being opened or closed. (Ord. 373 § 50, 1964).

10.36.050 Operators to exercise due care.

Notwithstanding the provisions of this chapter, every operator of a vehicle shall exercise due care to avoid colliding with any pedestrian upon any roadway and shall give warning by sounding the horn when necessary and shall exercise special precaution upon observing any child or any confused or incapacitated person upon a roadway. (Ord. 373 § 51, 1964).

Chapter 10.40

ARTERIALS AND SPECIAL STOPS¹

Sections:

- 10.40.010 Emerging from alley or private driveway.
- 10.40.020 Arterial highways designated.
- 10.40.030 Authority to erect stop signs.
- 10.40.040 Intersections where stop required.
- 10.40.050 Design of “stop” signs.
- 10.40.060 Stop when traffic obstructed.
- 10.40.070 Obedience to signal indicating approach of railroad train.
- 10.40.080 Arterial highways.
- 10.40.090 Intersection of Third and Skinner.

10.40.010 Emerging from alley or private driveway.

A. It is unlawful for the operator of a vehicle to emerge from any alley, driveway, building exit, private way, or private property; from off the roadway of any public highway; onto the roadway of any public highway; or across a sidewalk or into the sidewalk area extending across any such alley, driveway, building exit, private way or private property without bringing such vehicle to a full stop and yielding the right-of-way to all pedestrians upon such sidewalk and all vehicles upon such public highway.

B. No vehicle shall back into or out of an alley, except when same is obstructed.

C. No driver shall enter any street at any point other than a street intersection at a rate of speed exceeding five miles per hour, nor operate a vehicle in excess of 15 miles per hour in any alley. (Ord. 373 § 31, 1964).

10.40.020 Arterial highways designated.

These streets and parts of streets described in PMC 10.40.080 are declared to be arterial highways for the purpose of this chapter. (Ord. 373 § 32, 1964).

10.40.030 Authority to erect stop signs.

Except on such streets that form a part of the route of a primary or secondary state highway upon which the state law requires the director of highways to install, operate, maintain, and control traffic-control devices, whenever any ordinance of this city designates and describes an arterial highway, it shall be the duty of the street superintendent to place and maintain a stop sign on each and every street intersection of such arterial highway or intersecting that portion thereof described and designated as such by any ordinance of this city. (Ord. 373 § 33, 1964).

10.40.040 Intersections where stop required.

The city council shall determine and designate intersections where a particular hazard exists upon other than arterial highways and shall determine whether vehicles shall stop at one or more entrances to any such stop intersection, and shall direct the erection of stop signs by the city street superintendent at every such place where a stop is required. (Ord. 373 § 34, 1964).

10.40.050 Design of “stop” signs.

Every sign shall be of the standard design adopted by the director of highways. (Ord. 373 § 35, 1964).

10.40.060 Stop when traffic obstructed.

No operator shall enter an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle he is operating without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic-control signal indication to proceed. (Ord. 373 § 36, 1964).

10.40.070 Obedience to signal indicating approach of railroad train.

No person shall drive any vehicle through, around, or under any crossing gate or barrier at a railroad grade crossing while such gate or barrier is closed or is being opened or closed. (Ord. 373 § 37, 1964).

1. For statutory provisions requiring vehicles to stop on entering arterials, see RCW 46.61.195; for provisions regarding special stops, see RCW 46.61.340 – 46.61.385.

10.40.080 Arterial highways.

In accordance with the provisions of PMC 10.40.020 and when signs are erected giving notice thereof, operators of vehicles shall stop at every intersection before entering any of the following streets or parts of streets:

- A. Ellingson Road;
- B. Pacific Avenue;
- C. Third Avenue Southwest and Southeast;
- D. Fourth Avenue Southwest;
- E. Tacoma Boulevard;
- F. Seattle Boulevard;
- G. West Valley Highway;
- H. Milwaukee Boulevard North and South;

I. At the east and west approaches to the Milwaukee Railway tracks on Third Avenue at the designated demarcation line on Third Avenue on the east and west sides of the railway crossing. (Ord. 414 § 1, 1967; Ord. 373 § 67, 1964).

10.40.090 Intersection of Third and Skinner.

The city's utility superintendent is directed and authorized to erect and place permanent stop signs, for both directions of traffic, at the intersection of Third and Skinner. (Ord. 623 § 1, 1976).

Chapter 10.44**ENFORCEMENT¹**

Sections:

- 10.44.010 Disposition and records of traffic citations.
- 10.44.020 When warrant to be issued.
- 10.44.030 Disposition of traffic fines and forfeitures.
- 10.44.040 Official misconduct.
- 10.44.050 –
- 10.44.080 *Repealed.*

10.44.010 Disposition and records of traffic citations.

Every police officer upon issuing a traffic citation to an alleged violator of any provision of the motor vehicle laws of the state or of the traffic ordinance of this city shall prepare the citation in quadruplicate and make disposition of the same as follows:

A. The original of the citation shall be retained by the arresting officer who shall prepare an incident report therefrom. After preparing the incident report, the arresting officer shall then file the original of the citation with the police court.

B. The first carbon of the citation shall be filed with the police court clerk, who shall forward the same to the State Department of Licenses after disposition of the case is made by the judge of the police court.

C. The second carbon of the citation shall be delivered to the Central Records Division of the police court and shall be filed as a permanent record of said department.

D. The third carbon of the citation shall be delivered to the alleged violator at the time of his arrest. (Ord. 373 § 54(a), 1964).

10.44.020 When warrant to be issued.

In the event any person fails to comply with a traffic citation given to such person or attached to a vehicle or fails to make appearance pursuant to a summons directing an appearance in the police court, or if any person

1. For statutory provisions regarding enforcement of traffic laws, see Chapter 46.64 RCW.

10.44.030

fails or refuses to deposit bail as required and within the time permitted by ordinance, the clerk of the police court shall secure and issue a warrant for his arrest. (Ord. 373 § 57, 1964).

10.44.030 Disposition of traffic fines and forfeitures.

All fines or forfeitures collected upon conviction or upon the forfeiture of bail of any person charged with a violation of any of the provisions of this title shall be paid into the general fund of the city. (Ord. 373 § 58, 1964).

10.44.040 Official misconduct.

Failure, refusal, or neglect on the part of any judicial or other officer or employee receiving or having custody of any such fine or forfeiture of bail, either before or after a deposit in the city general fund or to comply with the provisions of PMC 10.44.030 shall constitute misconduct in office and shall be grounds for removal therefrom, provided appropriate removal action is taken pursuant to state law relating to removal of public officials. (Ord. 373 § 59, 1964).

10.44.050 Authority to impound vehicles.

Repealed by Ord. 1243. (Ord. 373 § 60(a), 1964).

10.44.060 Abandoned vehicle – Notice to owner – Report to state patrol.

Repealed by Ord. 1243. (Ord. 373 § 60(b), 1964).

10.44.070 Abandoned vehicle – Report to state.

Repealed by Ord. 1243. (Ord. 373 § 60(c), 1964).

10.44.080 Abandoned vehicle – Cost of removal.

Repealed by Ord. 1243. (Ord. 373 § 60(d), 1964).

Chapter 10.46

IMPOUNDMENT OF VEHICLES

Sections:

10.46.010 Definitions.

10.46.020 Enforcement authority.

10.46.030 Impoundment and removal of vehicles.

10.46.040 Posting requirements.

10.46.050 Cost of removal and storage.

10.46.060 Responsibility of registered owner.

10.46.070 Severability.

10.46.010 Definitions.

A. “Vehicle” means every device capable of being moved upon a roadway and in, upon, or by which any person or property is or may be transported or drawn upon a roadway, including without limitation automobiles, trucks, trailers, motorcycles, and tractors, and excepting devices moved by human or animal power or used exclusively upon stationary rails or tracks.

B. “Impound” means to take and hold a vehicle in legal custody. There are two types of impounds – public and private.

1. “Public impound” means that the vehicle has been impounded at the direction of a law enforcement officer or by a public official having jurisdiction over the public property upon which the vehicle was located.

2. “Private impound” means that the vehicle has been impounded at the direction of a person having control or possession of the private property upon which the vehicle was located.

C. “Unauthorized vehicle” means a vehicle that is subject to impoundment after being left unattended in one of the following public or private locations for the indicated period of time:

1. Public locations:

a. Constituting an accident or traffic hazard as defined in RCW 46.55.113, subject to removal immediately;

b. On a city street or highway and tagged as described in RCW 46.55.085, subject to removal within 24 hours;

c. In a publicly owned or controlled parking facility, properly posted under RCW 46.55.070, subject to removal within 24 hours.

2. Private locations:

a. On residential property, subject to removal immediately;

b. On private, nonresidential property posted under RCW 46.55.070, subject to removal immediately;

c. On private, nonresidential property, not posted, subject to removal after 24 hours. (Ord. 1243 § 2, 1995).

10.46.020 Enforcement authority.

The Pacific police department shall enforce this chapter. (Ord. 1243 § 2, 1995).

10.46.030 Impoundment and removal of vehicles.

A. If a vehicle is in violation of the time restrictions set forth in PMC 10.46.010(C), the vehicle may be impounded by a registered tow truck operator at the direction of a Pacific police officer if the vehicle is on public property, or at the direction of the property owner or an agent if the vehicle is on private property, pursuant to the procedures set forth in Chapter 46.55 RCW.

B. Any Pacific police officer may take custody of a vehicle and provide for the vehicle's prompt removal to a place of safety under any of the following circumstances:

1. Whenever the driver of the vehicle is arrested for a violation of RCW 46.61.502 or 46.61.504;

2. Whenever a police officer finds a vehicle standing upon the roadway in violation of any of the provisions of RCW 46.61.560, the officer may provide for the removal of the vehicle or require the driver or other person in charge of the vehicle to move the vehicle to a position off the roadway;

3. Whenever a police officer finds a vehicle unattended upon a highway where the vehicle constitutes an obstruction to traffic or jeopardizes public safety;

4. Whenever a police officer finds an unattended vehicle at the scene of an accident or when the driver of a vehicle involved in an accident is physically or mentally incapable of

deciding upon steps to be taken to protect his or her property;

5. Whenever the driver of a vehicle is arrested and taken into custody by a police officer;

6. Whenever a police officer discovers a vehicle that the officer determines to be a stolen vehicle; or

7. Whenever a vehicle without a special license plate, card, or decal indicating that the vehicle is being used to transport a disabled person under RCW 46.16.381 is parked in a stall or space clearly and conspicuously marked under RCW 46.61.581 which space is provided on private property without charge or on public property.

C. For purposes of this section, "place of safety" includes the business location of a registered tow truck operator. (Ord. 1243 § 2, 1995).

10.46.040 Posting requirements.

A. No person may impound, tow, or otherwise disturb any unauthorized vehicle standing on nonresidential private property or in a public parking facility for less than 24 hours unless a sign is posted near each entrance and on the property in a clearly conspicuous and visible location to all who park on such property that clearly indicates:

1. The times a vehicle may be impounded as an unauthorized vehicle; and

2. The name, telephone number, and address of the towing firm where the vehicle may be redeemed.

B. The requirements of subsection A of this section do not apply to residential property. Any person having charge of such property may have an unauthorized vehicle impounded immediately upon giving written authorization. (Ord. 1243 § 2, 1995).

10.46.050 Cost of removal and storage.

The costs of removal and storage of vehicles under this chapter shall be paid by the owner or driver of the vehicle and shall be a lien upon the vehicle until paid, unless the removal is determined to be invalid. (Ord. 1243 § 2, 1995).

10.46.060 Responsibility of registered owner.

A. The abandonment of any vehicle creates a prima facie presumption that the last registered owner of record is responsible for the abandonment and is liable for costs incurred in removing, storing, and disposing of the abandoned vehicle, less amounts realized at auction.

B. If an unauthorized vehicle is found abandoned under subsection A of this section, the last registered owner of record of the vehicle is guilty of a traffic infraction, unless the vehicle is redeemed after impound as provided in RCW 46.55.120. In addition to the monetary penalty set forth in Chapter 46.63 RCW, the person found to have committed the infraction is also liable for restitution in the amount of any deficiency remaining after disposal of the vehicle pursuant to the procedures set forth in RCW 46.55.140.

C. Filing a report of sale or transfer regarding the vehicle involved or a vehicle theft report filed with a law enforcement agency relieves the last registered owner of liability under this section. (Ord. 1243 § 2, 1995).

10.46.070 Severability.

If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of the chapter or the application of the provision to other persons or circumstances shall not be affected. (Ord. 1243 § 2, 1995).

Chapter 10.48

EMERGENCY VEHICLES¹

Sections:

- 10.48.010 Authorization.
- 10.48.020 Special privileges.
- 10.48.030 Signals.

10.48.010 Authorization.

The driver of an authorized emergency vehicle, when responding to an emergency call or when in the pursuit of an actual or suspected violator of the law or when responding to, but not upon returning from a fire alarm, may exercise the privileges set forth in this chapter, but subject to the conditions stated in this chapter. (Ord. 373 § 12(a), 1964).

10.48.020 Special privileges.

The driver of an authorized emergency vehicle may:

- A. Park or stand, irrespective of the provisions of this title;
- B. Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;
- C. Exceed the speed limits prescribed in this title so long as he does not endanger life or property;
- D. Disregard regulations governing direction of movement of turning in specified directions. (Ord. 373 § 12(b), 1964).

10.48.030 Signals.

The exemptions granted in this chapter to an authorized emergency vehicle shall apply only when the driver of any such vehicle while in motion sounds an audible signal by bell, siren, or exhaust whistle as may be reasonably necessary, and when the vehicle is equipped with at least one lighted lamp displaying a red light visible under normal atmospheric conditions from a distance of 500 feet to the front of such vehicle, except that an authorized emergency

1. For statutory provisions regarding the operation of emergency vehicles, see RCW 46.08.060; for provisions regarding equipment, see RCW 46.37.188; for provisions regarding rules of the road, see RCW 46.60.210.

vehicle operated as a police vehicle need not be equipped with or display a red light visible from in front of the vehicle. (Ord. 373 § 12(c), 1964).

Chapter 10.52

BICYCLES AND PLAY VEHICLES¹

Sections:

10.52.010 Use of coasters, roller skates, and similar devices restricted.

10.52.010 Use of coasters, roller skates, and similar devices restricted.

No person upon roller skates, or riding in or by means of any coaster, toy vehicle, or similar device, shall go upon any roadway except while crossing a street on a crosswalk, and when so crossing such person shall be granted all of the rights and shall be subject to all of the duties applicable to pedestrians. This section shall not apply upon any street while set aside as a play street as authorized by ordinance of this city. (Ord. 373 § 11, 1964).

1. For statutory provisions regarding bicycles, see RCW 46.61.755 – 46.61.780.

Chapter 10.56

MISCELLANEOUS PROVISIONS

Sections:

10.56.010 Compression brakes prohibited.

10.56.010 Compression brakes prohibited.

A. No person shall use motor vehicle brakes within the city limits of the city which are in any way activated or operated by the compression of the engine of the motor vehicle or any unit or part thereof. It shall be an affirmative defense to prosecution under this section that said compression brakes were applied in an emergency and were necessary for the protection of persons or property.

B. Violation of this section is a class 2 civil infraction.

C. The city engineer is authorized to post appropriate signs consistent with this section. (Ord. 1370 § 18, 1998).

Chapter 10.60

PENALTY SCHEDULE

Sections:

10.60.010 Penalty schedule – Civil infractions.

10.60.010 Penalty schedule – Civil infractions.

A. A person found to have committed a civil infraction shall be assessed a monetary penalty.

1. The maximum penalty and the default amount for a class 1 civil infraction shall be \$250.00, not including statutory assessments.

2. The maximum penalty and the default amount for a class 2 civil infraction shall be \$125.00, not including statutory assessments.

3. The maximum penalty and the default amount for a class 3 civil infraction shall be \$50.00, not including statutory assessments.

4. The maximum penalty and the default amount for a class 4 civil infraction shall be \$25.00, not including statutory assessments.

B. Whenever a monetary penalty is imposed by a court under this chapter it is immediately payable. If the person is unable to pay at that time, the court may grant an extension of the period in which the penalty may be paid. If the penalty is not paid on or before the time established for payment, the court may proceed to collect the penalty in the same manner as other civil judgments and may notify the prosecuting authority of the failure to pay.

C. The court may also order a person found to have committed a civil infraction to make restitution. (Ord. 1370 § 19, 1998).

Chapter 10.64**SKATEBOARD REGULATIONS**

Sections:

- 10.64.010 Public property – Roller device use prohibited.
- 10.64.020 Parental responsibility.
- 10.64.030 Skateboarder responsibility.
- 10.64.040 Violations.

10.64.010 Public property – Roller device use prohibited.

No person upon roller-skates, or riding in, on, or by means of any coaster, skateboard, or toy vehicle or similar device shall go upon a publicly owned lot, or posted private parking lot, or the roadway of any arterial street or transit coach route, except while crossing such street at a crosswalk; nor shall any person engage in any sport, amusement exercise or play in the roadway of any street; nor shall any person use or operate a coaster, skateboard, toy vehicle or similar device in the area designated as the Neighborhood Center, Highway Commercial and Commercial area, as defined in Pacific Municipal Code, except upon private property with permission of the property owner or person in control of said property; or, in designated areas for skate park use. These prohibitions shall not apply to handicapped persons using wheeled equipment in order to be ambulatory. (Ord. 1536 § 1, 2003).

10.64.020 Parental responsibility.

It is unlawful for every parent, guardian, or other adult person having the care and custody of any minor child under 18 years of age to knowingly permit such minor to violate this chapter. (Ord. 1536 § 1, 2003).

10.64.030 Skateboarder responsibility.

Every person using a skateboard, roller-skates, coaster, toy vehicle, or similar device shall use the same in a careful and prudent manner and at a rate of speed no greater than is reasonable and proper under the conditions existing at the point of operation, taking into account the amount and character of pedestrian traffic, grade and width of sidewalk or public

path, and condition of surface, and shall obey all traffic-control devices. Every person using a skateboard, roller-skates, coaster, toy vehicle, or similar device upon a sidewalk or public path shall yield the right-of-way to any pedestrian thereon. (Ord. 1536 § 1, 2003).

10.64.040 Violations.

Any person violating any provisions of this chapter shall be guilty of a Class 3 civil infraction. (Ord. 1536 § 1, 2003).

