ORDINANCE NO. 2022- 04

AN ORDINANCE OF THE CITY OF REPUBLIC, WASHINGTON, AMENDING CHAPTERS 10.04, 10.12 AND 12.12 OF THE REPUBLIC MUNICIPAL CODE TO CHANGE PROVISIONS RELATING TO PARKING ON CITY STREETS, CITY PARKS AND OTHER AREAS WITHIN THE CITY LIMITS, AND TO ADOPT CHAPTER 46.55 RCW BY REFERENCE PROVIDING FOR THE IMPOUNDING OF UNAUTHORIZED VEHICLES, AND CHANGING THE PENALTIES THEREFORE.

WHEREAS, the City of Republic ("City") has previously adopted Chapters 10.04, 10.12 and 12.12 of the Republic Municipal Code relating to the use of vehicles, stopping, standing and parking within the City limits, and park use regulations; and

WHEREAS, the City Council has determined that it is necessary for the health and safety of City residents and the public at large to amend Chapters 10.04, 10.12 and 12.12 of the Republic Municipal Code to add provisions regulating the parking of vehicles, as well as the impoundment of unauthorized vehicles in violation of such provisions and providing penalties therefore.

NOW, THEREFORE, the City Council of the City of Republic, Washington, do ordain as follows:

SECTION 1 – AMENDMENT.

A. Section 10.04.020 of the Republic Municipal Code, which reads as follows:

"10.04.020 – State Highway Within City Limits.

That any part of and all of the state highway located within the city limits shall for the purposes of this chapter be a street of the Town of Republic, Washington."

Be and hereby is amended to read as follows:

"10.04.020 – State Highway Within City Limits.

That any part of and all of the state highway located within the city limits shall for the purposes of this chapter be a street of the City of Republic, Washington."
B. Section 10.04.050 of the Republic Municipal Code, which reads as follows:

"10.04.050 – Penalties.

Any person violating the provisions of this chapter shall have committed a traffic infraction. Penalties for traffic infractions are determined and imposed by the courts."

Be and hereby is amended to read as follows:

"10.04.050 – Penalties.

Any person violating the provisions of this chapter shall have committed a traffic infraction and shall be assessed a civil penalty not to exceed $250.00 for each violation thereof."

C. The definition of “vehicles” as set out in Section 10.12.010 of the Republic Municipal Code, which reads as follows:

"“Vehicles” mean any automobile, truck, motorcycle, or other motorized vehicle, bicycle, or mechanical or wheeled trailer capable of being towed behind a motorized vehicle."

Be and hereby is amended to read as follows:

"“Vehicle or vehicles” mean any self-propelled device capable of being moved upon a road, and in, upon or by which any persons or property may be transported or drawn, and shall include, but are not limited to automobiles, trucks, motorcycles, motorized recreational vehicles, motor scooters, jeeps, or other similar type 4-wheel drive vehicles and snowmobiles, whether or not they can be legally operated upon a public highway, and mechanical and wheeled trailers capable of being towed behind any vehicle."

D. Section 10.12.020(B) of the Republic Municipal Code, which reads as follows:

"(B). The parking of vehicles on the south side of Sixth Street (Hwy 20 W) from the intersection of Sixth Street and Kean Street west fifty-five (55) feet. There shall be no parking of motorhomes or logging trucks in this area."
Be and hereby is amended to read as follows:

"(B). The parking of vehicles on the south side of Sixth Street (Hwy 20 W) from the intersection of Sixth Street and Kean Street west fifty-five (55) feet. There shall be no parking of any vehicles with a total overall length that exceeds 22 feet in this area."

E. Section 10.12.030, of the Republic Municipal Code, which reads as follows:


Parking located ninety (90) feet south from the intersection of Delaware Avenue and Keller Street shall be limited to compact cars only."

Be and hereby is amended to read as follows:


Parking located ninety (90) feet south from the intersection of Delaware Avenue and Keller Street shall be limited to compact cars only, which shall be defined as vehicles not exceeding an overall length of 22 feet."

F. Section 10.12.060 of the Republic Municipal Code, which reads as follows:


Any parking areas described in Sections 10.12.020 through 10.12.050 of this chapter shall be clearly marked and signs posted designating such areas and parking restrictions.

Any vehicle found to be left in a restricted parking area as designated in Sections 10.12.020 through 10.12.050 of this chapter for a period of twelve (12) hours continuously within such designated restricted parking areas may be removed by the City of Republic, and all expenses incurred in such removal and/or storage shall be the sole responsibility of the owner of the vehicle. For the purposes of this section “continuously within such designated restricted parking areas” shall mean to leave a vehicle within any restricted parking areas as designated in Sections 10.12.020 through 10.12.050 of this chapter, regardless of whether such vehicle has been moved to another location within such restricted parking areas."

Be and hereby is amended to read as follows:

Any parking areas described in Sections 10.12.020 through 10.12.050 of this chapter shall be clearly marked and signs posted designating such areas and parking restrictions.

Any vehicle found to be left in a restricted parking area as designated in Sections 10.12.020 through 10.12.050 of this chapter for a period of twelve (12) hours continuously within such designated restricted parking areas may be removed from such designated restricted parking areas as an unauthorized vehicle according to the provisions of Chapter 46.55 RCW. In addition to the penalties set out in this chapter, in the event of a violation of this chapter, the City, or law enforcement officer, may cause the vehicle to be towed to a place of keeping, from time to time designated by the City, pursuant to the applicable provisions of Chapter 46.55 RCW, which are incorporated herein by reference into this chapter. The owner of the vehicle desiring to redeem such shall pay to the keeper thereof reasonable charges for towing and storage thereof. For the purposes of this section “continuously within such designated restricted parking areas” shall mean to leave a vehicle within any restricted parking areas as designated in Sections 10.12.020 through 10.12.050 of this chapter, regardless of whether such vehicle has been moved to another location within such restricted parking areas.”

G. Section 10.12.070 of the Republic Municipal Code, which reads as follows:


Parking of a vehicle in violation of Sections 10.12.020 through 10.12.040 of this chapter shall be a civil infraction. Civil infractions under this chapter shall be assessed a civil penalty of not more than $50.00. Such penalty shall be in addition to any expenses incurred by the owner of the vehicle under Section 10.12.060 of this chapter.”

Be and hereby is amended to read as follows:


Parking of a vehicle in violation of Sections 10.12.020 through 10.12.040 of this chapter shall be a civil infraction. Civil infractions under this chapter shall be assessed a civil penalty of not more than
$250.00 for each violation. Each day that the violation occurs shall be deemed to be a separate offense. Such penalty shall be in addition to any expenses incurred by the owner of the vehicle under section 10.12.060 of this chapter."

H. The definition of "Motor Vehicle" as set forth in Section 12.12.020 of the Republic Municipal Code, which reads as follows:

"Motor Vehicle" means any self-propelled device capable of being moved upon a road, and in, upon, or by which any persons or property may be transported or drawn, and shall include, but are not limited to, automobiles, trucks, motorcycles, motor scooters, jeeps or similar type 4-wheel drive vehicles and snowmobiles, whether or not they can be legally operated upon the public highway."

Be and hereby is amended to read as follows:

"Vehicle" or "vehicles" means any self-propelled device capable of being moved upon a road, and in, upon, or by which any persons or property may be transported or drawn, and shall include, but are not limited to, automobiles, trucks, motorcycles, motorized recreational vehicles, motor scooters, jeeps or similar type 4-wheel drive vehicles and snowmobiles, whether or not they can be legally operated upon the public highway, and mechanical or wheeled trailers capable of being towed behind a vehicle.

I. Section 12.12.020 of the Republic Municipal Code, is hereby amended to add a new definition of "Parking" as follows:

"Parking" means to stop, place or cease movement of a vehicle at a particular place, with or without a driver."

J. The definition of "Parks" as set forth in Section 12.12.020 of the Republic Municipal Code, which reads as follows:

"Parks" (collectively referenced as city parks or park) means any recreation or similar property under the ownership, management or control of the city, including but not limited to, Patterson Park, Hesse Park, Slagle Park, and Eureka Park.

Be and hereby is amended to read as follows:

REPUBLIC ORDINANCE
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"Parks" (collectively referenced as city parks, public parks or park) means any recreation or similar property under the ownership, management or control of the city, including but not limited to, Patterson Park Sports Complex, Madison Park, Slagle Park, and Eureka Park.

K. The first full sentence of Section 12.12.030 of the Republic Municipal Code, which reads as follows:

"Except in designated camping areas, the city parks hours shall be open from eight a.m. until nightfall."

Be and hereby is amended to read as follows:

"Except in designated camping areas, the city parks hours shall be open from 8:00 a.m. until 8:00 p.m."

L. Section 12.12.040(C) of the Republic Municipal Code, which reads as follows:

"C. No person shall erect or maintain any tent or other shelter or park any trailer, motorhome or automobile between sunrise and sunset for the purpose of camping or staying overnight in a public park of the City unless it is designated for that purpose."

Be and hereby is amended to read as follows:

"C. No person shall erect or maintain any tent or other shelter or park any vehicle between sunrise and sunset for the purpose of camping or staying overnight in a park of the city unless such area is designated for that purpose."

M. Section 12.12 of the Republic Municipal Code is hereby amended to add a new Section 12.12.055 as follows:


Parking of vehicles, exclusive of vehicles camping in designated areas as provided in this chapter, shall be limited to the hours of operation of all city parks from 8:00 a.m. to 8:00 p.m. daily. Overnight parking may occur in the city parks, provided that the total cumulative days of parking in any or all city parks shall not exceed two (2) nights in any calendar month for a vehicle. Any vehicle found to have violated the
restricted parking provisions of this section may be removed by the city or law enforcement officer according to the provisions of Chapter 46.55 RCW. In addition to the penalties set out in this chapter, and in the event that a person has violated this section, the city or law enforcement officer may cause the vehicle to be towed to a place of keeping, from time to time designated by the city, pursuant to the applicable provisions of Chapter 46.55 RCW, which are hereby incorporated into this section. The owner of the vehicle(s) shall pay the keeper reasonable charges for towing and storage thereof.

Such restricted parking areas in the city parks described in this section shall be clearly marked and signs posted designating such areas and parking restrictions.”

SECTION 2 – SEVERABILITY. If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this Ordinance.

SECTION 3 – EFFECTIVE DATE. This Ordinance shall take effective after its passage by the City Council, approval by the Mayor, and five (5) days after publication as required by law.

PASSED by the City Council of the City of Republic, Washington, at a regular meeting thereof this 1st day of August, 2022.

APPROVED:

Elbert Koontz, Mayor

ATTEST:

Nicolas Olsen, City Clerk-Treasurer

APPROVED AS TO FORM:

W. Scott DeTro, City Attorney