

Ordinance No. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, RELATED TO RESIDENTIAL PARKING AND AMENDING OLYMPIA MUNICIPAL CODE CHAPTERS 4.70 AND 10.16**

**WHEREAS**, the Olympia Downtown Strategy was adopted in April 2017, and identified public priorities and realistic, impactful actions to move forward the vision of the Olympia Comprehensive Plan and goals for Downtown Olympia, fostering a rich diversity of downtown places and spaces that will attract and support people who live, work, and play in Downtown Olympia; and

**WHEREAS**, in April 2019, the City of Olympia adopted a Downtown Olympia Parking Strategy for the years 2019-2029 with the intent of supporting the Downtown Strategy by ensuring residents have safe, predictable parking; and

**WHEREAS**, City staff, alongside representatives of the South Capitol Neighborhood and the Washington State Department of Enterprise Services, developed through a facilitated, consensus-based process a plan to mitigate impacts of State Capitol visitor parking to the South Capitol Historic Neighborhood (the Plan); and

**WHEREAS**, the Plan was presented to members of the South Capitol Neighborhood Association, local State Legislators, DOE, and the City Council in December 2019; and

**WHEREAS**, staff has proposed amendments to Olympia Municipal Code Chapter 10.16 (the Parking Code) and Chapter 4.70 (the Fees Code), which support the City's goals, strategies, and implementation timelines for parking in Downtown Olympia and surrounding neighborhoods; and

**WHEREAS**, changes to the Parking Code will also enable Community Planning and Development Parking Services staff to more effectively manage parking in and around downtown, including adjacent neighborhoods; and

**WHEREAS**, approximately 47% of Olympians are considered to be of low income, and offering a residential parking permit discount is intended to offer some relief to these households; and

**WHEREAS**, this Ordinance is supported by the staff report and accompanying materials concerning the Ordinance, along with documents on file with the City;

**NOW, THEREFORE, THE OLYMPIA CITY COUNCIL ORDAINS AS FOLLOWS:**

**Section 1. Amendment of OMC 4.70.** Olympia Municipal Code Chapter 4.70 is hereby amended to read as follows:

**Chapter 4.70  
RESIDENTIAL PARKING FEES**

4.70.000 Chapter Contents

Sections:

4.70.010 Residential parking fees.

4.70.020 Residential parking fee discounts – Low income.

#### **4.70.010 Residential parking fees**

Vehicle registration fees for the Residential Parking Program described in OMC 10.16.055 are set for each zone as follows:

- A. ~~Ten-Twenty-Five and no/100 dollars (\$10.00-25.00)~~ per year, per vehicle up to two (2) vehicles registered in the program for Zones 1, 2, and 3. A third vehicle may be registered in the program for Thirty-Five and no/100 dollars (\$35.00) per year.
- B. Sixty and no/100 dollars (\$60.00) per year, per vehicle registered in the program for Zones 4, 5, 6, 7, and 8.

#### **4.70.020 Residential parking fee discounts – Low income**

- A. A fifty percent (50%) discount in any residential parking permit rate set forth in this chapter will be granted for any approved low-income permit application.
- B. The Director of Community Planning and Development or their designee is authorized to establish reasonable rules and regulations to implement this section.

**Section 2. Amendment of OMC 10.16.** Olympia Municipal Code Chapter 10.16 is hereby amended to read as follows:

## **Chapter 10.16 STOPPING, STANDING AND PARKING**

10.16.000 Chapter Contents

Sections:

- 10.16.010 Applicability.
- 10.16.020 Parking prohibited at all times on certain streets -- Penalty for violation.
- 10.16.030 Recreational vehicle parking on ~~city~~City streets over 24 hours or between the hours of 3:00 a.m. and 6:00 a.m. prohibited without permit -- Penalty for violation.
- 10.16.050 Parking time limitations -- When applicable.
- 10.16.055 Residential Parking Program Established – Penalty for violation.
- 10.16.060 Parking adjacent to schools.
- 10.16.070 Free parking zones.
- 10.16.080 Free parking limits -- Penalty for Violation.
- 10.16.090 Free parking zones -- Sign posting.
- 10.16.100 Overtime parking prohibited in metered areas -- Penalty for Violation.
- 10.16.110 Parking of motorcycles, motor-driven cycles and mopeds within metered parking spaces.
- 10.16.120 Tampering with parking enforcement process is a violation.
- 10.16.130 Device regulated parking – Metered parking -- No parking when payment has expired.
- 10.16.140 City parking lots -- Regulations.
- 10.16.150 City parking lots and metered parking -- Fee schedules.
- 10.16.160 City Parking Lots -- Violations -- Penalties.
- 10.16.210 Prohibited parking.
- 10.16.220 General parking prohibitions.
- 10.16.230 Limitations to free on-street Parking for those with disability placards.
- 10.16.240 Vanpools -- Definition.
- 10.16.250 Vanpool -- Parking limitation exemptions.
- 10.16.260 Vanpools -- Permits.
- 10.16.270 Delinquent Penalties.
- 10.16.280 Parking Services' Scofflaw List.

- 10.16.290 Immobilization.
- 10.16.300 Impoundment.
- 10.16.310 Downtown Carpool Parking Program.
- 10.16.320 Parking unregistered or unlicensed vehicles on ROW or other City property.

### **10.16.010 Applicability**

The provisions of this chapter prohibiting the standing or parking of a vehicle shall apply at all times or those times specified in this chapter or as indicated on official signs except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic-control device.

### **10.16.020 Parking prohibited at all times on certain streets -- Penalty for violation**

- A. When signs are erected giving notice thereof, no person shall stop, stand or park a vehicle at any time upon streets so posted. Such areas shall be so designated after an engineering analysis is conducted by the City of Olympia and deemed necessary.
- B. Penalties for Violation. Vehicles found in violation of this section, shall incur an infraction of seventy-five and no/100 dollars (\$75.00). A second infraction, after one (1) hour has passed without the vehicle being moved, shall constitute a second restricted parking fine, and a third infraction, after one (1) hour has passed without the vehicle being moved, shall constitute a third restricted parking fine.
- C. A vehicle that has received three (3) consecutive restricted citations and is deemed a hazard to motorists or pedestrians is subject to impound pursuant to OMC 10.16.300.A.7.

### **10.16.030 Recreational vehicle parking on ~~city~~City streets over 24 hours or between the hours of 3:00 a.m. and 6:00 a.m. prohibited without permit -- Penalty for violation**

- A. No parking of recreational vehicles on ~~city~~City streets over 24 hours or between the hours of 3:00 a.m. and 6:00 a.m. Notwithstanding any other provision of the Olympia Municipal Code (OMC), no recreational vehicle may park on any ~~city~~City street longer than 24 hours or between the hours of 3:00 a.m. and 6:00 a.m. including holidays and weekends, without a City of Olympia Parking Services issued permit affixed to the front window of the recreational vehicle in a place clearly visible from the outside of the vehicle. Parking the vehicle in another location within the ~~city~~City within the 24 hour period on a ~~city~~City street is a violation of this section.
- B. Definitions.
  - 1. Recreational Vehicle: For purposes of this chapter, "Recreational Vehicle" (RV) means a vehicular-type unit primarily designed for recreational camping or travel use that has its own motive power or is mounted on or towed by another vehicle. The units include travel trailers, fifth-wheel trailers, folding camping trailers, truck campers, motor homes, and conversion vans.
  - 2. Adjacent: For purposes of this chapter, "Adjacent" means in the right-of-way typically used for vehicular parking, on the same side of the street as the residence for which the permit has been issued, in front of or to the side of that residence but within the lot lines of the residence as if the lot lines of the residence extended into the right-of-way.
- C. Permit Application and Criteria. To obtain a temporary permit allowing an RV to park in a designated location for up to seven (7) business days within a quarter, the registered owner or operator of the RV must apply to the Parking Services Department of the City of Olympia and meet one of the following criteria for approval:
  - 1. The registered owner or operator of the RV must be a resident with a current physical address within the ~~city~~City of Olympia and the RV must park adjacent to that residence; or

2. The registered owner or operator of the RV must be the visitor of a resident with a current physical address within the ~~city~~City of Olympia and the RV must park adjacent to that residence; or
3. The registered owner or operator of the recreational vehicle is participating as a vendor or sponsor of a Special Event for which a special event permit has been obtained from the City.

D. Validity of Permits. Permits are valid for up to seven (7) business days per vehicle per quarter. Permits are valid only for the dates authorized on the permit and only for the location indicated on the permit. Those who meet the qualifying criteria under (C)(1) or (C)(2) are required to park adjacent to the lot of the sponsoring ~~city~~City of Olympia resident or the permit is invalid. If there is limited or no parking adjacent to the sponsoring resident, Parking Services shall designate an appropriate location nearby and indicate such location on the permit.

E. Penalty for Violation. Penalty for violation is an infraction of seventy-five and no/100 dollars (\$75.00). After three citations for violation of this section, the vehicle may be impounded as provided for in OMC 10.16.300.

#### **10.16.050 Parking time limitations -- When applicable**

Except as provided in OMC 10.16.030, parking time limitations on ~~city~~City streets and zones shall apply during the hours of eight (8:00) a.m. to five (5:00) p.m. but shall not apply on Saturdays or Sundays or those public holidays enumerated in RCW 1.16.050.

#### **10.16.055 Residential Parking Program Established – Penalty for violation**

A. There are established residential parking zones within the ~~city~~City, which zones ~~shall be~~are described as follows:

1. Zone 1 - South Capitol Neighborhood Parking Zone 1: ~~Area bounded by Interstate 5 on the south and the east, by and including Sylvester Street on the west, and by and including 14th Avenue on the north except the areas described in Subsection 2 and 3 below, described as the South Capitol Neighborhood Parking Zones 2 and 3. Area extending from, and including, Maple Park Avenue/16<sup>th</sup> Avenue SE to, and including, 21<sup>st</sup> Avenue SE, and from Interstate 5 to the east side of Capitol Way.~~
2. Zone 2 - South Capitol Neighborhood Parking Zone 2: ~~Area bounded by 14th Avenue on the north, Capitol Way on the east to mid block between 17th Avenue and 18th Avenue, between the southern end of Sylvester Street and Capitol Way to the south. Area extending from, and including, 15<sup>th</sup> Avenue SW to, and including, 17<sup>th</sup> Avenue SW, and from the center line of Capitol Way to the shoreline of Capitol Lake; also including the 1400 block of SW Columbia Street, the 1700 block of SW Sylvester Street, the 1700 block of SW Water Street, and the 1700 block of the west side of Capitol Way.~~
3. Zone 3 - South Capitol Neighborhood Parking Zone 3: ~~Area bounded by mid block between 17th Avenue and 18th Avenue, south of the partial alley on the east, to and including 20th Avenue on the south, Capitol Way on the east, and Capitol Lake on the west. Area extending from, and including, 18<sup>th</sup> Avenue SW to, and including, 24<sup>th</sup> Avenue SW, and from the center line of Capitol Way to the shoreline of Capitol Lake.~~
4. Zone 4 - East Jefferson Neighborhood: Area bounded by, but not including, Jefferson Street on the west, the Burlington Northern Railroad on the east, by, but not including, Union Avenue on the north, and bounded on the south by the access road to Interstate 5.
5. Zone 5 - Union Avenue Neighborhood: Area bounded by and including 8th Avenue on the north, by and including, 11th Avenue between Capitol Lake and Jefferson Street on the west and on Union Avenue between Jefferson Street and Plum Street on the south, and by Plum Street on the east.

6. Zone 6 - East Plum Street Area: Area bounded by and including Plum Street on the west and by, but not including, Eastside Street on the east, and by and including State Avenue on the north and by and including 8th Avenue on the south.
7. Zone 7 - Downtown Neighborhood: Area bounded by Capitol Lake/Budd Inlet on the west, by and including Market Street on the north, by, but not including, Plum Street on the east, and by, but not including, 8th Avenue on the south.
8. Zone 8 - Marina Residents: Area bounded by and including Market Street on the north, Budd Inlet on the west, by and including "B" Avenue on the south, and by and including Washington Street on the east.

B. There are established criteria to participate in the Residential Parking Program as set forth below:

1. A resident is any person(s) who establishes that the person(s) resides in the applicable residential parking zone and that the person(s)' residence is adjacent to a timed or meter parking area.
2. Exemption for vehicles is valid only for so long as the person named therein remains the registered owner of the vehicle and so long as that person remains a resident of or visitor to the applicable resident parking zone.
3. No vehicle will be registered until such time as all Olympia parking citations issued to the individual applying for residency are paid in full.

Fees for residential parking are as set forth in OMC Chapter 4.70.

4. Vehicle limits for each zone are as follows:
  - a. Residents in Zones 1, 2, and 3 may register up to a maximum of three vehicles per household (address) regardless of the number of licensed drivers (residents).
  - b. Residents in Zone 4 may register up to a maximum of four vehicles per household (address) regardless of the number of licensed drivers (residents).
  - c. Residents in Zones 5, 6, 7 and 8 may register one vehicle per licensed driver (resident), up to a maximum of four per household (address).
  - d. The Parking Services Supervisor is authorized to make allowances for special circumstances or hardship cases in regards to vehicle limits for all zones.
5. Any and all citations issued to the applicant must be paid in full before residential program registration may be issued.

C. There are established certain requirements and registration documentation to participate in the Residential Parking Program as set forth below:

A resident of one of the zones established herein may apply to the Community Planning and Development Department, Parking Services, for exemption of up to four qualified vehicles. The following must be met and the required documentation must be provided to qualify for an exemption. If a Homeowner, Resident, or Agent does not comply with any of the conditions set forth in the required sworn statements in either subsection C(4)(a) or C(5)(a) below, all residents residing at the applicable address will be removed from the residential parking program until such time that the Parking Services Supervisor determines that the conditions and requirements stated herein have been met.

1. Proof of Residency for Renters: Residency must be proven for the applicable address by showing the following documents:
  - a. Current official mail (such as a utility bill for the applicable address or bank statement); and

- b. Either a current residential lease (valid rental agreement) or a notarized statement from the applicable homeowner or landlord verifying that the applicant is residing at the applied for address.
- 2. Proof of Residency for Homeowners: Residency must be proven for the applicable address by showing current official mail and vehicle registration with matching applicable address.
- 3. Vehicle Registration Requirements: Residents shall provide all of the documents listed below:
  - a. Current vehicle registration that is registered to the same address or to the same last name;
  - b. Proof of vehicle insurance; and
  - c. A valid driver's license.
- 4. Home-based Business Affidavit: All residents in all zones shall sign a sworn statement that the following is true and correct:
  - a. All home occupation permits and licenses have been obtained and are current for home business occupations occurring at the address for which the parking permit is requested.
  - b. The resident applying for the parking permit resides either full or part-time at the address for which they are applying.
- 5. Off-street Parking Affidavit: All homeowners or agents of residences in Zones 1, 2 and 3 shall sign a sworn statement that the following is true and correct:
  - a. That any existing on-site parking, at the address for which the parking permit is being requested, is not leased or reserved for any person(s) not residing at said address.
- 6. The Director of the Community Planning and Development Department has the authority to establish an annual residential permit renewal system.
- D. There are established residential program guideline requirements within the City, as follows:
  - 1. No boats, trailers, campers, recreational vehicles, or buses will be permitted in the Residential Parking Program.
  - 2. No vehicles which exceed the size of a parking stall will be permitted in the Residential Parking Program.
  - 3. The registered vehicle must be moved at least once every five (5) days.
    - a. Penalty for Violation. A showing that a vehicle with valid Residential Parking Program registration was found parked in that vehicle's registered residential parking zone without moving for five (5) days constitutes prima facie evidence that the vehicle has been parked in violation of this section.
    - b. A first infraction constitutes overtime parking and results in a penalty of ~~twenty and no/100 dollars (\$20.00)~~ as provided in OMC 10.16.080. If a vehicle is found, pursuant to Section 10.16.055.D.3, parked in the same location 24 hours later, this constitutes a chain parking violation and results in a penalty of ~~forty and no/100 dollars (\$40.00)~~ as provided in OMC 10.16.080. After three citations for violation of this section, the vehicle may be impounded as provided for in OMC 10.16.300.
  - 4. Vehicles must be currently registered and operable throughout the course of their residency.
  - 5. Residents may thereafter park any vehicle that is registered in the Residential Parking Program in any legal on-street parking space within their zones as described below:

- a. Zone 1 - South Capitol Neighborhood Zone 1: 1- and 2-hour timed, and 3-hour metered parking spaces.
  - b. Zone 2 - South Capitol Neighborhood Zone 2: 1-hour timed and 2-hour metered parking spaces.
  - c. Zone 3 - South Capitol Neighborhood Zone 3: 1- and 2-hour parking spaces.
  - d. Zone 4 - East Jefferson Neighborhood: 2-hour parking spaces and 9-hour meters.
  - e. Zone 5 - Union Avenue Neighborhood: 2-hour parking spaces and 9-hour meters.
  - f. Zone 6 - East Plum Street Area: 90-minute parking spaces and 9-hour meters.
  - g. Zone 7 - Downtown Neighborhood: 9-hour meters.
  - h. Zone 8 - Marina Residents: 9-hour meters.
6. Failure to comply with these requirements may result in removal from the Residential Parking Program.
- E. There are established guidelines for visitor(s) of residents as follows:
- 1. All residents in Zone 1 who participate in the Residential Parking Program may apply for an exemption for their visitor's vehicle.
    - a. Visitor exemptions will only be issued for guests of people residing at the household (address). Exemptions are valid only for so long as the visitor remains a visitor to the applicable resident parking zone, not to exceed ten (10) business days.
    - b. Visitor exemptions are unlimited.
    - c. Parking Services must be notified of the resident's name and the visitor's vehicle information (including license plate, vehicle make, model, color, and location) for each visitor exemption.
  - 2. All residents in Zones 2 and 3 who participate in the Residential Parking Program may apply for an exemption for their visitor's vehicle.
    - a. Visitor exemptions will only be issued for guests of people residing at the household (address). Exemptions are valid only for so long as the visitor remains a visitor to the applicable resident parking zone, not to exceed ten (10) business days.
    - b. Visitor exemptions will be limited to two vehicles per month January 1 through April 30.
    - c. Visitor exemptions May 1 through December 31 are unlimited.
    - d. Parking Services must be notified of the resident's name and the visitor's vehicle information (including license plate, vehicle make, model, color, and location) for each visitor exemption.
  - 3. All residents in Zones 4, 5, 6, 7 and 8 who participate in the Residential Parking Program may apply for an exemption for their visitor's vehicle.
    - a. Visitor exemptions will only be issued for guests of people residing at the household (address). Exemptions are valid only for so long as the visitor remains a visitor to the applicable resident parking zone, not to exceed ten (10) business days.
    - b. Parking Services must be notified of the resident's name and the visitor's vehicle information (including license plate, vehicle make, model, color, and location) for each visitor exemption.

4. The Parking Services Supervisor may authorize an extension on the exemption period on visitor permits for licensed caregivers of disabled residents.

F. There are established enforcement procedures as follows:

1. The Director of Community Planning and Development or their designee shall establish methods and procedures to implement the provisions of this section. The methods and procedures must be designed to provide parking time limit exemptions to residents of the streets named above in an efficient and equitable manner in accordance with all applicable laws.

2. No person may stop, stand, or park any vehicle on the streets within any of the residential parking zones created by this chapter for a consecutive period of more than one hour, or as indicated for a particular street in OMC 10.16.050, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, except recognized holidays, and except as may be provided for resident and visitor parking set forth by this chapter.

#### **10.16.060 Parking adjacent to schools**

A. The City of Olympia is authorized to erect signs indicating no parking upon that side of any street adjacent to any school property when such parking would interfere with traffic or create a hazardous situation.

B. When official signs are erected indicating no parking upon the side of a street adjacent to any school property, no person shall park a vehicle in any such designated place.

#### **10.16.070 Free parking zones**

A. The City Manager is authorized to designate within Olympia two (2) hour, one (1) hour, and 90-minute free parking zones. Signs shall be erected to designate these zones.

B. During a single business day, a vehicle may be parked in the free parking zone for up to the maximum time posted in any one zone.

C. Fifteen-minute meters may be installed where deemed necessary in the downtown area, to accommodate short-term parking needs of customers. No more than two (2) fifteen-minute meters will be installed on any block face.

#### **10.16.080 Free parking limits -- Penalty for Violation**

A. No person may park any vehicle on streets or within zones designated as timed parking for a consecutive period of more than the indicated limits set forth pursuant to OMC 10.16.050, or otherwise in this chapter.

B. A showing that a vehicle was found parked in any on-street parking spaces within any one residential parking zone for more than the allotted time, constitutes prima facie evidence that the vehicle has been parked in violation of this section. It is no defense that the vehicle has been moved from one parking space to another within the parking zone if the vehicle remains in the zone at the end of the applicable time limit.

C. A first infraction in Residential Zones 4, 5, 6, 7, or 8 constitutes overtime parking and results in a penalty of twenty and no/100 dollars (\$20.00). If a vehicle is found, pursuant to OMC 10.16.055 through 10.16.110, parked within the areas designated herein for a second or subsequent consecutive timed period, same constitutes chain parking and results in a penalty of forty and no/100 dollars (\$40.00).

D. A first infraction in Residential Zones 1, 2, or 3 constitutes overtime parking and results in a penalty of twenty-five and no/100 dollars (\$25.00). If a vehicle is found, pursuant to Sections 10.16.055 through 10.16.110, parked within the areas designated herein for a second or subsequent consecutive timed period, same constitutes chain parking and results in a penalty of fifty and no/100 dollars (\$50.00).

E. When a vehicle is found parked within Residential Zone 2 designated pursuant to OMC 10.16.055.A.2 for a second, third or fourth subsequent consecutive timed period, each occurrence constitutes an additional chain



parking violation and results in an additional penalty of fifty and no/100 dollars (\$50.00) for each of the second, third or fourth subsequent chain parking violations.

**10.16.090 Free parking zones -- Sign posting**

Appropriate signs shall be erected in established timed parking zones to reasonably inform the public of parking regulations enacted herein. Neither failure of a person to observe any sign nor the nonexistence of a sign in a particular location shall be a defense to any violation of OMC 10.16.020 through 10.16.110.

**10.16.100 Overtime parking prohibited in metered areas -- Penalty for Violation**

A. No person shall park a vehicle in any metered space for a consecutive period of time longer than the time permitted for that metered zone in which such parking meter is located, irrespective of the number or amounts of the coins deposited or time purchased in such meter.

B. A first infraction of this section shall constitute an expired meter violation if the meter is unpaid, or an overtime violation if the meter is paid, and result in a penalty of twenty dollars (\$20.00). If the first infraction is an expired meter violation, a second infraction, without the vehicle being moved, shall constitute an overtime parking violation and result in a penalty of twenty dollars (\$20.00), and a third infraction shall constitute a chain parking violation and result in a penalty of forty dollars (\$40.00). If the first infraction is an overtime violation, a second infraction, without the vehicle being moved, shall constitute a chain parking violation, which shall result in a penalty of forty dollars (\$40.00).

**10.16.110 Parking of motorcycles, motor-driven cycles and mopeds within metered parking spaces**

A. Notwithstanding any provisions of the Model Traffic Ordinance as adopted in this title or any other provisions of this chapter, more than one (1) motorcycle, as defined in RCW 46.04.332 and/or moped, as defined in RCW 46.04.304, may be parked within a single metered parking space within the ~~city~~City so long as the meter is not allowed to expire and subject to the following additional provisions:

1. That no more than three (3) motorcycles, motor driven cycles and/or mopeds be allowed within a single metered parking space and that same are parked so as not to unreasonably interfere with other such vehicles; and
2. That the vehicles be parked at an angle with the rear tire touching the curb and in a manner so as not to interfere with traffic; and
3. That any violation would result in a citation being given to all the vehicles then parked; and
4. That each vehicle must comply with the relevant time limit established for that parking metered space.

B. In all other regards, the vehicles must comply with all other appropriate traffic and/or parking regulations.

C. No vehicles other than motorcycles, motor driven cycles and mopeds shall park in a parking stall designated and signed as motorcycle parking only.

D. Penalties for violation. Vehicles found in violation of this section shall incur an infraction of forty and no/100 dollars (\$40.00).

**10.16.120 Tampering with parking enforcement process is a violation**

A. It shall be a violation of this chapter for a person to erase chalk marks placed on tires of vehicles by enforcement officers of the ~~city~~City to enforce the provisions of this chapter or to tamper with any other enforcement process implemented by the officials, with the intent of circumventing that enforcement process or the provisions of this chapter.

- B. No unauthorized person shall remove a meter hood that has been installed by a representative of the City of Olympia Parking Services.
- C. No person shall move a sign that has been placed by a representative of the City of Olympia Parking Services.
- D. The penalty for violation of this section shall be forty and no/100 dollars (\$40.00).
- E. No person other than the Director of Community Planning and Development or their designee shall remove the immobilization device described in OMC Section 10.16.290, Immobilization, from any vehicle on which it has been installed.
- F. No person shall move any vehicle after it has been immobilized but before the immobilization device has been removed by the Director of Community Planning and Development or their designee.
- G. In any prosecution for violation of this section, upon proof that the defendant owned the vehicle at the time the immobilization device was installed and that the immobilization device was removed or the vehicle moved before the vehicle was removed from the scofflaw list, it shall be a rebuttable presumption that the accused removed the immobilization device or moved the vehicle or aided, abetted, or advised the person who did so.
- H. Making unauthorized photocopies or replicas of parking permits is a violation of this section.

**10.16.130 Device regulated parking – Metered parking -- No parking when payment has expired**

- A. No person shall leave their vehicle in a space that requires payment past the time for which their payment has expired.
- B. The Director of Community Planning and Development or their designee is hereby authorized to sell nine-hour parking meter permits for use in designated nine-hour parking spaces. The permit fee and its duration shall be set by the Director of Community Planning and Development or their designee and filed with the City Clerk.
- C. Any violation of this section relating to parking meters shall constitute an infraction pursuant to OMC 10.24.050 and shall result in a penalty of twenty and no/100 dollars (\$20.00).

**10.16.140 City parking lots – Regulations**

- A. When signs are erected giving notice thereof, no person shall stop, stand or park a vehicle within any ~~city~~City-maintained parking lots for a period of time longer than indicated, contrary to any restrictions or without paying the applicable parking fee established pursuant to OMC 10.16.140 through OMC 10.16.150.
- B. Senior permit must be displayed and visible in windshield for parking in The Olympia Center on-site lot.
- C. City parking lots may only be used for parking, unless an activity is expressly authorized by a City-issued permit, lease, or unless the activity is conducted by the City. A ~~city~~City-issued permit includes but is not limited to a right of way obstruction permit under OMC 12.24.100, a temporary use permit under OMC 18.06.060.Z or a festival event permit under OMC 12.72.030.
- D. The penalties for violation of this section shall be the penalties as set forth in OMC 12.24.160(B).

**10.16.150 City parking lots and metered parking -- Fee schedules**

The Director of Community Planning and Development or their designee is authorized to establish and post a fee schedule, where applicable, for ~~city~~City-owned and/or managed parking lots and for metered parking to implement the above parking regulations by the installation of appropriate signs and/or collection devices. The Director of Community Planning and Development or their designee shall file the fee schedule with the City Clerk.

### **10.16.160 City Parking Lots -- Violations – Penalties**

- A. Failure to pay fees in hourly/daily municipal lots pursuant to OMC 10.16.140 and 10.16.150 shall constitute a parking infraction and shall result in an overtime penalty of twenty and no/100 dollars (\$20.00). Stopping, standing, or parking a vehicle for a second or subsequent time period shall result in a chain parking violation and an infraction penalty of forty dollars (\$40.00) will be issued.
- B. It shall be no defense that a vehicle has been moved from one parking space to another within the parking lot if the vehicle remains in the lot at the end of the applicable time limit.
- C. Leased Lots. Stopping, standing, or parking a vehicle without a valid permit shall result in an infraction penalty of forty dollars (\$40.00).
- D. Towing of Vehicles from Municipal Lots – Non-Permit Holders. Vehicles without a valid, applicable leased lot permit parked in ~~city~~City-owned lots for a period of forty-eight (48) hours shall be towed upon direction of the Director of Community Planning and Development or their designee.
- E. Overnight Camping. Overnight camping in ~~city~~City-owned or ~~city~~City-maintained lots is prohibited.
- F. Moving Requirement for Permit Holders. Vehicles with a valid, applicable leased lot permit must move the vehicle every forty-eight (48) hours within the lot or be subject to an infraction penalty of forty dollars (\$40.00). Not moving a vehicle for a second or subsequent forty-eight (48) hour time period ~~shall result~~ in a chain parking violation and an infraction of forty dollars (\$40.00). After three citations for violation of this section within a five (5) day period, the vehicle may be impounded as provided for in OMC 10.16.300. After two (2) citations for violation of this section within a seven (7) day period, the vehicle may be impounded as provided in OMC 10.16.300.

### **10.16.210 Prohibited parking**

- A. Vehicles must park within pavement markings which indicate parking stalls.
- B. In areas that are posted, "BACK IN PARKING ONLY," vehicles must back into the parking stall.
- C. Parking non-~~city~~City vehicles is prohibited in areas designated and signed for ~~city~~City vehicles only.
- D. Vehicles found in violation of this section shall incur an infraction of twenty dollars (\$20.00).

### **10.16.220 General parking prohibitions**

- A. No person shall stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with the directions of a peace officer or traffic control device, in any of the following places:
  - 1. On a sidewalk or planting strip;
  - 2. In front of a public or private driveway or within five (5) feet of the curb radius leading thereto, except in the parking meter zone or elsewhere where official parking meters, signs or pavement markings designate a parking space nearer a driveway;
  - 3. Within an intersection;
  - 4. Within six hundred (600) feet of any place in the ~~city~~City where a fire is in progress;
  - 5. On a crosswalk;
  - 6. Within thirty (30) feet upon the approach to any flashing beacon, stop sign, or traffic control signal located at the side of a roadway, except in the parking meter zone or elsewhere where official parking meters, signs, or pavement markings designate a parking space nearer such beacon, sign or signal;

7. Within thirty (30) feet of the nearest rail of a railroad crossing;
8. Within fifty (50) feet of the driveway entrance to any fire or police station or on the side of a street opposite the entrance to any fire station within seventy-five (75) feet of said entrance when proper signs are posted;
9. Within twenty (20) feet of a crosswalk at an intersection except in the parking meter zone or elsewhere where official parking meters, signs or pavement markings designate a parking space nearer a crosswalk;
10. Alongside or opposite any street excavation or obstruction when such stopping, standing, or parking would obstruct traffic;
11. On the roadway side of any vehicle stopped or parked at the edge or curb of a street (double parking);
12. Upon any bridge or other elevated structure upon a highway, or within a highway tunnel or underpass;
13. At any place where official signs prohibit stopping;
14. Within fifteen (15) feet of any fire hydrant;
15. On any street in such manner as to block or interfere with the free use of the street, or any alley or driveway;
16. Within thirty (30) feet of a posted bus stop sign;
17. In any marked or designated bus zone;
18. Along one side of a street or highway in a direction opposite to the traffic flow (facing the wrong direction);
19. Alongside yellow curb or yellow stripe;
20. Within or blocking any alley; or
21. In a parking meter space that has been reserve hooded for construction or other special circumstances.

B. Penalties for Violation. Vehicles found in violation of this section shall incur an infraction of seventy-five and no/100 dollars (\$75.00). A second infraction, without the vehicle being moved for a period of one (1) hour, shall constitute a second restricted parking penalty of seventy-five and no/100 dollars (\$75.00), and a third infraction, without the vehicle being moved for a period of one (1) hour, shall constitute a third restricted parking penalty of seventy-five and no/100 dollars (\$75.00).

C. Pursuant to OMC 10.16.300 Section A. 7, a vehicle that has received three (3) consecutive citations and has been deemed a hazard to motorists or pedestrians shall be impounded.

D. Pursuant to OMC 10.16.300 Section A. 8, a vehicle that has occupied a parking space for ~~twenty-four (24)~~ twelve (12) hours after the meter has been hooded or the space has been barricaded shall be impounded.

#### **10.16.230 Limitations to free on-street Parking for those with disability placards**

A. Those vehicles displaying a special parking placard or special license plate issued for disabled parking pursuant to Chapter 46.19 RCW may park free in any non-reserved, on street pay parking space for a maximum of four hours, where the four hour time limit is posted.

B. The time limit shall not apply to on street parking signed with the symbol designating that space for disabled parking only.

C. Penalty for this violation shall be covered under OMC 10.16.080.C and OMC 10.16.100.B.

#### **10.16.240 Vanpools – Definition**

For purposes of OMC 10.16.240 through 10.16.260, the term "vanpool" shall mean a ride-sharing vehicle as defined in RCW 46.74.010, to wit: A passenger motor vehicle with a seating capacity not exceeding fifteen persons including the driver while being used for commuter ride sharing or for ride-sharing for the elderly and the handicapped. Definitions of other terms set forth in RCW Chapter 46.74 are also incorporated in this section by reference as though fully set forth.

#### **10.16.250 Vanpool -- Parking limitation exemptions**

With a proper permit issued pursuant to this chapter, vanpools, while being used in the manner described in RCW 46.74, shall be exempt from the following:

- A. Payment at any nine hour parking meter located in the downtown area;
- B. Compliance with parking time limitations established in residential areas.

#### **10.16.260 Vanpools – Permits**

The Director of Community Planning and Development or their designee is instructed to establish rules and regulations for the issuance of parking exemption permits for vanpools operating in accord with RCW 46.74 and this chapter. Parking exemption rules may include time limitations for permits.

#### **10.16.270 Delinquent Penalties**

Any penalty imposed for a violation of any section in this chapter (including any sections of State law adopted by reference) that remains unpaid to the Olympia Municipal Court or a payment schedule therefor is not arranged through the Olympia Municipal Court within fifteen (15) days of being assessed are subject to increase and/or additional penalties as follows:

- A. The penalty for failure to respond to a notice of traffic infraction related to parking shall be the amount of the infraction automatically increased by 100%, not to exceed a maximum of twenty-five and No/100 dollars (\$25.00);
- B. If the penalty imposed for a violation of any section of this chapter, as increased, is not paid within sixty (60) days of the date it was imposed:
  - 1. The original unpaid balance plus any additional penalty will be turned over to a collection agency for collection and is subject to additional collection charges; and
  - 2. The person assessed the penalty may be placed on the scofflaw list pursuant to OMC 10.16.280, and the person's vehicle may be subject to immobilization and/or impoundment thereunder.

#### **10.16.280 Parking Services' Scofflaw List**

- A. Creation of Scofflaw List. As frequently as practicable, the Director of Community Planning and Development or their designee shall prepare and update the scofflaw list consisting of vehicles involved in three (3) or such greater number of parking tickets unpaid more than thirty (30) days after their issuance that the Supervisor shall determine is efficient to include on the scofflaw list.
- B. Civil Penalties to Cover Administrative Costs. There is hereby imposed upon the owner of every vehicle on the scofflaw list a civil penalty in the amount specified in OMC Section 4.60.020 "Vehicle Immobilization and Impoundment Costs, Fees, and Civil Penalties," to cover costs of administering the scofflaw list. There is also

hereby imposed upon the owner of every vehicle on the scofflaw list that is immobilized or impounded hereunder a civil penalty in the amount specified in OMC Section 4.60.020 "Vehicle Immobilization and Impoundment Costs, Fees, and Civil Penalties," to cover the additional administrative costs of immobilization and/or impoundment.

C. Notice. The Supervisor shall give notice by first class mail to the registered owner of each vehicle on the scofflaw list, stating that the vehicle is on the scofflaw list and:

1. The date and the nature of each ticket overdue and the amount due on each;
2. That a scofflaw list fee in the amount specified in subsection B of this section has been imposed to cover administrative costs;
3. The total amount currently due;
4. A specific deadline for response, no less than ten (10) days after the date of mailing;

The notice required by this subsection is sufficient if mailed to the address provided by the Washington State Department of Licensing; provided, however, that if the Supervisor is unable, after exercising due diligence, to discover any mailing address, then notice is sufficient if it is published once in a newspaper of general circulation in the ~~city~~City, posted on the vehicle, or personally served on the vehicle owner or driver, or provided by any other means reasonably calculated to provide notice to the vehicle owner or driver.

D. That the owner shall, by said deadline, respond to the notice. Response shall be by paying the total amount due.

E. That if the vehicle owner fails to respond within the prescribed time period, the listed vehicle will be subject to immediate immobilization or impoundment pursuant to the procedures in OMC 10.16.290, payment of the civil penalties imposed under subsection B above, and payment of the costs of immobilization, towing and storage.

F. If the vehicle owner or an agent of the owner pays the fines and fees, including the amount(s) specified in OMC 4.60.020 "Vehicle Immobilization Impoundment Costs, Fees, and Civil Penalties", and all towing and storage charges, the Supervisor shall remove such vehicle from the scofflaw list. If any parking ticket not included on the scofflaw list for which the owner is liable becomes overdue before the owner or agent appears to pay, such subsequent tickets shall also be paid before the vehicle is removed from the scofflaw list.

G. The owner of a vehicle that is subject to the procedures of this section and OMC 10.16.300, Impoundment, is entitled to a hearing in the Olympia Municipal Court pursuant to RCW 46.55.120(2)(b) to contest the validity of the immobilization, impoundment or the amount of towing and storage charges. Any request for a hearing and the resolution thereof shall be as set forth in RCW 46.55.120(3), which is hereby adopted by reference as said provisions now exist or are hereafter amended.

H. Vehicles on the scofflaw list are not eligible to purchase ~~city~~City-leased lot parking permits.

### **10.16.290 Immobilization**

A. If the owner of a vehicle to whom notice has been sent pursuant to OMC 10.16.280.C fails to respond to the notice within the deadline therein specified by paying all fines, fees, towing, storage and administrative charges then due, including but not limited to the amount(s) specified in OMC 4.60.020 "Vehicle Immobilization and Impoundment Costs, Fees, and Civil Penalties" so that the vehicle can be removed from the scofflaw list under OMC 10.16.280.F, then, at the discretion of a Parking Services Field Representative of the Community Planning and Development Department or a police officer, such vehicle may be immobilized by installing on such vehicle a device known as a "boot immobilization device," which immobilizes the vehicle either by clamps and locks on to a wheel of the vehicle and impedes movement of such vehicle, or by attaching to the vehicle's windshield in such a manner to obscure the view of the driver, thereby preventing legal operation of the vehicle.

B. The person installing the immobilization device shall leave under the windshield wiper or otherwise attach to such vehicle a notice advising the owner that such vehicle has been immobilized by the City of Olympia for failure to pay three (3) or more uncontested parking tickets within thirty (30) days of their issuance, that release of the immobilization device may be obtained by paying the fines, fees and civil penalties due, that unless such payments are made within two (2) business days of the date of the notice, the vehicle will be impounded, and that it is unlawful for any person to remove or attempt to remove the immobilization device, to damage the immobilization device, or to move the vehicle with the immobilization device attached.

C. No parking restriction otherwise applicable to the vehicle applies while the vehicle is immobilized by an immobilization device installed under the provisions of this section.

D. Before the vehicle may be released from immobilization, the vehicle owner or an agent of the owner shall pay all fines and fees then due, including but not limited to the amounts specified in OMC Section 4.60.020 "Vehicle Immobilization and Impoundment Costs, Fees, and Civil Penalties." Upon such payment, the vehicle shall be removed from the scofflaw list, and the Supervisor or designee shall authorize the removal of the immobilization device from the vehicle. If any parking ticket not included on the scofflaw list for which the owner is liable becomes overdue before the owner or agent pays, such subsequent tickets shall also be paid before the vehicle may be removed from the scofflaw list or released from immobilization.

### **10.16.300 Impoundment**

A. At the discretion of a Parking Services Field Representative of the Community Planning and Development Department or a police officer, the following vehicles may be impounded:

1. A vehicle that was involved in five (5) or more parking tickets that are unpaid thirty (30) or more days after the date of their issuance, where the registered owner of the vehicle was sent a notice pursuant to OMC 10.16.280.C and the owner fails to respond to the notice within the deadline therein specified by paying all fines, fees, towing, storage and administrative charges so that the vehicle can be removed from the scofflaw list under OMC 10.16.280.F; or
2. A vehicle that was immobilized pursuant to OMC Section 10.16.290 and the vehicle's owner failed to pay all fines, fees, and administrative charges within two (2) business days of the date the vehicle was immobilized so that the vehicle can be removed from the scofflaw list under OMC 10.16.280.F; or
3. A vehicle that has received three citations for parking in violation of OMC 10.16.030 "Recreational Vehicles..." within any one calendar year and for which notice of impoundment has been securely attached to and conspicuously displayed on the vehicle twenty-four (24) hours prior to such impoundment; or
4. A vehicle that has received three (3) consecutive citations for parking in violation of OMC Section 10.16.055.D.3, "Residential Parking Program..." and for which notice of impoundment has been securely attached to and conspicuously displayed on the vehicle twenty-four (24) hours prior to such impoundment; or
5. A vehicle that has received three (3) consecutive citations for parking in violation of OMC Section 10.16.160.F, "City Parking Lots..." and for which notice of impoundment has been securely attached to and conspicuously displayed on the vehicle twenty-four (24) hours prior to such impoundment;
6. As otherwise authorized by the Model Traffic Code as adopted by reference in the Olympia Municipal Code;
7. A vehicle that has received three (3) consecutive restricted citations and/or is deemed a hazard to motorists or pedestrians;
8. A vehicle that has occupied a metered parking space twelve (12) hours after the meter/s have been hooded/barricaded/sandwich boarded for reservation; or
9. A vehicle that has occupied a load zone for twenty-four (24) hours and has received three (3) consecutive load zone violation citations.

B. The Parking Services Field Representative or police officer, as applicable, shall use the uniform impound authorization and inventory form provided for by administrative rule by the Washington State Patrol pursuant to RCW 46.55.075.

C. If a vehicle has been impounded pursuant to OMC 10.16.290, before the vehicle may be released from impound, the vehicle owner or an agent of the owner shall pay all fines and fees then owing, including but not limited to the amounts specified in OMC 4.60.020 "Vehicle Immobilization and Impoundment Costs, Fees, and Civil Penalties", and all towing and vehicle storage charges. Upon such payment, the vehicle shall be removed from the scofflaw list. If any parking ticket not included on the scofflaw list for which the owner is liable becomes overdue before the owner or agent pays, such subsequent tickets shall also be paid before the vehicle may be removed from the scofflaw list or released from impoundment.

D. If a vehicle has been impounded for a violation of OMC 10.16.030, 10.16.055, or 10.16.160 the vehicle may be immediately released from impound upon payment of all impound, tow and any other charges due the tow company.

### **10.16.310 Downtown Carpool Parking Program**

A. There is hereby established a Downtown Carpool Parking Program (Program) within the City of Olympia downtown core. Program members who are properly registered and in compliance with the requirements of this chapter are hereby authorized to park without meter charges in any parking space equipped with a nine-hour meter within the downtown core.

B. The City Manager or his/her designee is hereby authorized to establish policies and procedures by which to administer the Program.

C. Definitions:

1. Downtown core: The area in the City of Olympia within the boundaries of Market Street to the North, 16th Street/Maple Park Avenue to the South, Capitol Lake/Budd Inlet to the West, and Eastside Street to the East.

2. Carpool: Two or more individuals who reside outside of the downtown core as defined in this chapter and who are each employed within the downtown core, commuting together in one vehicle to their respective places of employment.

D. Requirements and responsibilities for participation in the Downtown Carpool Parking Program.

1. The following requirements must be met in order to participate in the Program:

a. Each carpool member must individually:

i. Submit all required information to the Community Planning and Development Department, Parking Services;

ii. Reside outside of the downtown core and submit any required proof of residency;

iii. Be a current employee or employer of a business in the downtown core and submit the required proof of such status;

iv. Timely pay the required administrative per-person fee to participate in the program;

v. Obtain from Parking Services a proper permit and display such permit together with at least one other member's permit on the dash of the carpool vehicle in plain view from the outside of the vehicle to be eligible to park free of nine (9) hour meter charges for that day;

vi. Immediately notify Parking Services of any change in status and provide current information.



- vii. Renew permit before the first day of the next month to maintain active permit status.
- b. Each carpool driver must:
  - i. Submit all required driver and vehicle information to the Community Planning and Development Department, Parking Services and pay any required fees;
  - ii. Ensure that at least two (2) carpool member permits are displayed on the dash of the carpool vehicle in plain view from the outside of the vehicle in order to be eligible to park free of nine-hour meter charges for that day;
  - iii. Maintain and provide proof of a valid vehicle registration and insurance for the vehicle participating in the Program;
  - iv. Maintain and provide proof of a valid driver's license;
  - v. Immediately notify Parking Services of any change in status and provide current information.

E. Violations/Penalties. Failure to follow any of the requirements of this chapter constitutes a violation and may result in any one or a combination of the following:

1. Suspension from the Program for a period of time established by the Director of Community Planning and Development or their designee;
2. Denial of continued and/or future participation in the Program;
3. An infraction of forty and no/100 dollars (\$40.00) to the registered vehicle owner for each violation.

**10.16.320 Parking unregistered or unlicensed vehicles on ROW or other City property**

A. No person shall park a vehicle on ~~city~~ City right of way or other ~~city~~ City property unless a valid license plate is properly affixed to the vehicle and such license plate displays current registration tabs in compliance with Washington state law.

B. The penalties for violation shall result in an infraction of thirty and no/100 dollars (\$30.00).

**Section 3. Corrections.** The City Clerk and codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

**Section 4. Severability.** If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or application of the provisions to other persons or circumstances shall remain unaffected.

**Section 5. Ratification.** Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

**Section 6. Effective Date.** This Ordinance shall take effect thirty (30) days after publication, as provided by law.

\_\_\_\_\_  
MAYOR

**ATTEST:**

\_\_\_\_\_  
CITY CLERK

**APPROVED AS TO FORM:**

*Michael M. Young*  
\_\_\_\_\_  
DEPUTY CITY ATTORNEY

**PASSED:**

**APPROVED:**

**PUBLISHED:**