

**TOWN OF BEAUX ARTS VILLAGE
ORDINANCE NO. 418**

AN ORDINANCE OF THE TOWN OF BEAUX ARTS VILLAGE, WASHINGTON
AMENDING BAV MC 10.10 PARKING; PROVIDING FOR SEVERABILITY;
AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, on April 13, 2010, the Council passed Ordinance No. 374 to adopt regulations for the stopping and parking of automobiles, recreational or utility vehicles, and their related equipment; and

WHEREAS, these regulations are codified in Chapter 10.10 of the Beaux Arts Village Municipal Code; and

WHEREAS, the Town desires to amend BAV MC 10.10 regarding parking to clarify these regulations and allow for better and more consistent enforcement; and

WHEREAS, the Planning Commission studied the existing regulations and recommended amendments to accomplish these changes; and

WHEREAS, the Council has reviewed the Planning Commission's recommendations and determined that the amendments are appropriate; **NOW, THEREFORE**,

BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF BEAUX ARTS VILLAGE, WASHINGTON, AS FOLLOWS:

Section 1. BAV MC 10.10.010 Definitions is hereby amended to include the following definition:

Temporary means not to exceed 72 hours.

Section 2. BAV MC 10.10.020 Parking Provisions is hereby amended to read:

10.10.020 Parking Provisions.

(1). It shall be unlawful for any person to stop, stand or park any vehicle in any of the following places, except for the actual loading or unloading of passengers or when necessary to avoid a traffic conflict or in obedience to a police officer, to traffic regulations or to traffic signs or signals:

- (a) On the paved portion of any street in such a manner or under such conditions as to leave less than ten (10) feet of the width of the roadway for free movement of vehicular traffic.
- (b) In front of a private driveway.
- (c) Within fifteen (15) feet of a fire hydrant.
- (d) On a path ROW or in such a fashion as to block a path ROW, except for the two stalls on the easternmost end of the path ROW between 106th Ave SE and 107th Ave SE (also known as the Academy Path).

- (e) On or within twenty (20) feet of a crosswalk.
- (f) Within thirty (30) feet of any traffic control signal.
- (g) On either the paved portion or the west side of 108th Avenue SE.
- (h) On the paved portion or sidewalk of the north and south arterial known and designated as:
 - (i) 104th Avenue SE between the north boundary of the Town and SE 28th Street; and
 - (ii) SE 28th Street between 104th Avenue SE and 105th Avenue SE; and
 - (iii) 105th Avenue SE between SE 28th Street and SE 30th Street.
- (i) On the paved turnout areas located on:
 - (i) The south side of SE 29th Street just east of 106th Place SE; and
 - (ii) The east side of 106th Place SE approximately one hundred (100) feet north of SE 29th Street.
 - (iii) The north terminus of 106th Place SE.
- (j) Where line of sight is impaired.

(2) Vehicles that are owned by a resident shall be parked on that resident's private property. If this is not possible, these vehicles may be parked on the Town right-of-way portion of the driveway, as long as line of sight is not impaired.

- (3) Recreational, commercial, or utility vehicles or junkers may be parked as follows:
- (a) In a carport or garage or on private property if screened as defined in BAV MC 10.10.010; and
 - (b) In a non-screened area for a period not to exceed a total of two weeks in a one-year period. An owner may be granted an extension of this time limit by the town marshal upon application, which shall include the signed consent of each adjoining property owner and the property owners across the street, and an explanation of the special circumstances that make the extension necessary.

(4) The undeveloped, unpaved and unplanted portion of the Town right-of-way may be used for temporary guest or resident parking provided the vehicle is not blocking through traffic and does not violate any provision of this ordinance. A fourteen (14) day "Parking Permit" shall be available upon application to the town marshal or his/her designee. The Parking Permit application shall identify the vehicle and the location proposed for parking.

Section 3. BAV MC 10.10.040 Enforcement and Penalties is hereby amended to read:

10.10.040 Enforcement and Penalties.

Any person violating or failing to comply with any of the provisions of this ordinance shall be subject to a civil penalty in the amount of \$100 per day for each day in which the violation continues. In addition, the town marshal or his/her designee may place a 24-hour notice on any vehicle parked in violation of this chapter informing the owner that the vehicle is subject to removal by the town at the owner's expense.

Section 4. Beaux Arts Village Municipal Code Chapter 10.10 and Ordinance No. 374 as hereby amended are hereby ratified and confirmed and continued in full force and effect.

Section 5. Validity. If any section, paragraph, clause, or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The Council hereby declares that it would have passed this ordinance and each section, paragraph, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, paragraphs, clauses, or phrases subsequently may be found by competent authority to be unconstitutional or invalid.

Section 6. Effective Date. This ordinance shall take effect five (5) days after its passage and publication.

PASSED BY THE COUNCIL OF THE TOWN OF BEAUX ARTS VILLAGE and signed in authentication of its passage on the 8th day of September, 2015.

Richard Leider, Mayor

ATTEST:

APPROVED AS TO FORM:

Sue Ann Spens, Clerk-Treasurer

Wayne Stewart, Town Attorney