



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

June 26, 2018

Ordinance 18754

Proposed No. 2018-0161.2

Sponsors Lambert

1 AN ORDINANCE relating to traffic enforcement;
2 amending Ordinance 4461, Section 1, and K.C.C.
3 20.22.060, Ordinance 17093, Section 3, as amended, and
4 K.C.C. 4A.700.700, Ordinance 16553, Section 4, and
5 K.C.C. 7.09.030 and Ordinance 16553, Section 11, and
6 K.C.C. 7.09.100, adding new chapters to K.C.C. Title 14,
7 adding new sections to K.C.C. chapter 14.01, adding a new
8 section to K.C.C. chapter 20.22 and prescribing penalties.

9 STATEMENT OF FACTS: The council determines that K.C.C. Title 46
10 should be recodified under K.C.C. Title 14 to avoid confusion with Title
11 46 RCW and that provisions related to the traffic code be codified in that
12 title, and all other provisions previously included in K.C.C. Title 46 that
13 are not appropriate to be codified under K.C.C. Title 14 should be codified
14 in the appropriate titles.

15 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

16 NEW SECTION. SECTION 1. Findings:

17 A. Under state law, in certain circumstances and only after an engineering and
18 traffic investigation has been completed, a speed limit on a county road may be increased
19 or decreased under the authority of the council.

20 B. In accordance with state law and under the direction of the council, the county
21 road engineer supervises the establishing, laying out, constructing, altering, improving,
22 repairing, and maintaining all county roads of the county.

23 C. The council finds that as part of those supervisory duties, the county road
24 engineer shall have the authority to change speed limits in accordance with the provisions
25 of this ordinance.

26 NEW SECTION. SECTION 2. There is hereby added to K.C.C. chapter 14.01 a
27 new section to read as follows:

28 "Angle parking" means the direction of parking as follows:

29 A. "Back-in" angle parking means the parking of a vehicle with the front of the
30 vehicle facing towards the main traveled portion of the road; and

31 B. "Front-in" angle parking means the parking of a vehicle with the rear of the
32 vehicle facing toward the main traveled portion of the roadway.

33 NEW SECTION. SECTION 3. There is hereby added to K.C.C. chapter 14.01 a
34 new section to read as follows:

35 "Bus" means every motor vehicle designed for carrying more than ten passengers
36 and used for transportation of persons, and every motor vehicle, other than a taxicab or
37 transportation network company, designed and used for the transportation of persons for
38 compensation.

39 NEW SECTION. SECTION 4. There is hereby added to K.C.C. chapter 14.01 a
40 new section to read as follows:

41 "Business day" shall have the same definition as in RCW 46.04.079.

42 NEW SECTION. SECTION 5. There is hereby added to K.C.C. chapter 14.01 a

43 new section to read as follows:

44 "Bus stop" means a fixed portion of the county road parallel and adjacent to the
45 curb to be reserved exclusively for buses for layover in operating schedules or while
46 waiting for, loading or unloading passengers, but only if bus provides regularly scheduled
47 service within the jurisdiction of King County.

48 NEW SECTION. SECTION 6. There is hereby added to K.C.C. chapter 14.01 a
49 new section to read as follows:

50 "Deputy" means a sheriff's deputy.

51 NEW SECTION. SECTION 7. There is hereby added to K.C.C. chapter 14.01 a
52 new section to read as follows:

53 "Director" means the director of the road services division of the department of
54 transportation or its successor, unless otherwise specified.

55 NEW SECTION. SECTION 8. There is hereby added to K.C.C. chapter 14.01 a
56 new section to read as follows:

57 "Impoundment" means the removal of a vehicle or watercraft to a storage facility
58 either by a deputy or authorized agent of the sheriff or by a towing contractor in response
59 to a request from a deputy or authorized agent of the sheriff.

60 NEW SECTION. SECTION 9. There is hereby added to K.C.C. chapter 14.01 a
61 new section to read as follows:

62 "Loading zone" means a space reserved for the exclusive use of vehicles during
63 the loading or unloading of property or passengers.

64 NEW SECTION. SECTION 10. There is hereby added to K.C.C. chapter 14.01 a
65 new section to read as follows:

66 "Motorized foot scooter" shall have the same definition as in RCW46.04.336.

67 NEW SECTION. SECTION 11. There is hereby added to K.C.C. chapter 14.01 a
68 new section to read as follows:

69 "Passenger loading zone" means a place reserved for the exclusive use of vehicles
70 while receiving or discharging passengers.

71 NEW SECTION. SECTION 12. There is hereby added to K.C.C. chapter 14.01 a
72 new section to read as follows:

73 "Sign" means a sign that conforms to the most current edition of the Manual on
74 Uniform Traffic Control Devices adopted by the Washington state department of
75 transportation.

76 NEW SECTION. SECTION 13. There is hereby added to K.C.C. chapter 14.01
77 a new section to read as follows:

78 "Taxicab" means a motor vehicle for hire used for the transportation of persons
79 for compensation, and not operated exclusively over a fixed route or between fixed
80 termini.

81 NEW SECTION. SECTION 14. There is hereby added to K.C.C. chapter 14.01
82 a new section to read as follows:

83 "Towing contractor" means any firm, partnership, tow operator, association or
84 corporation duly licensed by the state of Washington to perform towing and storage
85 services that enters into a contract with the sheriff, or the sheriff's designee, to perform
86 towing and storage services under the provisions of this chapter.

87 NEW SECTION. SECTION 15. There is hereby added to K.C.C. chapter 14.01 a
88 new section to read as follows:

89 "Traffic control devices" means traffic control devices as defined and regulated by
90 the most current edition of the Manual on Uniform Traffic Control Devices adopted by
91 the Washington state department of transportation.

92 NEW SECTION. SECTION 16. There is hereby added to K.C.C. chapter 14.01 a
93 new section to read as follows:

94 "Traffic engineer" means the King County traffic engineer.

95 NEW SECTION. SECTION 17. There is hereby added to K.C.C. chapter 14.01
96 a new section to read as follows:

97 "U-turn" means turning a vehicle so as to proceed in the opposite direction on the
98 same roadway.

99 NEW SECTION. SECTION 18. There is hereby added to K.C.C. chapter 14.01
100 a new section to read as follows:

101 "Vehicle" shall have the same definition as in RCW 46.04.670, and shall also
102 include any junk vehicle as defined in RCW 46.55.010 and watercraft as defined in this
103 chapter.

104 NEW SECTION. SECTION 19. There is hereby added to K.C.C. chapter 14.01
105 a new section to read as follows:

106 "Watercraft" means a vessel used to transport persons on water.

107 SECTION 20. Sections 21 through 23 of this ordinance should constitute a new
108 chapter in K.C.C. Title 14.

109 NEW SECTION. SECTION 21. It shall be the general duty of the traffic
110 engineer to determine the installation of traffic control devices, to conduct engineering
111 analysis of traffic accidents and devise remedial measures, to conduct engineering

112 investigations of traffic conditions, to plan the operation of traffic on county roads, to
113 cooperate with other officials in the development of ways and means to improve traffic
114 conditions, and to carry out the additional powers and duties imposed by any county
115 ordinances.

116 NEW SECTION. SECTION 22. The traffic engineer is authorized to:

117 A. Place and maintain traffic control devices when and as required under federal
118 or state law or this title, and may place and maintain such additional traffic control
119 devices as the traffic engineer deems necessary to regulate, warn or guide traffic.

120 B. Place and maintain such traffic control devices as the traffic engineer deems
121 necessary to regulate, warn or guide traffic of construction, detours, emergencies and
122 special conditions, giving substantial consideration to the need to maintain access to
123 affected properties;

124 C. Designate and maintain, by appropriate devices, marks or lines upon the
125 surface of the roadway, crosswalks at intersections where the traffic engineer deems
126 necessary;

127 D. Establish safety zones of such a kind and character and at such places as the
128 traffic engineer deems necessary for the protection of pedestrians;

129 E. Mark traffic lanes upon the roadway where a regular alignment of traffic is
130 necessary;

131 F. Regulate the timing of traffic signals so as to permit the movement of traffic in
132 an orderly and safe manner;

133 G. Place and maintain traffic control devices within or adjacent to intersections
134 indicating the course to be traveled by vehicles turning at the intersections;

135 H. Determine those intersections at which drivers of vehicles shall not make a
136 right, left or U-turn, and place and maintain proper signs at those intersections. The
137 making of the turns may be prohibited between certain hours of any day and permitted at
138 other hours, but the prohibitions shall be plainly indicated on the signs or the signs may
139 be removed when the turns are permitted;

140 I. Erect and maintain stop signs, yield signs or other traffic control devices to
141 designate arterial highways or to designate intersection or other roadway junctions at
142 which vehicular traffic on one or more of the roadways shall yield or stop and yield
143 before entering the intersection or junction, except as provided in RCW 46.61.195;

144 J. Issue special permits to authorize the backing of a vehicle to the curb for the
145 purpose of loading or unloading property subject to the terms and conditions of the
146 permits. The permits may be issued either to the owner or lessee of real property
147 alongside the curb or to the owner of the vehicle and shall grant to the person the
148 privilege as therein stated and authorized by this section;

149 K. Erect and maintain signs indicating no parking upon both sides of a county
150 road when the width of the roadway does not exceed twenty feet, or erect and maintain
151 signs upon one side of a county road when the width of the improved roadway is between
152 twenty and twenty-eight feet;

153 L. Determine when standing or parking may be permitted upon the left-hand side
154 of any roadway when the county road includes two or more separate roadways and traffic
155 is restricted to one direction upon any such a roadway and erect and maintain signs
156 giving notice of the permission;

157 M. Determine and designate by proper signs places in which the stopping,

158 standing or parking of vehicles would create an especially hazardous condition or would
159 cause unusual delay to traffic;

160 N. Determine the location of loading zones, passenger loading zones and tow-
161 away zones, and shall place and maintain appropriate signs or curb markings
162 supplemented with the appropriate words stenciled on the curb indicating the same and
163 stating the hours during which the provisions of this chapter are applicable;

164 O. Establish bus stops, bus stands, taxicab stands and stands for other for-hire
165 vehicles on county roads, in such places and in such a number as the traffic engineer
166 determines to be of the greatest benefit and convenience to the public, and every such a
167 bus stop, bus stand, taxicab stand or other stand shall be designated by appropriate signs
168 or by curb markings supplemented with the appropriate words stenciled on the curb;

169 P. Erect and maintain traffic control devices on any county road or part thereof to
170 impose gross weight limits on the basis of an engineering and traffic investigation;

171 Q. Erect and maintain traffic control devices on any county road or part thereof to
172 prohibit the operation of trucks exceeding ten thousand pounds gross vehicle weight on
173 the basis of an engineering and traffic investigation, but the devices shall not prohibit
174 necessary local operation on such county roads for the purpose of making a pickup or
175 delivery;

176 R. Erect and maintain traffic control devices on any county road or part thereof to
177 impose vehicle size restrictions on the basis of an engineering and traffic investigation;

178 S. Determine and designate those heavily traveled county road upon which are
179 prohibited any class or kind of traffic that the traffic engineer deems to be incompatible
180 with the normal and safe movement of traffic on the basis of an engineering and traffic

181 investigation, and shall erect appropriate traffic control devices giving notice thereof;

182 T. Designate certain locations as unlawful for pedestrians to use when crossing
183 county roads, when the crossing would endanger either pedestrian or vehicular traffic
184 using the county road, and posting appropriate signs at those locations; and

185 U. Test new or proposed traffic control devices under actual conditions of traffic.

186 NEW SECTION. SECTION 23. A. The council has determined that after the
187 county road engineer has conducted an engineering and traffic investigation of a county
188 road that establishes the maximum speed permitted under state law is greater or less than
189 is reasonable and safe under the conditions found to exist thereon, the county road
190 engineer is authorized to change the maximum limit to:

- 191 1. Decrease the limit at intersections;
- 192 2. Increase the limit but not to more than sixty miles per hour; or
- 193 3. Decrease the limit but not to less than twenty miles per hour.

194 B. At the direction of the county road engineer, the traffic engineer shall perform
195 the engineering and traffic investigation to determine if the existing maximum speed limit
196 permitted is appropriate and safe under the conditions found to exist upon a county road.

197 A member of the public may request the county road engineer to direct that an
198 engineering and traffic investigation be conducted. An engineering and traffic
199 investigation shall be based upon the following factors:

- 200 1. Road surface characteristics, shoulder conditions, grade, alignment and sight
201 distance;
- 202 2. The eighty-fifth percentile speed and pace speed;
- 203 3. Roadside development and land use;

- 204 4. Safe speed for curves within the speed zone;
205 5. Parking practices and pedestrian activity; and
206 6. Most-recently reported collision history for the preceding thirty-six months.

207 C. If the traffic engineer, after consideration of the findings of the engineering
208 and traffic investigations, determines that a change in the existing speed limit is
209 appropriate, based on current engineering standards and guidelines, the traffic engineer
210 shall transmit an electronic notice of the proposed change to the clerk of the council, who
211 shall retain the original and provide an electronic copy to all councilmembers, before
212 initiating a public comment period of at least fourteen calendar days and may hold a
213 public meeting to solicit public input on the proposed change. The public may submit its
214 testimony to the traffic engineer by letter or email during the comment period. The
215 traffic engineer shall publish notice of the public comment period in a newspaper of
216 general circulation in the area where the change in the existing speed limit is proposed.

217 D. If the traffic engineer concludes that there should be a change in the speed
218 limit, based on the engineering and traffic investigations results and public comments, the
219 traffic engineer may propose the speed limit revision to the county road engineer.

220 E. If the county road engineer concurs with the traffic engineer's proposed
221 revision, a speed limit change shall be final unless within thirty business days from the
222 date when signs giving notice of the speed limit change are erected, a person files a
223 written appeal to the speed limit change, including why the engineering and traffic
224 investigations do not support the proposed speed limit change, with the clerk of the
225 council.

226 F. The council designates the hearing examiner to hear on its behalf all appeals

227 from decisions of the county road engineer related to changes in speed limits and make a
228 recommendation to the council whether the appeal should be granted. An appeal must be
229 initiated in accordance with K.C.C. 20.22.080.

230 G. The county road engineer shall report all speed limit changes to the council by
231 filing a report with the clerk of the council, who shall distribute copies of the report to
232 councilmembers. The county road engineer shall also file a report of speed limit changes
233 with the sheriff and the records and licensing services division of the department of
234 executive services. The county road engineer shall also maintain a copy of the speed
235 limit change report and make the report available to the public during regular business
236 hours. Speed limit revisions take effect when signs with the new speed limit are erected.

237 SECTION 24. Ordinance 4461, Section 1, and K.C.C. 20.22.060 are each hereby
238 amended to read as follows:

239 The examiner shall issue recommendations in the following cases:

240 A. Proposals for establishment or modification of cable system rates under
241 K.C.C. 6.27A.140;

242 B. Vacation of county roads under K.C.C. chapter 14.40;

243 C. All Type 4 decisions under K.C.C. chapter 20.20;

244 D. Applications for public benefit rating system assessed valuation on open space
245 land and current use assessment on timber lands under K.C.C. chapter 20.36, except as
246 provided in K.C.C. 20.36.090;

247 E. Appeals of decisions to designate or reject a nomination for designation for a
248 landmark or issuing or denying a certificate of appropriateness under K.C.C. chapter
249 20.62;

250 F. Creation of a lake or beach management district and a special assessment roll
251 under chapter 36.61 RCW; (~~and~~)

252 G. Appeals from decisions of the county road engineer in the road services
253 division of the department of transportation related to changes in speed limits under
254 section 23 of this ordinance, and

255 H. Other applications or appeals that are prescribed by ordinance.

256 SECTION 25. Sections 26 through 29 should constitute a new chapter in Title 14.

257 NEW SECTION. SECTION 26. The traffic engineer shall maintain a list of all
258 county roads with a designation of maximum speed limits. The department of
259 transportation shall publish this list on the King County department of transportation,
260 road services division website.

261 NEW SECTION. SECTION 27. The county road engineer may designate school
262 speed zones in accordance with RCW 46.61.440(2).

263 NEW SECTION. SECTION 28. The county road engineer is authorized to:

264 A. Close any county road or parts thereof temporarily to any or all traffic in
265 accordance with K.C.C. 14.12.010;

266 B. Designate one-way county roads; and

267 C. Change speed limits on county roads in accordance with section 23 of this
268 ordinance.

269 NEW SECTION. SECTION 29. The county road engineer may set reduced
270 temporary speed limits for special conditions, such as where there is construction on or
271 near a county road, if the locations are posted with signs in accordance with the Manual
272 on Uniform Traffic Control Devices referenced in the King County Road Standards.

273 SECTION 30. Section 31 of this ordinance should constitute a new section in
274 K.C.C. in chapter 20.22.

275 NEW SECTION. SECTION 31. When an examiner issues a recommendation
276 regarding an appeal of a change to a speed limit, the examiner shall include findings on
277 whether the change in the speed limit is supported by an engineering and traffic
278 investigation based on the following factors:

279 A. Road surface characteristics, shoulder conditions, grade, alignment and sight
280 distance;

281 B. The eighty-fifth percentile speed and pace speed;

282 C. Roadside development and land use;

283 D. Safe speed for curves within the speed zone;

284 E. Parking practices and pedestrian activity; and

285 F. Most-recently reported collision history for the preceding thirty-six months.

286 SECTION 32. Ordinance 17096, Section 3, as amended, and K.C.C. 4A.700.700
287 are each hereby amended to read as follows:

288 A. User fees are established for public use of electric vehicle charging station
289 stalls located on property owned or leased by King County.

290 B. The department of transportation shall set the user fees for the use of electric
291 vehicle charging stations stalls in accordance with this section.

292 C.1. ~~((The user fees shall not exceed five dollars per use.))~~ The user fees shall be
293 calculated as a single, per-use fee((s)) intended to cover the county's cost of operations
294 related to public use.

295 ~~((1.))~~ 2. The county's cost of operations includes, but is not limited to, planning,

296 outreach and administration, maintenance, charging station vendor costs, utility costs
297 related to the charging stations and facility enforcement costs.

298 ~~((2-))~~ 3. Differing user fees may be established at particular locations and for
299 uses other than typical daytime parking, such as overnight parking, monthly reservations,
300 special event rates and other specific circumstances.

301 D. The department of transportation shall review all user fees twice each year and
302 adjust the fees based on consideration for the costs established in subsection ~~((s A., B.~~
303 ~~and))~~ C. of this section. However, user fees shall not exceed five dollars per use.

304 E. ~~((All user fees and civil penalties authorized in this section shall be deposited
305 into the public transportation operating account of the public transportation fund and used
306 to support the electric vehicle charging station program.~~

307 F.)) The department of transportation shall post user fees, rules for using the
308 electric vehicle charging station stalls and the penalties for improper use of electric
309 vehicle charging station stall at or near the stalls either via the electronic screen on the
310 charging device or by signage affixed on or near the charging device. The department
311 also shall post the fees, rules and penalties in an appropriate location on the department of
312 transportation website.

313 ~~((G-))~~ F. Failure to pay the applicable user fee or remaining in an electric vehicle
314 charging station stall longer than entitled as a result of the user fee paid, is a violation of
315 this section.

316 ~~((H-))~~ G. The penalty for a violation under subsection ~~((G-))~~ F. of this section
317 may result in a civil penalty in an amount established by the department by rule, in
318 accordance with K.C.C. chapter 2.98, not to exceed two hundred dollars. Notice and

319 appeal of the civil penalty shall be as follows:

320 1. The department shall issue a notice and order and serve it as provided for in
321 this section when the department determines that a violation described in subsection
322 ~~((H.))~~ F. of this section has occurred. The notice and order shall contain:

323 a. a description of the vehicle parked in violation of this section, including
324 make, model, color and license plate number;

325 b. date and time the notice and order was issued;

326 c. a description sufficient to identify the area where the vehicle was parked
327 when the violation was discovered;

328 d. a statement that the vehicle is parked in violation of subsection ~~((G.))~~ F. of
329 this section, with a brief and concise description of the conditions that established the
330 violation;

331 e. a statement that the department is assessing a civil penalty, the amount of
332 the penalty and a time certain by which the penalty shall be paid from the date of the
333 order; and

334 f. statements advising that:

335 (1) the director of transportation may review and reconsider the notice and
336 order, but only if a request for review and reconsideration is made in writing as provided
337 in this section and filed with the director within ten days from the date of service of the
338 notice and order;

339 (2) the address to which the request for review and reconsideration must be
340 sent; and

341 (3) failure to timely request director's review and reconsideration will

342 constitute a waiver of all rights to any administrative hearing and determination of the
343 matter;

344 2. The notice and order, and any amended or supplemental notice and order,
345 shall be served by affixing the notice and order to the vehicle for which is the subject of
346 the violation, in a conspicuous location on the vehicle;

347 3. Proof of service of the notice and order shall be made at the time of service
348 by a written declaration under penalty of perjury, executed by the person effecting service
349 and declaring the time, date and manner in which service was made. A copy of the notice
350 and order shall be kept on file by the department of transportation;

351 4. A person served with a notice and order under this section may request in
352 writing, within ten days of being served with a notice and order, that the director review
353 and reconsider the notice and order;

354 5. The review shall be performed without a hearing and be based solely on
355 written information provided by the person requesting review and by county personnel or
356 agents;

357 6. Upon review, the director may uphold the notice and order or waive or
358 reduce the fine or any other penalty contained in the notice and order;

359 7. The director shall mail the written decision to the person requesting review;

360 8. The decision shall notify the person requesting review of the right to appeal
361 the director's decision in accordance with K.C.C. 20.22.080;

362 9. The King County office of the hearing examiner shall hear appeals of the
363 director's decisions under this section;

364 10. ~~((Any person having received a director's decision under this section may~~

365 ~~appeal that decision in accordance with K.C.C. 20.22.080;~~

366 ~~11.))~~ The procedures for initiating and conducting the appeal shall be governed
367 by K.C.C. chapter 20.22;

368 ~~((12.))~~ 11. Enforcement of any notice and order of the department shall be
369 stayed during the pendency of a director's review or an appeal therefrom that is properly
370 and timely filed in accordance with K.C.C. chapter 20.22;

371 ~~((13.))~~ 12. The registered owner of a vehicle is liable to pay any civil penalty
372 imposed for a violation under this section. However, the registered owner of a vehicle
373 may avoid liability if the owner proves that the vehicle was reported to the police as a
374 stolen vehicle before the notice and order was issued, and the vehicle had not been
375 recovered;

376 ~~((14.))~~ 13. Except as otherwise provided in subsection ~~((H.13.))~~ G.12. of this
377 section, a civil penalty imposed for failure to pay a user fee at a King County department
378 of transportation facility is a personal obligation of the registered owner of the vehicle
379 involved; and

380 ~~((15.))~~ 14. If the penalties assessed by the department are not paid to King
381 County within thirty days from the service of the notice, the mailing of the director's
382 decision, or the mailing of the hearing examiner's decision, whichever occurs last, then
383 the department may send a final warning letter to the registered owner of the vehicle to
384 the address on file with the state Department of Licensing. If the civil penalties are not
385 paid within ten days after the final warning letter is sent, then the department may pursue
386 other applicable legal remedies. In pursuing payment of civil penalties that remain
387 delinquent after the final warning letter is sent, and to cover administrative expenses

388 associated with the pursuit of the penalties, the department may charge the registered
389 owner of the vehicle an additional fee not to exceed fifty percent of the total delinquent
390 civil penalties.

391 H. All user fees and civil penalties authorized in this section shall be deposited
392 into the public transportation operating account of the public transportation fund and used
393 to support the electric vehicle charging station program.

394 I. In addition or as an alternative to the civil penalty authorized in subsection
395 ~~((F))~~ G. of this section, the department may impound the vehicle without giving prior
396 notice in accordance with the process provided in K.C.C. chapter ~~((46.08))~~ 14A.XX (the
397 new chapter created in Ordinance xxxxx (Proposed Ordinance 2018-0162), Section 38.

398 When impoundment is authorized by this section, a vehicle may be impounded by a
399 towing contractor acting at the request of the director or the director's designee. The
400 director or the director's designee shall provide to the towing contractor a signed
401 authorization for the tow and the impound before the towing contractor may proceed with
402 the impound.

403 SECTION 33. Ordinance 16553, Section 4, and K.C.C. 7.09.030 are each hereby
404 amended to read as follows:

405 A. The director shall issue a notice and order when the director determines that
406 an applicable parking fee has not been paid. The notice and order shall contain:

- 407 1. A description of the vehicle parked in violation of this title, including make,
408 model, color and license plate number;
- 409 2. Date and time issued;
- 410 3. A description sufficient to identify the area where the vehicle was parked

411 when the violation was discovered such as lot identification letter;

412 4. A statement that the director has found the vehicle parked in violation of
413 parking fee requirements, with a brief and concise description of the conditions that
414 establish the violation;

415 5. A statement that the director is assessing a civil penalty, the amount of the
416 penalty and a time certain by which the penalty shall be paid from the date of the order;
417 and

418 6. Statements advising:

419 a. the director may review and reconsider the notice and order, (~~provided~~
420 ~~that~~) but only if a request for review and reconsideration is made in writing as provided
421 in this chapter and filed with the director within ten days from the date of service of the
422 notice and order;

423 b. the address to which the request for review and reconsideration should be
424 sent;

425 c. the director's decision may be appealed in accordance with K.C.C.
426 20.22.080;

427 d. failure to timely request director's review and reconsideration will constitute
428 a waiver of all rights to any administrative hearing and determination of the matter;

429 e. a vehicle with three or more unpaid notice and orders may be immobilized
430 in accordance with any applicable legal requirements and a vehicle with five or more
431 unpaid notice and orders or a vehicle that has been immobilized for more than twenty-
432 four hours may be towed and impounded without prior notice and at the owner's expense,
433 under this chapter and K.C.C. chapter (~~(46.08)~~) 14A.XX (the new chapter created in

434 Ordinance xxxxx (Proposed Ordinance 2018-0162), Section 38); and

435 f. if, in accordance with K.C.C. 7.09.040, the director chooses to provide a
436 uniform automatic civil penalty reduction for prompt payment of a notice and order, then
437 the notice and order shall also include a statement advising how to qualify for that
438 reduction.

439 B. The notice and order, and any amended or supplemental notice and order,
440 shall be served by affixing the notice and order to the vehicle for which the parking fee
441 was not paid, in a conspicuous location, usually the windshield.

442 C. Proof of service of the notice and order shall be made at the time of service by
443 a written declaration under penalty of perjury, executed by the person effecting service
444 and declaring the time, date, and manner in which service was made. A copy of the
445 notice and order shall be kept on file by the department of natural resources and parks.

446 SECTION 34. Ordinance 16553, Section 11, and K.C.C. 7.09.100 are each
447 hereby amended to read as follows:

448 A. In addition to the remedies provided elsewhere in this chapter and in K.C.C.
449 Title 23, the director may impound a vehicle without giving prior notice to its owner, but
450 only if:

451 1. The vehicle to be towed has received five or more notice and orders under
452 this chapter for which appeals have been waived or been completed; and

453 2. All or a portion of the amount owed pursuant to those notices and orders
454 remains an outstanding debt to King County.

455 B. Before impounding any vehicle under this section, the director shall cause
456 signs to be posted in King County parks and recreation facilities to clearly communicate

457 that parked vehicles may be towed and impounded for failure to pay parking fees.

458 C. When impoundment is authorized by this chapter, a vehicle may be
459 impounded by a towing contractor acting at the request of an employee or other
460 authorized agent of the King County department of natural resources and parks. The
461 employee or authorized agent shall provide to the towing contractor a signed
462 authorization for the tow and the impound before the towing contractor may proceed with
463 the impound.

464 D. Notice to the owner of an impounded vehicle, redemption of impounded
465 vehicles and ~~((post impoundment))~~ postimpoundment procedures shall occur in
466 accordance with K.C.C. ~~((46.08.070, 46.08.080, 46.08.100, 46.08.110, 46.08.120,~~

467 ~~46.08.130, 46.08.132 and 46.08.134~~) chapter ((~~46.08~~)) 14A.XX (the new chapter created
468 in Ordinance xxxxx (Proposed Ordinance 2018-0162), Section 38).
469

Ordinance 18754 was introduced on 4/9/2018 and passed by the Metropolitan King
County Council on 6/25/2018, by the following vote:

Yes: 8 - Mr. von Reichbauer, Ms. Lambert, Mr. Dunn, Mr.
McDermott, Mr. Dembowski, Mr. Upthegrove, Ms. Kohl-Welles and
Ms. Balducci
No: 0
Excused: 1 - Mr. Gossett

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON



J. Joseph McDermott, Chair

ATTEST:

Melani Pedroza

Melani Pedroza, Clerk of the Council

APPROVED this 2nd day of July, 2018.

Rodolpho
Dow Constantine, County Executive

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2018 JUL -3 PM 4: 07
CLERK
KING COUNTY COUNCIL

Attachments: None