



Legislation Details (With Text)

File #: 2018-0161 **Version:** 2

Type: Ordinance **Status:** Passed

File created: 4/9/2018 **In control:** Mobility Committee

On agenda: 6/25/2018 **Final action:** 6/25/2018

Enactment date: 7/2/2018 **Enactment #:** 18754

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

Sponsors: Kathy Lambert

Indexes: Enforcement, Traffic

Code sections: 20.22.040 - ., 4A.700.700 - ., 7.09.030 - ., 7.09.100 - *

Attachments: 1. Ordinance 18754.pdf, 2. 2018-0161 legislative review form, 3. 2018-0161 transmittal letter, 4. 2018-0161--revised Fiscal Note Title14, 5. 2018-0161--Title 14 legislation-advertisement-notice, 6. 2018-0161_SR_060418.docx, 7. 2018-0161_ATT2_AMD S1_.docx, 8. 2018-0161_ATT3_Title Amendment.docx, 9. 2018-0161_ATT4_Comparison Matrix KCC to PO 2018-0161.docx, 10. 2018-0161_Revised_SR_Traffic Enforcement.docx, 11. 2018-0161 hearing notice for Seattle times - publish June 13, 12. Affidavit of pub - Seattle Times - 6/13/18

| Date | Ver. | Action By | Action | Result |
|-----------|------|----------------------------------|--|--------|
| 6/25/2018 | 2 | Metropolitan King County Council | Hearing Held | |
| 6/25/2018 | 2 | Metropolitan King County Council | Passed | Pass |
| 6/6/2018 | 1 | Mobility Committee | Recommended Do Pass Substitute Consent | Pass |
| 4/9/2018 | 1 | Metropolitan King County Council | Introduced and Referred | |

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

STATEMENT OF FACTS: The council determines that K.C.C. Title 46 should be recodified under K.C.C. Title 14 to avoid confusion with Title 46 RCW and that provisions related to the

traffic code be codified in that title, and all other provisions previously included in K.C.C. Title 46 that are not appropriate to be codified under K.C.C. Title 14 should be codified in the appropriate titles.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

NEW SECTION. SECTION 1. Findings:

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

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

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

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

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

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

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

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

"Bus" means every motor vehicle designed for carrying more than ten passengers and used for transportation of persons, and every motor vehicle, other than a taxicab or transportation network company,

designed and used for the transportation of persons for compensation.

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

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

NEW SECTION. SECTION 5. There is hereby added to K.C.C. chapter 14.01 a new section to read as follows:

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

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

"Deputy" means a sheriff's deputy.

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

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

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

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

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

"Loading zone" means a space reserved for the exclusive use of vehicles during the loading or

unloading of property or passengers.

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

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

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

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

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

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

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

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

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

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

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

"Traffic control devices" means traffic control devices as defined and regulated by the most current

edition of the Manual on Uniform Traffic Control Devices adopted by the Washington state department of transportation.

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

"Traffic engineer" means the King County traffic engineer.

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

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

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

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

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

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

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

NEW SECTION. SECTION 21. It shall be the general duty of the traffic engineer to determine the installation of traffic control devices, to conduct engineering analysis of traffic accidents and devise remedial measures, to conduct engineering investigations of traffic conditions, to plan the operation of traffic on county roads, to cooperate with other officials in the development of ways and means to improve traffic conditions, and to carry out the additional powers and duties imposed by any county ordinances.

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

A. Place and maintain traffic control devices when and as required under federal or state law or this

title, and may place and maintain such additional traffic control devices as the traffic engineer deems necessary to regulate, warn or guide traffic.

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

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

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

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

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

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

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

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

J. Issue special permits to authorize the backing of a vehicle to the curb for the purpose of loading or unloading property subject to the terms and conditions of the permits. The permits may be issued either to the

owner or lessee of real property alongside the curb or to the owner of the vehicle and shall grant to the person the privilege as therein stated and authorized by this section;

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

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

M. Determine and designate by proper signs places in which the stopping, standing or parking of vehicles would create an especially hazardous condition or would cause unusual delay to traffic;

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

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

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

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

R. Erect and maintain traffic control devices on any county road or part thereof to impose vehicle size

restrictions on the basis of an engineering and traffic investigation;

S. Determine and designate those heavily traveled county road upon which are prohibited any class or kind of traffic that the traffic engineer deems to be incompatible with the normal and safe movement of traffic on the basis of an engineering and traffic investigation, and shall erect appropriate traffic control devices giving notice thereof;

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

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

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

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

B. At the direction of the county road engineer, the traffic engineer shall perform the engineering and traffic investigation to determine if the existing maximum speed limit permitted is appropriate and safe under the conditions found to exist upon a county road. A member of the public may request the county road engineer to direct that an engineering and traffic investigation be conducted. An engineering and traffic investigation shall be based upon the following factors:

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

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

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

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

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

F. The council designates the hearing examiner to hear on its behalf all appeals from decisions of the county road engineer related to changes in speed limits and make a recommendation to the council whether the appeal should be granted. An appeal must be initiated in accordance with K.C.C. 20.22.080.

G. The county road engineer shall report all speed limit changes to the council by filing a report with the clerk of the council, who shall distribute copies of the report to councilmembers. The county road engineer

shall also file a report of speed limit changes with the sheriff and the records and licensing services division of the department of executive services. The county road engineer shall also maintain a copy of the speed limit change report and make the report available to the public during regular business hours. Speed limit revisions take effect when signs with the new speed limit are erected.

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

The examiner shall issue recommendations in the following cases:

- A. Proposals for establishment or modification of cable system rates under K.C.C. 6.27A.140;
- B. Vacation of county roads under K.C.C. chapter 14.40;
- C. All Type 4 decisions under K.C.C. chapter 20.20;
- D. Applications for public benefit rating system assessed valuation on open space land and current use assessment on timber lands under K.C.C. chapter 20.36, except as provided in K.C.C. 20.36.090;
- E. Appeals of decisions to designate or reject a nomination for designation for a landmark or issuing or denying a certificate of appropriateness under K.C.C. chapter 20.62;
- F. Creation of a lake or beach management district and a special assessment roll under chapter 36.61 RCW; ~~((and))~~
- G. Appeals from decisions of the county road engineer in the road services division of the department of transportation related to changes in speed limits under section 23 of this ordinance, and
- H. Other applications or appeals that are prescribed by ordinance.

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

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

NEW SECTION. SECTION 27. The county road engineer may designate school speed zones in

accordance with RCW 46.61.440(2).

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

- A. Close any county road or parts thereof temporarily to any or all traffic in accordance with K.C.C. 14.12.010;
- B. Designate one-way county roads; and
- C. Change speed limits on county roads in accordance with section 23 of this ordinance.

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

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

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

- A. Road surface characteristics, shoulder conditions, grade, alignment and sight distance;
- B. The eighty-fifth percentile speed and pace speed;
- C. Roadside development and land use;
- D. Safe speed for curves within the speed zone;
- E. Parking practices and pedestrian activity; and
- F. Most-recently reported collision history for the preceding thirty-six months.

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

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

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

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

~~((1-))~~ 2. The county's cost of operations includes, but is not limited to, planning, outreach and administration, maintenance, charging station vendor costs, utility costs related to the charging stations and facility enforcement costs.

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

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

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

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

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

~~((H-))~~ G. The penalty for a violation under subsection ~~((G-))~~ F. of this section may result in a civil

penalty in an amount established by the department by rule, in accordance with K.C.C. chapter 2.98, not to exceed two hundred dollars. Notice and appeal of the civil penalty shall be as follows:

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

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

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

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

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

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

f. statements advising that:

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

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

(3) failure to timely request director's review and reconsideration will constitute a waiver of all rights to any administrative hearing and determination of the matter;

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

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

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

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

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

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

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

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

10. ~~((Any person having received a director's decision under this section may appeal that decision in accordance with K.C.C. 20.22.080;~~

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

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

~~((13.))~~ 12. The registered owner of a vehicle is liable to pay any civil penalty imposed for a violation under this section. However, the registered owner of a vehicle may avoid liability if the owner proves that the

vehicle was reported to the police as a stolen vehicle before the notice and order was issued, and the vehicle had not been recovered;

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

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

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

I. In addition or as an alternative to the civil penalty authorized in subsection ~~((I.))~~ G. of this section, the department may impound the vehicle without giving prior notice in accordance with the process provided in K.C.C. chapter ~~((46.08))~~ 14A.XX (the new chapter created in Ordinance xxxxx (Proposed Ordinance 2018-0162), Section 38. When impoundment is authorized by this section, a vehicle may be impounded by a towing contractor acting at the request of the director or the director's designee. The director or the director's designee shall provide to the towing contractor a signed authorization for the tow and the impound before the towing contractor may proceed with the impound.

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

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

1. A description of the vehicle parked in violation of this title, including make, model, color and license plate number;
2. Date and time issued;
3. A description sufficient to identify the area where the vehicle was parked when the violation was discovered such as lot identification letter;
4. A statement that the director has found the vehicle parked in violation of parking fee requirements, with a brief and concise description of the conditions that establish the violation;
5. A statement that the director is assessing a civil penalty, the amount of the penalty and a time certain by which the penalty shall be paid from the date of the order; and
6. Statements advising:
 - a. the director may review and reconsider the notice and order, (~~provided that~~) but only if a request for review and reconsideration is made in writing as provided in this chapter and filed with the director within ten days from the date of service of the notice and order;
 - b. the address to which the request for review and reconsideration should be sent;
 - c. the director's decision may be appealed in accordance with K.C.C. 20.22.080;
 - d. failure to timely request director's review and reconsideration will constitute a waiver of all rights to any administrative hearing and determination of the matter;
 - e. a vehicle with three or more unpaid notice and orders may be immobilized in accordance with any applicable legal requirements and a vehicle with five or more unpaid notice and orders or a vehicle that has been immobilized for more than twenty-four hours may be towed and impounded without prior notice and at

the owner's expense, under this chapter and K.C.C. chapter ((46-08)) 14A.XX (the new chapter created in Ordinance xxxxx (Proposed Ordinance 2018-0162), Section 38); and

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

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

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

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

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

1. The vehicle to be towed has received five or more notice and orders under this chapter for which appeals have been waived or been completed; and
2. All or a portion of the amount owed pursuant to those notices and orders remains an outstanding debt to King County.

B. Before impounding any vehicle under this section, the director shall cause signs to be posted in King County parks and recreation facilities to clearly communicate that parked vehicles may be towed and impounded for failure to pay parking fees.

C. When impoundment is authorized by this chapter, a vehicle may be impounded by a towing

contractor acting at the request of an employee or other authorized agent of the King County department of natural resources and parks. The employee or authorized agent shall provide to the towing contractor a signed authorization for the tow and the impound before the towing contractor may proceed with the impound.

D. Notice to the owner of an impounded vehicle, redemption of impounded vehicles and ~~((post impoundment))~~ postimpoundment procedures shall occur in accordance with K.C.C. ~~((46.08.070, 46.08.080, 46.08.100, 46.08.110, 46.08.120, 46.08.130, 46.08.132 and 46.08.134))~~ chapter ~~((46.08))~~ 14A.XX (the new chapter created in Ordinance xxxxx (Proposed Ordinance 2018-0162), Section 38).