



Legislation Text

File #: 2001-0597, Version: 2

Clerk 12/06/2001

AN ORDINANCE of King County making it unlawful to abandon a wrecked, dismantled or inoperative vehicle on the public right of way; and amending Ordinance 5486, Section 4, as amended, and K.C.C. 46.08.040 and Ordinance 10278, Section 1, and K.C.C. 46.08.010.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Purpose. This ordinance is an exercise of the police power of King County for the protection of the public welfare, health, peace and safety of the residents of King County. The King County council hereby declares that the placement of wrecked, dismantled or inoperative vehicles denies the right of members of the general public to be free from public danger, alarm, disorder, nuisance and fear of damage, either to person or property.

SECTION 2. Ordinance 10278, Section 1, and K.C.C. 46.08.010 are each hereby amended to read as follows:

Definitions. The following definitions shall apply in the interpretation and enforcement of this chapter:

A. "Impoundment" means the removal of a vehicle to a storage facility either by an officer or authorized agent of the King County department of public safety or by a towing contractor in response to a request from an officer or authorized agent of the King County department of public safety.

B. "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 King County department of public safety to perform towing and storage services under the provisions of this

chapter.

C. "Vehicle" shall have the definition set forth in RCW 46.04.670, and, in addition, shall include any junk vehicle as defined in RCW 46.55.010(4) as they currently exist or may thereafter be amended.

D. "Workday" means Monday through Friday, not including Saturday and Sunday or legal holidays as defined in RCW 1.16.050.

E. "Wrecked, dismantled or inoperative vehicle" means a motor vehicle or the remains or remnant parts of a motor vehicle, or an extensively damaged recreational vehicle or boat, that is clearly inoperative and either (a) cannot be made operative without the addition of vital parts or mechanisms or (b) is damaged to the extent that it prevents normal operation of the vehicle, or both.

SECTION 3. Ordinance 5486, Section 4, as amended, and K.C.C. 46.08.040 are each hereby amended to read as follows:

When a vehicle may be impounded without prior notice. A vehicle may be impounded with or without citation and without giving prior notice to its owner as required in Section 46.08.050 hereof under any of the following circumstances:

- A. The vehicle is impeding or is likely to impede the normal flow of vehicular or pedestrian traffic;
- B. The vehicle is illegally parked in a conspicuously posted restricted zone where parking is limited to designated classes of vehicles or is prohibited during certain hours, on designated days or at any time when the vehicle is interfering or likely to interfere with the intended use of such a zone;
- C. The vehicle poses an immediate danger to the public safety;
- D. A police officer has information sufficient to form a reasonable belief that the vehicle is stolen;
- E. A police officer has information sufficient to form a reasonable belief that the vehicle constitutes evidence of a crime or contains evidence of a crime, if impoundment is reasonably necessary to obtain or preserve such evidence;
- F. Whenever a police officer finds an unattended vehicle at the scene of an accident or when the driver

of a vehicle involved in an accident is physically or mentally incapable, or too intoxicated, to decide upon steps to be taken to protect his or her property;

G. Whenever the driver of a vehicle is arrested and taken into custody by a police officer, and the driver, because of intoxication or otherwise, is mentally incapable of deciding upon steps to be taken to safeguard his or her property;

H. Whenever a vehicle without a special license plate, card, or decal indicating that the vehicle is being used to transport a disabled person under RCW 46.16.381 is parked in a stall or space clearly and conspicuously marked under RCW 46.62.581 which space is provided on private property without charge or on public property;

I. Whenever a mobile home is subject to removal from a mobile home park pursuant to a writ of restitution, provided such writ is attached to a department of public safety impound report((-)); or

J. Whenever a wrecked, dismantled or inoperative vehicle is left on the public right of way, or on publicly owned or controlled property.

Nothing in this section shall be construed to authorize seizure of a vehicle without a warrant where a warrant would otherwise be required. Nothing in this section may derogate from the powers of police officers under the common law or other statute or ordinance.

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 the application of the provision to other persons or circumstances is not affected.

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