

CHAPTER 11.36

MISCELLANEOUS DRIVING RULES

SECTION:

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11.36.010: Unlawful to Leave Keys in Unattended Vehicle: Except for operators of commercial vehicles which are in service, no person shall leave ignition keys in any unattended vehicle whether the same is parked on a public street or upon private property, unless the same is in a secure place either locked or otherwise inaccessible to unauthorized persons. (Ord. 2258 Sec. 4 (part), 1979; Ord. 1351 Sec. 45.1, 1967)

11.36.030: Parking Restriction:

(1) No person shall stand or park a motor vehicle in a fire zone or in any other area where no parking is indicated irrespective of whether or not said zone or area is on a public right of way or public or private property.

(2) No person except a handicapped person as defined by RCW 46.61.581, and who has obtained and displayed on his vehicle a distinguishing decal as provided by RCW 46.16.381, shall park a vehicle in an area or space which is signed to indicate that it is for handicapped parking, irrespective of whether or not said area or space is on a public right of way or public or private property.

(3) Stopping, standing, or parking prohibited in specified places -- Reserving portion of highway prohibited.

(a) Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a police officer or official traffic control device, no person shall:

- (i) Stop, stand, or park a vehicle:
 - (A) On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
 - (B) On a sidewalk or street planting strip;
 - (C) Within an intersection;
 - (D) On a crosswalk;
 - (E) Between a safety zone and the adjacent curb or within thirty feet of points on the curb immediately opposite the ends of a safety zone, unless official signs or markings indicate a different no-parking area opposite the ends of a safety zone;
 - (F) Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic;

- (G) Upon any bridge or other elevated structure upon a highway or within a highway tunnel;
 - (H) On any railroad tracks;
 - (I) In the area between roadways of a divided highway including crossovers;
 - (J) At any place where official signs prohibit stopping; or
 - (K) With the left wheels of the vehicle adjacent to the road edge or curb.
- (ii) Stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger or passengers:
- (A) In front of a public or private driveway or within five feet of the end of the curb radius leading thereto;
 - (B) Within fifteen feet of a fire hydrant;
 - (C) Within twenty feet of a crosswalk;
 - (D) Within thirty feet upon the approach to any flashing signal, stop sign, yield sign, or traffic control signal located at the side of a roadway;
 - (E) Within twenty feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within seventy-five feet of said entrance when properly signposted; or
 - (F) At any place where official signs prohibit standing.
- (iii) Park a vehicle, whether occupied or not, except temporarily for the purpose of and while actually engaged in loading or unloading property or passengers:
- (A) Within fifty feet of the nearest rail of a railroad crossing; or
 - (B) At any place where official signs prohibit parking.
- (b) Parking or standing shall be permitted in the manner provided by law at all other places except a time limit may be imposed or parking restricted at other places but such limitation and restriction shall be by city ordinance or county resolution or order of the secretary of transportation upon highways under their respective jurisdictions.
- (c) No person shall move a vehicle not lawfully under his or her control into any such prohibited area or away from a curb such a distance as is unlawful.
- (d) It shall be unlawful for any person to reserve or attempt to reserve any portion of a highway for the purpose of stopping, standing, or parking to the exclusion of any other like person, nor shall any person be granted such right. (Ord. 4032 Sec. 1, 2002: Ord. 3882 Sec. 1, 1999: Ord. 2258 Sec. 4 (part), 1979)

11.36.040: Off-Street Operation of Off-Road Vehicles: It shall be unlawful to operate any off-road vehicle or to authorize or knowingly permit any child or ward to operate any off-road vehicle in the City outside the curb line or lateral boundary of any street, or upon any property, public or private, except that owned by the operator or parent or guardian of the operator thereof, or where express permission has been granted by the owner of the property. (Ord. 2258 Sec. 4 (part), 1979: Ord. 2094 Sec. 1 (part), 1977)

11.36.050: Storing of Vehicles on Public Right of Way:

(1) No person shall abandon a vehicle upon the City streets. Any abandoned vehicle may be disposed of in accord with the provisions of Section 11.90.640 or Section 9.48.035 of this Code.

(2) No person may allow a stationary vehicle to remain upon a public way for more than seventy two (72) consecutive hours. A person may continuously park a vehicle on that portion of the public way immediately fronting his residence for a period not to exceed two (2) weeks if all vehicles owned by members of the household are stored on the premises or solely on the public way immediately fronting the residence. The movement of a vehicle for the primary purpose of avoiding the provisions of this subsection is not a defense to a charge of violating this subsection. (Ord. 3660 Sec. 4, 1995: Ord. 3165 Sec. 1, 1988: Ord. 2723 Sec. 1, 1984)

11.36.060: Leaving Children Unattended in Parked Automobile: It is unlawful for any person having the care and custody, whether temporary or permanent, of a minor child under the age of twelve (12) years, to leave such child in a parked automobile unattended by an adult while such person enters a tavern or other premises where vinous, spirituous, or malt liquors are dispensed for consumption on the premises. (Ord. 2856 Sec. 3, 1984: Ord. 2089 Sec. 2 (part), 1977)

11.36.070: Race Parking Restrictions: No person may park any vehicle other than trains, erect any scaffold, bleachers or similar sight-obscuring object over six and one-half feet (6½') in height within the rights of way of Canal Drive and the Washington Central Railroad from the Highway 395 overpass to the extended north/south line of Neel Street during hydroplane races when posted. (Ord. 3196 Sec. 1, 1989: Ord. 2881 Sec. 1, 1985)

11.36.110: Cruising:

(1) No person may cruise, or permit a motor vehicle in his care, custody or control to be used for cruising in or around a posted "No Cruising" area.

(2) The Police Chief or his designee shall determine when an area has become so congested by traffic as to present a danger of traffic congestion, obstruction of streets, sidewalks or parking lots, impediment of access to shopping centers or other buildings open to the public, or interference with the use of property or conduct of business in the area adjacent thereto or that emergency vehicles cannot respond in that area within a reasonable period of time. The Police Chief or his designee shall then direct that the no cruising signs shall be erected or installed and maintained until the congestion has lessened to an acceptable degree.

(3) At reasonable points along a public street to be designated a no cruising area there shall be posted signs which say "no cruising" areas.

(4) A traffic-control point as used in this Section means any point or points within the no cruising area established by the Police Department for the purpose of monitoring cruising.

(5) No area shall be permanently designated or posted as a no cruising area except upon the passage of a resolution by the Council.

(6) Cruising means driving a motor vehicle in the same direction past a traffic-control point on a street in the designated area three (3) or more times within a two (2) hour period between the hours of eight o'clock (8:00) P.M. and four o'clock (4:00) A.M. in a manner and under circumstances manifesting a "purpose" of unnecessary, repetitive driving in such area. Among the circumstances which may be considered in determining whether such purpose is manifested are that such person or any other person present in the vehicle attempts

to gain the attention of other motorists or pedestrians or engages them in conversation, whether by hailing, arm waving, horn blowing, or another action or device; that such person or any other person present in the vehicle enters or exits the vehicle directly from or to another vehicle driven in or parked in close proximity to the designated area; that such person or any other person present in the vehicle violates State or Municipal traffic regulations or Municipal ordinances; or that such person has declared his or her purpose for driving to be that of cruising. The violator's conduct must be such as to demonstrate a specific intent to cruise.

(7) This Section shall not apply to government vehicles, in-service emergency vehicles, taxicabs for hire, buses and other vehicles being driven for business purposes. (Ord. 3657 Sec. 1, 1995: Ord. 3278 Sec. 1, 1990)

11.36.120: Motor Vehicle Noise:

(1) Every motor vehicle operated upon the public highways shall at all times be equipped with an exhaust system and a muffler in good working order and constant operation to prevent excessive or unusual noise, and no person shall use a muffler cut-out, bypass, or similar device upon a motor vehicle on a highway.

(2) No person shall modify the exhaust system of a motor vehicle in a manner which will amplify or increase the noise emitted by the engine of such vehicle above that emitted by the muffler originally installed on the vehicle, and it shall be unlawful for any person to operate a motor vehicle not equipped as required by this subsection, or which has been amplified as prohibited by this subsection. A court may dismiss an infraction notice for a violation of this subsection if there is reasonable grounds to believe that the vehicle was not operated in violation of this subsection.

This subsection (2) does not apply to vehicles twenty-five or more years old or to passenger vehicles being operated off the highways in an organized racing or competitive event conducted by a recognized sanctioning body.

(3) No person shall operate a motor vehicle in such a manner as to cause or allow to be emitted squealing, screeching or other such noise from the tires in contact with the ground because of rapid acceleration or excessive speed around corners or other such reason, except that noise resulting from emergency braking to avoid imminent danger shall be exempt from this provision.

(4) No person shall operate a motor vehicle equipped with a dynamic braking device on the exhaust brakes or "jake brake" in such a manner as to create any loud, disturbing or unnecessary noise.

(5) Audio System. No person who is the operator or owner of a vehicle shall permit any audio system in or on that vehicle to make any sound audible outside the passenger compartment at a frequency below 138 Hz or that is otherwise amplified by a subwoofer or to allow the sound of other audible frequencies for more than 50 feet outside the passenger compartment.

(6) Exemptions. The provisions of this chapter do not apply to noise caused by auxiliary equipment on motor vehicles used for highway maintenance, nor to noise caused in the performance of emergency work for the immediate safety, health, or welfare of the community or of the individuals of the community, or to restore property to a safe condition following a public calamity.

(7) Monetary Penalties. The monetary penalty for violation of this section shall be the same as provided by court rule pursuant to RCW 46.63.110. (Ord. 5276 Sec. 1, 2009: Ord. 5237 Sec. 1, 2008: Ord. 5200 Sec. 1, 2007: Ord. 3997 Sec. 1, 2001: Ord. 3883 Sec. 1, 1999: Ord. 3754 Sec. 1, 1997: Ord. 3751 Sec. 1, 1997: Ord. 3690 Sec. 1, 1996: Ord. 3185 Sec. 1, 1989: Ord. 3060 Sec. 3 (part), 1987: Ord. 2089 Sec. 2 (part), 1977)

11.36.900: Penalties: Violations of this Chapter are infractions and punishable by a civil penalty not exceeding two hundred fifty dollars (\$250.00). (Ord. 5276 Sec. 2, 2009: Ord. 2858 Sec. 4, 1984)