

ORDINANCE NO. 2020-

AN ORDINANCE repealing City of Yakima Municipal Code Chapter 9.25 Cruising Control

BE IT ORDAINED BY THE CITY OF YAKIMA:

Section 1. City of Yakima Municipal Code Chapter 9.25 entitled Cruising Control is hereby repealed in its entirety:

~~Chapter 9.25~~ ~~CRUISING CONTROL~~

~~Sections:~~

~~9.25.010 Cruising prohibited.~~

~~9.25.020 Cruising permitted Open cruising event.~~

~~9.25.010 Cruising prohibited.~~

~~A.— No person shall drive or permit a motor vehicle under that person's care, custody or control to be driven past a traffic control point more than two times in the same direction of travel within a two-hour period in or around a posted no cruising area so as to contribute to traffic congestion, obstruction of streets, sidewalks or parking lots, impediment of access to shops, restaurants or other buildings open to the public, or interference with the use of property or the conduct of business in the area adjacent thereto, except as provided in YMC 9.25.020.~~

~~B.— 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 shops, restaurants 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 appreciable degree. The chief of police may declare all or a portion of any street or way open to the public to be a no cruising area when:~~

~~1.— Traffic congestion has slowed average vehicle speed to less than two-thirds the posted speed limit and the congestion is caused in whole or in substantial part by cruising; and~~

~~2.— The congestion significantly interferes with passage of vehicles being driven to and from locations within the area; or~~

~~3.— In areas which contain transit routes, buses or trolleys are or would be substantially delayed; or~~

~~4.— The congestion is likely to prevent or substantially delay emergency vehicles from responding to locations within the area, or from passing through the area.~~

~~The designation of a street or way open to the public as a no-cruising area shall remain in effect for a period of four hours, unless withdrawn earlier or extended for additional four-hour periods by the chief of police.~~

~~C.—At every point where a public street becomes or provides ingress to a no-cruising area, there shall be posted a sign which reads as follows: “NO CRUISING AREA.” No person shall drive or permit a motor vehicle under that person’s care, custody or control to be driven past a traffic-control point more than two times in the same direction of travel within a two-hour period in or around this area.~~

~~D.—A “traffic-control point” as used in this section means any point or points established by the police department for the purpose of monitoring cruising within a designated no-cruising area.~~

~~E.—No violation shall occur except upon the third passage of a motor vehicle by the same traffic-control point in the same direction of travel within the aforementioned two-hour period. This section shall not apply to in-service emergency vehicles, police vehicles, taxicabs for hire, buses, trolleys and other vehicles being driven for business purposes.~~

~~F.—Penalty. A violation of this chapter shall be an infraction subject to a penalty of one hundred dollars.~~

~~G.—“Special event permit” is defined as a permit issued pursuant to Yakima Municipal Code 9.70. (Ord. 2019-033 § 1 (part), 2019: Ord. 2005-20 § 1, 2005: Ord. 94-10 § 1, 1994).~~

~~9.25.020 — Cruising permitted — Open cruising event.~~

~~A.—Cruising shall be permitted by the public on Yakima Avenue from six p.m. to ten p.m. on the second and third Saturday evenings of the months of June, July, August and September of each year. This permission does not prohibit other special events to occur on Yakima Avenue during these times unless a special event permit has been permitted which would preclude cruising.~~

~~B.—For any additional open-cruising event or events to take place such designation shall be made pursuant to resolutions adopted from time to time by the city council. Such additional open-cruising events shall be deemed special events subject to all of the provisions and requirements of Chapter 9.70 YMC. Such resolution shall contain the language: “If no special event permit is obtained within fourteen days of the date of the event, the resolution shall be considered null and void.”~~

~~C.—Following adoption of any resolution designating an open-cruising event on Yakima Avenue, the designated open-cruising event dates, with identification of the resolution designating such event, shall be posted on the city website, and may be published in any other manner deemed appropriate. (Ord. 2019-033 § 1 (part), 2019: Ord. 2013-018 § 1 (Exh. A), 2013: Ord. 2010-23 § 1, 2010: Ord. 2009-16 § 1, 2009: Ord. 2008-38 § 1, 2008: Ord. 2008-25 § 1, 2008: Ord. 2007-38 § 1, 2007: Ord. 2007-23 § 1, 2007: Ord. 2006-14 § 1, 2006: Ord. 2005-76 § 1, 2005: Ord. 2005-20 § 2, 2005).~~

Section 2. This ordinance shall be in full force and effect 30 days after its passage, approval, and publication as provided by law and by the City Charter.

PASSED BY THE CITY COUNCIL, signed and approved this 2nd day of June, 2020.

ATTEST:

Patricia Byers, Mayor

Sonya Claar Tee, City Clerk

Publication Date:_____

Effective Date:_____