

ORDINANCE NO. 2024-

AN ORDINANCE amending the City of Yakima Municipal Code Chapter 9.50: Parking and Rules of the Road and Chapter 9.60 regarding enforcement of parking violations

WHEREAS, the City Council of the City of Yakima finds it is in the best interests of the City and its residents to amend Yakima Municipal Code Chapter 9.50; now, therefore,

BE IT ORDAINED BY THE CITY OF YAKIMA:

Section 1. Yakima Municipal Code Section 9.50.065: Parking time limits, is hereby amended to read as follows:

9.50.065 Parking time limits

A. Parking time limits for streets ~~and city-owned lots~~ shall be at the discretion of the city manager.

A.B. The maximum time period for parking in city-owned lots shall be three hours.

B.C. It shall be a violation of this chapter to exceed a parking time limit when signs are erected in each block of the street with a parking time limit giving notice thereof, or in a city-owned parking lot when signs are erected in the parking lot giving notice of the parking time limit.

C.D. Parking time limits for streets and city-owned lots, as well as permit-only parking restrictions in the city-owned parking lots identified in YMC 9.50.215, shall be in force between the hours of eight a.m. and ~~six-five~~ p.m., Monday through Friday, with the exception of the following holidays:

New Year's Day	January 1
Martin Luther King Jr. Birthday	3 rd Monday in January
Washington's Birthday	3 rd Monday in February
Memorial Day	Last Monday in May
Juneteenth	June 19 th
Independence Day	July 4 th
Labor Day	1 st Monday in September
Veterans' Day	November 11 th
Thanksgiving Day	4 th Thursday in November

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Christmas Day

December 25th

Section 2. Yakima Municipal Code Section 9.50.215: City-owned parking lots—Parking regulated, shall be amended to read:

9.50.215 City-owned parking lots—Parking regulated.

A. “City-owned parking lot” means each of the following city-owned public parking lots:

Lot 1: ~~East “A” Street~~Second Street parking lot—Lots 23 through 32, Block 50, the town of North Yakima (now city of Yakima). This parking lot is bounded on the west by North 2nd Street, and on the north by ~~East “A” Street~~Staff Sgt. Pendleton Way.

Lot 2: South 3rd Street parking lot—Lots 13 through 32, Block 51, of the town of North Yakima (now city of Yakima). This parking lot is bounded on the east by South 3rd Street, on the south by East Chestnut Avenue, and on the west by South 2nd Street.

Lot 4: North 1st Street and ~~East “A” Street~~Staff Sgt. Pendleton parking lot—Lots 23 through 27, Block 50, of the town of North Yakima (now city of Yakima). This parking lot is bounded on the north by ~~East “A” Street~~Staff Sgt. Pendleton Way and on the west by North 1st Street.

Lot 5: North 1st Street parking lot—Lots 13 through 19, Block 10, of the town of North Yakima (now city of Yakima). This parking lot is bounded on the east by North 1st Street.

Lot 6: South 2nd Street parking lot—Lots 8 and 9, Block 32. This parking lot is located at 112 South 2nd Street.

~~B.~~ **C.** The procedures for enforcing the parking prohibitions of this section shall be those procedures provided by Chapter 9.60 of the city code as applicable to parking violations; provided, that the chief of police or his agent is authorized to immediately impound or cause to be impounded any unauthorized vehicle parked in city-owned public parking lots described in subsection A of this section. The applicable provisions of Chapter 9.47 of the city code shall govern towing, storage, redemption, or other disposition of any vehicle impounded pursuant to this section. (Ord. 2023-036 § 1, 2023; Ord. 2014-022 § 10, 2014; Ord. 2012-047 § 2, 2012; Ord. 2010-42 § 1, 2010; Ord 2009-12 § 2, 2009; Ord. 2005-04 § 3, 2005; Ord. 2001-03 § 2, 2001; Ord. 99-6 § 2, 1999; Ord. 3298 § 2, 1990).

Section 3. Yakima Municipal Code Section 9.50.220: Long-term parking permits, shall be amended to read as follows:

9.50.220 Long-term parking permits.

A. Issuance of Permits. The issuance of permits to authorize long-term vehicular parking in parking lots owned by the city shall be administered by the city department of finance and budget according to the following rules and regulations:

1. Number—Existing Permits—Waiting List. The number of long-term permits to be issued for parking in any lot shall not exceed ~~sixty-fourty~~ sixty-fourty percent of the total parking spaces in ~~each respective lot~~the city-owned lots listed in YMC 9.50.215(A). ~~The provisions of this section shall be administered by the city department of finance and~~

~~budget.~~ Issuance of new long-term parking permits shall be ~~issued~~ on a first-come, first-served basis. ~~When the quota is filled for any one parking lot, the applicant will be given the opportunity to be issued a long-term parking permit for any available parking space in another city-owned parking lot.~~ ~~When quotas the available long-term permits~~ are filled, subsequent applications ~~for long-term parking permits~~ received ~~after the quota is filled~~ will be placed on file in the order received, a waiting list will be established, and permits will be issued as openings occur.

2. Eligibility—Location. Permits shall be issued only upon the written application of a resident residing within, or an owner, manager or employee of a business or governmental agency located within the area bounded by the following streets:

~~East Martin Luther King Jr. Boulevard~~ Staff Sgt. Pendleton Way on the north; Naches Avenue on the east; Walnut Street on the south; and First Street on the west.

Managers or employees of the Yakima Valley Regional Library whose primary place of employment is the downtown library branch are also eligible for a long-term permit.

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3. Residential Permits. No more than two long-term parking permits may be issued to the resident of each residential unit within the area described in subsection (A)(2) of this section. A "residential unit" ~~means a housing unit in which all persons reside as a single group, such as a family, whether a single or multiple dwelling has the same meaning as "dwelling unit" as found in YMC 15.02.020.~~ Application for residential permits shall be made pursuant to YMC 9.50.200.
4. Application—Form. Application for permits other than residential permits which use the application process outlined in 9.50.200, shall be made on forms furnished by the ~~office of the director~~ department of finance and budget. Said application forms shall require, at a minimum, the following information and documentation:
 - a. Name, address, and telephone number of the applicant;
 - b. Make, model, and year of the passenger motor vehicle or pickup truck, which vehicle shall not exceed fourteen thousand pounds in gross weight, which is registered to the applicant and for which the permit is sought.
 - ~~c. In the case of a resident applying for a permit, the names of those persons living in the same residential unit as the applicant;~~
 - ~~d.~~ c. A copy of the current vehicle registration;
 - ~~e.~~ d. A copy of the applicant's current driver's license;
 - ~~f.~~ e. A copy of the applicant's current proof of insurance in the form required by RCW 46.30.030;
 - f. A representation that the vehicle is operable and may be legally driven on the public highways of Washington State;
 - g. A sworn statement that the applicant meets the Eligibility requirements of subsection 2 above; and
 - ~~h. Such other information as the director of finance and budget or her/his designee may deem necessary in complying with the terms of this section.~~
5. Issuance of Permit—No Designation of Parking Space. Permits are for the use of all of the city-owned parking lots listed in YMC 9.50.215(A). There is no designated parking spot, stall, location or parking lot associated with a parking permit. ~~The~~

~~director of finance and budget or her/his designee has discretion to designate permitted parking by zone, assigned by stall number, or other method that clearly shows the location of permit parking. If designated by any method other than stall number, the~~The issuance of a permit does not reserve a designated parking space in ~~the any specific~~ parking lot and each applicant for a permit shall acknowledge in writing that no such space is reserved and that the issuance of a permit by the city does not guarantee the availability of a parking space at all times.

~~6. Permit Designated Parking Lot. Each permit shall have designated thereon the parking lot for which the permit is valid, and the attempted use of a permit for parking in a lot other than designate don the permit shall not afford the parking privileges which otherwise may be enjoyed by the permit holder.~~

~~7.6.~~ Term of Permit. Annual permits will be issued on an annual calendar basis, to expire on the last day of the of the month of December each year. Quarterly or semi-annual permits may also be issued, with the calendar quarters consisting of (a) January 1st through March 31st; (b) April 1st through June 30th; (c) July 1st through September 30th; and (d) October 1st through December 31st.

~~8.7.~~ Fee. The fee for a long-term parking permit shall be set forth in the city of Yakima master fee schedule as adopted via resolution by city council. ~~The permit fee to shall~~ be paid to the city at the time a new permit is issued, or at the time of making application for a renewal. The fee for a new permit to expire in less than one calendar year will be prorated ~~at the rate set forth in the city of Yakima master fee schedule as adopted via resolution by city council~~ for any full ~~or partial~~ calendar month remaining in the calendar year. No fee will be prorated for less than one full calendar month. Fees paid electronically by credit card or other means will be assessed a processing fee per transaction as set forth in the city of Yakima master fee schedule adopted via resolution by city council, or such other amount as incurred by the city.

~~9.8.~~ Renewal of Permits.

- A. Annual Permits. Permits previously issued may be renewed for the next succeeding year, upon submission of an updated application and payment of the renewal fee between December 15th and December 24⁵th of the year of expiration; applications for renewals will not be accepted prior to December 1st of the year of expiration.
- B. Quarterly or Semi-Annual Permits. Previously issued quarterly and semi-annual permits may be renewed for the next succeeding quarter or other term upon submission of an updated application and payment of the renewal fee between the fifteenth day of the month of expiration through the twenty-fifth day of the month of expiration; applications for renewal shall not be accepted prior to the first day of the month of expiration.

~~10. Applications by Mail. Applications by mail for renewal will not be accepted unless applicant has made prior arrangement therefor with the office of the director of finance and budget.~~

~~11.9.~~ Failure to Renew. Failure of a permit holder to apply for renewal within the renewal period specified by these rules may result in the loss of that permit to the next applicant ~~therefor~~ on the waiting list.

~~42.10.~~ Cancellation by Permit Holder. Permits will be cancelled ~~on the upon~~ application by the permit holder for such cancellation, and the unused permit fee will be refunded as prorated ~~at the rate set forth in the city of Yakima master fee schedule adopted by city council via resolution~~ per month for each full calendar month remaining in the period for which the permit was issued. No refund of the permit fee will be made for a partial calendar month.

~~43.11.~~ Permits Restricted. Permits shall not be issued to persons with outstanding city of Yakima parking violations.

~~44.12.~~ Rules and Regulations. The director of finance and budget or her/his designee is authorized to adopt such further rules and regulations, not inconsistent with rules and regulations of this section, as the director deems necessary or advisable to administer the permit system authorized and adopted by this section. Such further rules and regulations may include supplemental terms, conditions and timelines, for issuance and renewals of long-term parking permits on a quarterly and semi-annual calendar basis.

~~45. Parking Violation. It is a violation of this chapter to park in designated long-term parking without a valid permit.~~

B. A vehicle displaying a valid parking permit issued pursuant to this section may remain parked in ~~the parking lot area designated for permit parking specified on the permit a city-owned parking lot listed in YMC 9.50.215(A)~~ for a period of time not to exceed twenty-four consecutive hours; provided, however, that said time restriction shall not apply to long-term parking permits issued to residents under ~~this section section 9.50.200~~. The permit must be displayed within the parked vehicle in such a manner as to be plainly visible and legible from a point outside the vehicle near the driver's position. (Ord. 2023-036 § 1, 2023; 2022-040 §60, 2022; Ord. 2012-52 § 1 (Exh. A), 2012; Ord 2009-12 §3, 2009; Ord 2005-04 §4, 2005; Ord. 2004-02 § 1, 2004; Ord. 2003-39 §3, 2003; Ord. 99-6 §1, 1999; Ord. 3298 § 1, 1990; Ord. 2935 § 1, 1986; Ord. 2735 § 2 (part), 1983).

Section 4. Yakima Municipal Code Section 9.60.030: Penalties, shall be amended to read as follows:

9.60.030 Penalties.

Unless another penalty is specifically provided by ordinance of the city, every person convicted of a misdemeanor defined by this title or a violation of any provision of this title shall be punished by a fine of not more than five hundred dollars or by imprisonment in the city jail facility for not more than ninety days, or by both such fine and imprisonment. Further, for all violations of traffic infractions as defined by RCW 46.63.020 and prohibited by this chapter the monetary penalty for the commission thereof shall be as made and provide for under the provisions of RCW 46.63.110. The monetary penalties for infractions concerning parking time limit violations in the city shall be ~~fifty-twenty~~ dollars per violation. The monetary penalty for the following specific parking infractions shall be as follows:

VIOLATION:	YMC/RCW:	FINE:
In alley	9.50.010	\$50.00

(residential/business)		
More than 12" from curb	46.61.575	\$20.00
Right hand wheels parallel to and beyond 12" from the curb	46.61.575	\$20.00
Head-in parking only	9.50.130	\$20.00
City lots permits required	9.50.230	\$250.00
Motorcycles only	9.50.020	\$20.00
Bus zone	46.61.570	\$20.00
Taxi zone	46.61.570	\$20.00
Sidewalk/planting strip	46.61.570	\$20.00
Loading zone (people/merchandise)	46.61.570	\$20.00
Within 10 feet of mailbox	9.50.085	\$20.00
Blocking traffic	46.61.570	\$20.00
Driveway safety zone	46.61.570	\$20.00
Within 15 feet of a fire hydrant	46.61.570	\$20.00
Within 20 feet of a crosswalk	46.61.570	\$20.00
Handicap stall <u>Special parking privileges for persons with disabilities violations</u>	46.19.050	\$250.00*

* ~~Handicap stall~~ Special parking privileges for persons with disabilities violations carry an additional two hundred dollar Washington State imposed penalty for illegally parking in a handicap designated stall. (Ord. 2019-038 § 1, 2019; Ord. 2018-010 §2, 2018; Ord. 2005-79 § 1, 2005; Ord. 2735 § 2 (part), 1983).

Section 7. If any section, subsection, paragraph, sentence, clause or phrase of this ordinance is declared invalid or unconstitutional for any reason, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 8. 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 ____ day of _____, 2024.

Patricia Byers, Mayor

ATTEST:

Rosalinda Ibarra, City Clerk

Publication Date:

Effective Date: