

ORDINANCE NO. 1216

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO PARKING REGULATIONS; ADOPTING A NEW CHAPTER 10.06 OF THE GIG HARBOR MUNICIPAL CODE; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, street parking is limited in downtown Gig Harbor; and

WHEREAS, parking time limits will improve parking circulation by reducing longer-term parking and thereby increase parking turnover and availability; and

WHEREAS, two-hour parking is necessary to allow visitors and residents enough time to shop and dine without being required to move their vehicle; and

WHEREAS, 30-minute parking provides for more rapid turnover and availability of high demand street parking, especially near locations where brief shopping experiences are more frequent; and

WHEREAS, Section 308-330-270(5) of the Washington Administrative Code, adopted by the City under GHMC 10.04.005, authorizes the Gig Harbor City Council to regulate parking of vehicles at all times; and

WHEREAS, the Gig Harbor City Council desires to adopt parking regulations to accomplish the goals set forth above; Now, therefore,

THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, DO
ORDAIN AS FOLLOWS:

Section 1. New Chapter 10.06 - Adopted. A new chapter 10.06 of the Gig Harbor Municipal Code is adopted to read as follows:

Chapter 10.06 PARKING REGULATIONS

Sections:

- 10.06.010 Definitions
- 10.06.020 City engineer--authority
- 10.06.030 Parking prohibited at certain times
- 10.06.040 Restricted parking
- 10.06.050 Tire markings; reparking in same zone
- 10.06.060 Owner responsible
- 10.06.070 Violation--penalty

10.06.010 Definitions.

The following definitions are applicable in this chapter unless the context otherwise requires:

“Block” means the area comprised of properties along each side of a street between two intersections.

“Park” or “parking” means the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading property or passengers.

“Parking zone” means any continuous section on the same street or either side of the street having the same parking time restriction.

“Right-of-way” or “street” means any highway, avenue, lane, road, drive, place, boulevard, alley, right-of-way, way, sidewalk, planting or parking strip, shoulder and every way or place in the city of Gig Harbor open as a matter of right to public vehicular travel or parking or other similar public use.

“Vehicle” means every device capable of being moved upon a public roadway and in, upon, or by which any persons or property is or may be transported or drawn upon a public roadway, whether licensed or unlicensed, including boat trailer with or without a boat situated thereon and marine vehicle trailered or nontrailered.

10.06.020 City engineer--authority.

The city engineer shall, in a manner consistent with this chapter, locate and post, by official sign or marking upon the pavement or curb, restricted parking zones within the city rights-of-way where required to regulate parking. Such restrictions may include, but not be limited to, the prohibition of parking at all times, the prohibition of parking at certain times, the limitation of parking by durational limit, and such other restrictions as the city engineer may determine to be necessary to ensure the availability of safe and efficient parking.

10.06.030 Parking prohibited at certain times.

When official signs, markings or other devices are erected or placed upon any rights-of-way or any portion thereof regulating parking by vehicles, no person shall park a vehicle or cause a vehicle to remain on any rights-of-way in violation of such signs, markings or other devices.

10.06.040 Restricted parking.

A. 30-Minute Parking. The owner or operator of a vehicle shall not park such vehicle for a longer continuous time than 30 minutes of any day in areas described in subsection D below and identified with signs or markings upon the pavement or curb.

B. Two-Hour Parking. The owner or operator of a vehicle shall not park such vehicle for a longer continuous time than two hours of any day

in areas described in subsection D below and identified with signs or markings upon the pavement or curb.

C. The limitations in this section shall not relieve any person from the duty to observe more restrictive official signs prohibiting or limiting parking of vehicles in specified places or at specified times.

D. Restricted parking areas are as follows:

Thirty-Minute Parking			
Street	From	To	# Spaces
Pioneer Way	Harborview Drive	Judson Street	2
Harborview Drive	Rosedale Street	Pioneer Way	2
Harborview Drive	Dorotich Street	Rosedale Street	2
Harborview Drive	Pioneer Way	Soundview Drive	1
N. Harborview Drive	Burnham Drive	Peacock Hill Avenue	2

Two-Hour Parking (Except where thirty-minute parking is designated)		
Street	From	To
Harborview Drive	Soundview Drive	Dorotich Street
Pioneer Way	Harborview Drive	Judson Street
North Harborview Drive	Burnham Drive	Peacock Hill Avenue

10.06.050 Tire markings; reparking in same zone.

A. Obliterating Tire Markings. It is unlawful to conceal, obliterate, or erase markings on vehicle tires made by a parking enforcement officer or police officer for the purpose of recording parking time.

B. Where a time limit is established by official signs, no vehicle may be reparked on either side of the same street in the restricted time zone in order to extend the vehicle's parking time beyond the time limits established. For purposes of this section, a vehicle shall be deemed to be reparked and in violation of this section despite any movement of the vehicle unless the vehicle is moved to another street with a different street name than the street the vehicle was originally parked upon. It is no defense that the vehicle had been moved out of the zone for less than one hour before reparked in that zone.

10.06.060 Owner responsible.

A. Every person in whose name a vehicle is registered shall be responsible for any violation of this chapter caused by the parking of the vehicle in violation of this chapter.

B. It shall be no defense that the vehicle was parked illegally by another, unless proof is presented that the vehicle has been stolen and had not been returned to the registered owner by the date of the violation.

C. This section shall not apply to registered owners transferring vehicle ownership who have complied with RCW 46.52.140 prior to the date of the violation.

10.06.070 Violation--Penalty.

A. Unless otherwise designated, every person convicted of a violation of any provision of this chapter shall be guilty of a civil infraction and shall be subject to a monetary penalty in the amount of twenty-five dollars. Each act in violation of any of the provisions hereof shall be deemed a separate offense.

B. Any person who fails to respond or appear on any violation of any provision of the Gig Harbor Municipal Code set forth in this chapter shall be assessed a failure to respond or appear fee in the amount of twenty-five dollars as authorized under RCW 46.63.110(4).

Section 2. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 3. Effective Date. This ordinance shall take effect and be in full force and effect five days after passage and publication of an approved summary consisting of the title.

PASSED by the Council and approved by the Mayor of the City of Gig Harbor, this 11th day of July, 2011.

CITY OF GIG HARBOR

Mayor Charles L. Hunter

ATTEST/AUTHENTICATED:

Molly M. Towslee, City Clerk

APPROVED AS TO FORM:
Office of the City Attorney

Angela S. Belbeck

FILED WITH THE CITY CLERK: 06/22/11
PASSED BY THE CITY COUNCIL: 07/11/11
PUBLISHED: 07/20/11
EFFECTIVE DATE: 07/25/11
ORDINANCE NO: 1216