

Chapter 10.08

PARKING REGULATIONS

Sections:

- 10.08.010 Parking restrictions – Designation.
- 10.08.020 Parking prohibited in travel lane – Parking prohibited on designated streets – 3:00 a.m. to 7:00 a.m. in parking spaces.
- 10.08.030 Time limit zones.
- 10.08.035 Parking with animal in vehicle prohibited.
- 10.08.040 Parking payment device and municipal parking revenue.
- 10.08.050 Illegal use – Parking payment devices.
- 10.08.055 Illegal use – Parking permits.
- 10.08.060 Parking on any street prohibited certain hours during certain months.
- 10.08.070 Obstructing traffic or snow removal prohibited.
- 10.08.080 Obstructing alleys prohibited.
- 10.08.090 Parked more than 24 hours prohibited.
- 10.08.100 Long-term parking of recreational vehicles and trailers prohibited in the public right-of-way.
- 10.08.105 Recreational equipment storage restrictions on residential property.
- 10.08.110 No parking for certain purposes.
- 10.08.120 Parking prohibited on certain streets and municipal parking areas at certain times.
- 10.08.130 Electric vehicle charging stations – Generally.
- 10.08.140 On-street electric vehicle charging stations – Generally.
- 10.08.150 Electric vehicle charging parking stall – Prohibitions.
- 10.08.160 Sale of vehicles on city parking lots prohibited.
- 10.08.170 Parking more than 24 hours in city parking lots prohibited.
- 10.08.180 Violation – Civil infraction – Parking infraction – Authority.
- 10.08.190 Penalty schedule.
- 10.08.195 Overtime payment – Incorrect payment.
- 10.08.200 Failure to respond – Unlawful.
- 10.08.210 Blocking of vehicles/impoundment – Authority – Procedure.
- 10.08.220 Temporary parking lot.
- 10.08.230 Definitions.

Prior legislation: Ords. 498, 515, 570, 583, 591, 658, 707, 715, 752, 759, 784, 791, 821, 830, 835, 879, 941, 1000, 1026, 1137, 1144, 1199, 1230, 1256 and 1326.

10.08.010 Parking restrictions – Designation.

The city council by resolution may from time to time designate portions of streets of the city, property of the city, and city managed/administered property as prohibited parking areas, restricted parking zones, municipal parking, and/or parking payment device spaces. Such designation shall be shown by signage or other appropriate indicators. The same procedure may be followed in altering or abandoning a designation relating to parking. The city administrator or designee may designate temporary parking restrictions based on public safety and emergency response. [Ord. 1522 § 1 (Att. A), 2016; Ord. 1457 § 1 (Att. A), 2013; Ord. 1408 § 1 (Exh. A), 2012.]

10.08.020 Parking prohibited in travel lane – Parking prohibited on designated streets – 3:00 a.m. to 7:00 a.m. in parking spaces.

It is a violation and civil infraction to park or leave standing any vehicle in the travel lane of any street in the city. It is a violation and a civil infraction to park or leave standing any vehicle in a parking space on a street between the hours of 3:00 a.m. and 7:00 a.m. on any day of the week on streets within any commercially zoned districts. [Ord. 1522 § 1 (Att. A), 2016; Ord. 1457 § 1 (Att. A), 2013; Ord. 1408 § 1 (Exh. A), 2012.]

10.08.030 Time limit zones.

No person having control over a vehicle may park such vehicle beyond the time limit permitted by official signs. Where a time limit is established by official city signs, no person having control over a vehicle may repark that

vehicle on either side of the same street 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 a street with a different street name than the street the vehicle was originally parked upon. A violation of this section is a parking infraction. [Ord. 1522 § 1 (Att. A), 2016; Ord. 1457 § 1 (Att. A), 2013; Ord. 1408 § 1 (Exh. A), 2012.]

10.08.035 Parking with animal in vehicle prohibited.

A. It is a violation and civil infraction to park a vehicle and leave or confine an animal in any unattended motor vehicle under the following conditions:

1. When the outside air temperature is at least 65 degrees and less than 70 degrees Fahrenheit for a duration of 30 minutes.
2. When the outside air temperature is at least 71 degrees and less than 80 degrees Fahrenheit for a duration of 20 minutes.
3. When the outside air temperature is at least 81 degrees and less than 95 degrees Fahrenheit for a duration of 10 minutes.
4. At no time when the outside air temperature is 96 degrees and higher.
5. To park a vehicle for more than one hour in which vehicle is unheated with an animal confined in the vehicle at any time when the temperature is below 32 degrees.

B. It shall be unlawful to park and leave or confine an animal in any unattended motor vehicle if evidence of a life- or health-threatening situation includes, but is not limited to, excessive panting, rapid breathing, or difficulty breathing, drooling, thick saliva, bright red, purple, or pale gums, difficulty standing, apparent paralysis, shivering or trembling, decreased responsiveness, vomiting, diarrhea, excessive bleeding, seizures, and loss of consciousness. [Ord. 1531 § 2, 2016.]

10.08.040 Parking payment device and municipal parking revenue.

The fee required to be paid for municipal parking facilities and the payments required to be deposited in parking payment devices as provided by this code are levied and assessed as fees to cover the costs of installations, inspections, supervision, regulation and maintenance involved in the control of traffic and parking upon the streets and municipal property and the duly authorized agents of the city. The city administrator or his/her designee shall, from time to time, collect and deposit the same in a special fund for parking revenue. [Ord. 1522 § 1 (Att. A), 2016; Ord. 1457 § 1 (Att. A), 2013; Ord. 1425 § 1, 2012; Ord. 1408 § 1 (Exh. A), 2012.]

10.08.050 Illegal use – Parking payment devices.

It is a violation and a civil infraction for any person to tamper with or open any parking payment device, deposit or cause to be deposited in any parking payment device any slug, button, or any other device or substance as substitution for legal tender of the United States, or counterfeit or alter any parking pay station receipt. [Ord. 1522 § 1 (Att. A), 2016; Ord. 1457 § 1 (Att. A), 2013; Ord. 1408 § 1 (Exh. A), 2012.]

10.08.055 Illegal use – Parking permits.

It is a parking infraction to display upon any vehicle a parking permit at a time or place in a manner not consistent with the terms of such permit, and, in addition to any other penalty prescribed by the provisions of this chapter, such unlawful display shall be sufficient cause for revocation of such permit and fees incurred. As applicable, the vehicle owner will be billed the parking fee and overtime billing not to exceed a rate set by city council resolution as amended from time to time. [Ord. 1522 § 1 (Att. A), 2016; Ord. 1457 § 1 (Att. A), 2013.]

10.08.060 Parking on any street prohibited certain hours during certain months.

During the period between November 15th and March 14th, it shall be a violation and a civil infraction to park or leave standing any vehicle on any street or within two feet of the paved surface within the city between the hours of 3:00 a.m. and 7:00 a.m. [Ord. 1522 § 1 (Att. A), 2016; Ord. 1457 § 1 (Att. A), 2013; Ord. 1408 § 1 (Exh. A), 2012.]

10.08.070 Obstructing traffic or snow removal prohibited.

It is a violation and a civil infraction for any vehicle to be stopped, parked or left standing on any street within the city, which vehicle constitutes a menace, danger or obstruction to traffic or interferes with the city equipment in removing snow from the streets and alleys. Such vehicle may be immediately moved and impounded as provided in LMC 10.08.210. [Ord. 1522 § 1 (Att. A), 2016; Ord. 1457 § 1 (Att. A), 2013; Ord. 1408 § 1 (Exh. A), 2012.]

10.08.080 Obstructing alleys prohibited.

It is a violation and a civil infraction to leave any vehicle unattended in an alley in the city except for bona fide delivery vehicles which may stop for loading and unloading only, which loading and unloading shall be accomplished as quickly as reasonably possible, and which shall take no longer than 15 minutes under any circumstances. Non-delivery vehicles and delivery vehicles not in the process of loading and unloading which are obstructing an alley may be removed and impounded and placed in storage, either public or private, as may be designated by the Chelan County sheriff's and/or city police department and/or as designated by a city approved towing service. All charges for removing, impounding, and storing of such vehicle shall be paid by the registered owner, operator or other person having control of such vehicle before such person may take possession thereof. All such charges shall be a lien against the vehicle. Refuse collection vehicles and utility repair vehicles, while such vehicles are in operation, shall be exempted from the prohibitions of this section. [Ord. 1522 § 1 (Att. A), 2016; Ord. 1457 § 1 (Att. A), 2013; Ord. 1408 § 1 (Exh. A), 2012.]

10.08.090 Parked more than 24 hours prohibited.

It is a violation and a civil infraction for any vehicle which has been stalled, disabled or unable to move under its own power to remain on any street or alley within the city for more than 24 hours. The Chelan County sheriff and/or city police shall notify the registered owner, operator or other person having control of such vehicle to remove the same within six hours. All charges for removing, impounding, and storing of such vehicle shall be paid by the registered owner, operator or other person having control of such vehicle before such person may take possession thereof. All such charges shall be a lien against the vehicle. [Ord. 1522 § 1 (Att. A), 2016; Ord. 1457 § 1 (Att. A), 2013; Ord. 1408 § 1 (Exh. A), 2012.]

10.08.100 Long-term parking of recreational vehicles and trailers prohibited in the public right-of-way.

A. Except as provided herein, no recreational vehicle, travel trailer or trailer shall be parked for a continuous period in excess of 12 hours within the boundaries of any city right-of-way. No person shall move and repark a vehicle or trailer in order to avoid a parking time limit.

1. For the purposes of this section, the phrase "within the boundaries of any city right-of-way" is intended to include all of the right-of-way area regardless of whether the area is improved.
2. For the purpose of this section, the word "trailer" shall include boat trailer, house trailer, utility trailer, or any other vehicle or conveyance designed to be connected to and drawn by a motor vehicle.
3. For the purpose of this section, "recreational vehicle" means a vehicle or portable structure built on a chassis and designed to be used for temporary occupancy or travel, recreational or vacation use. Said vehicles may contain plumbing, heating and electrical systems which are operated without connection to outside utilities. Recreational vehicles shall include:
 - a. Travel Trailer. A vehicular, portable structure built on a chassis and drawn by a motorized vehicle and which is designed to be used as a temporary dwelling for travel, recreational and vacation uses;
 - b. Camper. A removable structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreational and vacation uses;
 - c. Motor Home. A portable, temporary dwelling to be used for travel, recreational and vacation use constructed as an integral part of a self-propelled vehicle;
 - d. Camping Trailer. A folding structure mounted on wheels and designed for travel, recreational and vacation uses.

B. No recreational vehicle or travel trailer may be used for overnight accommodation on a public right-of-way.

C. A violation of this section is a civil infraction. [Ord. 1522 § 1 (Att. A), 2016; Ord. 1457 § 1 (Att. A), 2013; Ord. 1408 § 1 (Exh. A), 2012.]

10.08.105 Recreational equipment storage restrictions on residential property.

A. The storage or retention of immobile major recreational vehicles and/or equipment or part thereof which is located in the front yard of a residence or residential property is declared a violation subject to abatement by removal and disposal.

B. For the purposes of this section, “immobile” means any major recreational vehicle which is not on and attached to an operable current and valid licensed trailer or other operational transportation device. For example, a motorized camper/trailer must be licensed and independently operational, a camper must be in the bed of an operational and licensed pick-up truck, and a boat must be on and attached to an operational and licensed trailer in such a manner that removal can be achieved with normal and customary retrieval. [Ord. 1522 § 1 (Att. A), 2016; Ord. 1457 § 1 (Att. A), 2013; Ord. 1456 § 1 (Att. A), 2013.]

10.08.110 No parking for certain purposes.

It is a violation and a civil infraction to park, place, or stand a vehicle upon any roadway, public right-of-way, publicly owned and operated parking facility, or other public property for the principal purpose of:

- A. Displaying such vehicle for sale or for advertising services for vehicles;
- B. Displaying personal property for sale or for advertising services for personal property;
- C. Greasing or repairing such vehicle except repairs necessitated by an emergency;
- D. Displaying advertisement or advertising;
- E. Displaying or selling merchandise from such vehicle.

In addition to other remedies which the city may pursue, a motor vehicle which is in violation of this section may be impounded. All charges for removing, impounding, and storing of such vehicle shall be paid by the registered owner, operator or other person having control of such vehicle before such person may take possession thereof. All such charges shall be a lien against the vehicle. [Ord. 1522 § 1 (Att. A), 2016; Ord. 1457 § 1 (Att. A), 2013; Ord. 1408 § 1 (Exh. A), 2012.]

10.08.120 Parking prohibited on certain streets and municipal parking areas at certain times.

Except where state law may impose another or stricter penalty, it is a violation and a civil infraction to park or stand a motor vehicle in violation of the following parking prohibitions:

A. Prohibited Parking Areas. On streets or in designated municipal parking areas where signs, pavement markings, ramps or curbs prohibit parking or standing. Violations of this subsection include, but are not limited to, parking or standing a motor vehicle where:

1. “No Parking” signs or other markings, such as yellow zone markings, indicate no parking at any time;
2. “Fire Lane” sign or yellow painted curb, which shall mean no parking due to use such as fire lane or delivery lane;
3. The vehicle blocks access to a fire hydrant whether painted or not;
4. Bus stop is designated. A bus stop may be designated by yellow curb paint or by a sign. If a bus stop is designated only by a sign, then parking is prohibited within 75 feet of such sign;
5. Unauthorized disabled parking;
6. Any portion of the vehicle is on the curb or the sidewalk;
7. Any portion of the vehicle blocks pedestrian access to a cross walk, whether marked or not;

8. Any portion of the vehicle blocks pedestrian access to a pedestrian ramp.

B. In a no parking area designated per LMC 10.08.010, Parking restrictions – Designation.

C. In a portion of a designated municipal parking area or off-street parking area which is not marked as a parking space.

D. In a parking space in a municipal parking area which requires a permit unless a parking permit allowing for such parking is displayed in a conspicuous place able to be seen from outside the vehicle.

Furthermore, a motor vehicle left standing or parked in violation of this section constitutes an immediate safety hazard to the users of the public right-of-way and the general public. Such vehicle may be impounded and removed from the area under the supervision and authority of any sheriff and/or police officer. All charges for removing, impounding, and storing of such vehicle shall be paid by the registered owner, operator or other person having control of such vehicle before such person may take possession thereof. All such charges shall be a lien against the vehicle. [Ord. 1522 § 1 (Att. A), 2016; Ord. 1457 § 1 (Att. A), 2013; Ord. 1408 § 1 (Exh. A), 2012.]

10.08.130 Electric vehicle charging stations – Generally.

A. Electric vehicle charging stations are reserved for parking and charging electric vehicles only.

B. Electric vehicles may be parked in any space designated for public parking, subject to the restrictions that would apply to any other vehicle that would park in that space. [Ord. 1522 § 1 (Att. A), 2016; Ord. 1457 § 1 (Att. A), 2013; Ord. 1408 § 1 (Exh. A), 2012; Ord. 1398 § 1 (Exh. A), 2011. Formerly 10.08.059.]

10.08.140 On-street electric vehicle charging stations – Generally.

A. Purpose. Curbside electric vehicle charging stations are reserved for charging electric vehicles.

B. Size. A standard size parking space may be used as an electric vehicle charging station.

C. Location and Design Criteria.

1. Where provided, parking for electric vehicle charging purposes is required to include the following:

a. Signage. Each charging station space shall be posted with signage indicating the space is only for electric vehicle charging purposes.

b. Maintenance. Charging station equipment shall be maintained in all respects, including the functioning of the charging equipment. A phone number or other contact information shall be provided on the charging station equipment for reporting when the equipment is not functioning or other problems are encountered.

c. Accessibility. Charging station equipment located within a sidewalk shall not interfere with accessibility requirements of WAC 51-50-005.

d. Clearance. Charging station equipment mounted on pedestals, light posts, bollards or other devices shall be a minimum of 24 inches clear from the face of curb, and shall not encroach within the traveled way (minimum of five feet sidewalk width).

e. Lighting. Where charging station equipment is installed, adequate site lighting shall exist, unless charging is for daytime purposes only.

f. Charging Station Equipment. Charging station outlets and connector devices shall be no less than 36 inches or no higher than 48 inches from the top of surface where mounted, and shall contain a retraction device and/or a place to hang permanent cords and connectors sufficiently above the ground or paved surface.

g. Charging Station Equipment Protection. When the electric vehicle charging station space is perpendicular or at an angle to curb face and charging equipment, adequate equipment protection such as

wheel stops or concrete-filled steel bollards shall be used. Appropriate signage indicating if backing in is allowed or not shall be posted.

2. Parking for electric vehicles should also consider the following:

- a. Notification. Information on the charging station identifying voltage and amperage levels and any time of use, fees, or safety information.
- b. Signage. Installation of directional signs at appropriate decision points to effectively guide motorists to the charging station space(s).
- c. Location. Placement of a single electric vehicle charging station is preferred at the beginning or end stall on a block face.

D. Data Collection. To allow for maintenance and notification, the city will require the owners of any private new electric vehicle infrastructure station that will be publicly available (see definition “electric vehicle charging station – public,” LMC 21.90.030) to provide information on the station’s geographic location, date of installation, equipment type and model, and owner contact information. [Ord. 1522 § 1 (Att. A), 2016; Ord. 1457 § 1 (Att. A), 2013; Ord. 1408 § 1 (Exh. A), 2012; Ord. 1398 § 1 (Exh. A), 2011. Formerly 10.08.053.]

10.08.150 Electric vehicle charging parking stall – Prohibitions.

Pursuant to this chapter, when a sign authorized provides notice that a space is a designated electric vehicle charging station, no person shall park or stand any non-electric vehicle in a designated electric vehicle charging station space. A violation is a civil infraction and any non-electric vehicle is subject to removal.

Pursuant to this chapter, it is a violation and a civil infraction for any electric vehicle to be in any designated electric vehicle charging station space and not electrically charging or parked beyond the days and hours designated on regulatory signs posted at or near the space. Such vehicle shall be subject to removal. For purposes of this section, “charging” means an electric vehicle is parked at an electric vehicle charging station and is connected to the charging station equipment.

Signs and marking shall be placed in and around electric vehicle charging station spaces, indicating prominently thereon the parking regulations. The signs shall define time limits and hours of operation, as applicable, shall state that the parking space is reserved for charging electric vehicles and that an electric vehicle may only park in the space for charging purposes. Violators are subject to a fine and/or removal of their vehicle. [Ord. 1522 § 1 (Att. A), 2016; Ord. 1457 § 1 (Att. A), 2013; Ord. 1408 § 1 (Exh. A), 2012; Ord. 1398 § 1 (Exh. A), 2011. Formerly 10.08.054.]

10.08.160 Sale of vehicles on city parking lots prohibited.

A. It shall be unlawful to park or place any automobile, truck, recreational vehicle, trailer, boat, motorcycle, or any other type of vehicle or personal property advertising said property for sale on property owned, leased, managed, or maintained by the city, except traveled portions of the right-of-way.

B. In the event the owner of the vehicle or other property has not removed said property from the city parking lot within 24 hours after having received the notice of civil infraction and associated monetary penalty, the city may remove the unlawful vehicle or property and charge the owner of said property all costs of removal and storage. This charge will be in addition to any monetary penalty associated with the civil infraction. [Ord. 1522 § 1 (Att. A), 2016; Ord. 1457 § 1 (Att. A), 2013; Ord. 1408 § 1 (Exh. A), 2012.]

10.08.170 Parking more than 24 hours in city parking lots prohibited.

It shall be a parking infraction to park or place any automobile, truck, recreational vehicle, trailer, boat, motorcycle, bus or any other type of vehicle or personal property on property owned, leased, managed, or maintained by the city for more than 24 hours within any consecutive seven-day period. The 24-hour period shall be cumulatively calculated using all properties owned or leased by the city.

A. In order to avoid the parking of commercial buses and vans associated with rafting from parking in the downtown commercial core, the owners of buses and vans associated with river rafting may obtain a permit from the city

administrator to park vehicles on city property for up to 90 days between May and August. Vehicle owners must show proof of vehicle insurance prior to being issued a permit.

B. Commercial vehicles may be stored in certain city parking lots during months when weight restrictions on city roads prevent these vehicles from traveling and parking in residential areas.

C. In the event the owner of the vehicle or other property has not removed said property from city parking within 24 hours after having received the notice of civil infraction noting this chapter and associated monetary penalty, the city may remove the unlawful vehicle or property and charge the owner of said property all costs of removal and storage. This charge will be in addition to any monetary penalty associated with the civil infraction.

D. Within designated lots (Lot No. 3 – Festhalle), overnight parking may be allowed with issuance of a city permit.

1. The granting of any overnight parking permit shall not constitute any assurance that parking space is available to the permit holder. Vehicles may be parked only within designated parking lot.
2. Upon completion of the application and payment of the appropriate fee, the city clerk shall issue to the applicant an overnight parking permit. The permit shall be displayed on the inside window visible from the outside of the vehicle for which such permit applies.
3. This section shall have no application to those zones or areas in which the stopping, parking or standing of all vehicles is prohibited, bus zones, bike or fire lanes, disabled zones, or areas where signs prohibit such parking.
4. In no event shall vehicles obstruct or hinder vehicular or pedestrian travel.
5. Upon issuance of the overnight parking permit, the permittee agrees that the city is not responsible for damage of vehicle or theft of personal property.

E. Violations of this section shall be a parking infraction. [Ord. 1522 § 1 (Att. A), 2016; Ord. 1457 § 1 (Att. A), 2013; Ord. 1408 § 1 (Exh. A), 2012.]

10.08.180 Violation – Civil infraction – Parking infraction – Authority.

A. Except where the violation is a violation of state law and state law provides for another sanction, and except where this chapter specifically states that the violation is something other than a parking infraction, any person who owns, operates, or controls a vehicle which is found to be in violation of any of the provisions of this chapter is guilty of a parking infraction and shall pay a monetary penalty in the amount of a rate set by city council resolution and as amended from time to time. For purposes of enforcement of a parking infraction, the authorized enforcement officer shall cite the person found to be in violation as follows: “Parking Infraction – Illegal Parking – Chapter 10.08 L.M.C.”

B. The city hereby grants authority for the city police or Chelan County sheriff’s office under contract for police services or city animal control officer or contracted parking enforcement service or contracted animal control service – in relation to animals in vehicles – to issue infractions to enforce this chapter. The city administrator is hereby authorized to designate other persons to issue infractions to enforce this chapter. [Ord. 1531 § 3, 2016; Ord. 1522 § 1 (Att. A), 2016; Ord. 1457 § 1 (Att. A), 2013; Ord. 1408 § 1 (Exh. A), 2012.]

10.08.190 Penalty schedule.

The penalty for a “parking infraction” shall be a rate set by city council resolution and as amended from time to time. Such infractions shall not be referred to the district court, but shall be payable to the clerk of the city of Leavenworth. Unpaid parking infractions shall be referred to collection as determined by the city administrator or his/her designee. For other violations of this chapter that are not parking infractions but designated a civil infraction, the penalty for the civil infraction will be as stated within the section establishing the civil infraction. If the section establishing the civil infraction does not set the penalty then the district court shall set the monetary penalty consistent with the Infraction Rules for Courts of Limited Jurisdiction, and if said rules do not establish a monetary penalty, the monetary penalty for the civil infraction shall be the penalty stated within Chapter 10.12 LMC. [Ord. 1522 § 1 (Att. A), 2016; Ord. 1457 § 1 (Att. A), 2013; Ord. 1408 § 1 (Exh. A), 2012.]

10.08.195 Overtime payment – Incorrect payment.

Payment for parking is due in accordance with posted rates upon parking. Unpaid or incorrect payment will be billed to the registered owner of the vehicle. A failure to pay the bill for a parking infraction by the date stated will result in the registered vehicle owner being charged an additional fee at a rate set by city council resolution as amended from time to time. Vehicles parked in violation of this chapter may be blocked, booted, or impounded and removed from the area under the supervision and authority of any sheriff and/or police officer, and/or city official. All charges for blocking, booting, removing, impounding, and storing of such vehicle shall be paid by the registered owner, operator or other person having control of such vehicle before such person may take possession thereof. All such charges shall be a lien against the vehicle. [Ord. 1522 § 1 (Att. A), 2016; Ord. 1457 § 1 (Att. A), 2013.]

10.08.200 Failure to respond – Unlawful.

It is unlawful for a person who has been issued a parking or civil infraction relating to parking, standing, stopping, or pedestrian infractions, defined by city ordinance, to fail to respond in the manner directed on the notice of infraction. Unless otherwise specified by state law or city ordinance, the penalty for such failure to respond shall be separate infraction subject to a penalty of \$25.00. This penalty is in addition to penalties imposed for the underlying infraction. [Ord. 1522 § 1 (Att. A), 2016; Ord. 1457 § 1 (Att. A), 2013; Ord. 1408 § 1 (Exh. A), 2012.]

10.08.210 Blocking of vehicles/impoundment – Authority – Procedure.

In addition to the other penalties provided herein, the Chelan County sheriff and/or police department or other designated city staff with appropriate commission are authorized and empowered to block, boot, remove and impound any such vehicle which is found to be in violation of any of the provisions of this chapter, either by governmental or private equipment. If impounded, any such vehicle shall be placed in storage, either public or private, as may be designated by the Chelan County sheriff and/or police department and/or as designated by a city approved towing service. All charges for blocking, booting, removing, impounding and storing of such vehicle shall be paid by the registered owner, operator or other person having control of the vehicle before the person may take possession thereof. All such charges shall be a lien against the vehicle. [Ord. 1522 § 1 (Att. A), 2016; Ord. 1457 § 1 (Att. A), 2013; Ord. 1408 § 1 (Exh. A), 2012.]

10.08.220 Temporary parking lot.

This section shall be applicable to commercial districts with vacant lots. At no time does this section prevail with new development, additions, and/or change of use for new or existing development.

A. License – Required.

1. A temporary parking lot shall require a special use permit. The city administrator or his/her designee shall be responsible for determining compliance of a temporary parking lot. The temporary parking lot must be compatible in design with parking standards unless specified otherwise herein. The temporary parking lot must be maintained. Temporary parking lots installed pursuant to this section do not have vested status and cannot become permanent installations.
2. An applicant for a temporary parking lot special use permit must hold a current and valid city of Leavenworth business license.
3. The city administrator or his/her designee shall have the right, but not the obligation, to inspect temporary parking lots for the purpose of ascertaining and causing to be corrected any unsafe or unsanitary condition or other violation of this section.
4. The city may terminate any license or special use permit granted in the event the city council modifies by ordinance this chapter. In such event, any pre-paid license or permit fee shall be refunded on a pro rata basis.
5. An applicant for a temporary parking lot special use permit under this chapter must submit:
 - a. Proof of ownership/authorization of use of the property.
 - b. The name and address of the owner.

c. Plans for parking shall be submitted to the city for approval. All plans shall be clearly dimensioned to indicate adequate space for parking maneuvers, ingress and egress to and from public right-of-way. The plans shall also contain all required details as required by this section.

B. Temporary Parking Lot Location, Fees and Timelines. Issuance of a temporary parking lot special use permit shall be subject to the following:

1. The temporary parking lot shall be located in the commercial districts on vacant lots.
2. The special use permit issued shall be effective for the period of one year from the date of issuance and the fee per license shall be the sum of \$50.00 for the one-year period. Such license shall not be transferable.
3. No special use permit shall be issued by the city administrator or his/her designee until the applicant has paid the required fee for the current year and unless the applicant has complied with all the standards within this section.
4. The special use permit fee shall be due and payable on the first day of July on each year. Payment of the annual license fee provided herein shall be subject to penalties per the city's fee schedule if paid on or after July 31st of each year.
5. Each special use permit so issued shall continue in force for the period of one year from the date of issue unless revoked or the rights hereunder suspended as herein set forth.
6. As determined by the city administrator, upon the construction of permanent parking which addresses the parking needs of the city, continued issuance of special use permitting and/or establishment of new temporary parking lots will end.
7. The city administrator or his/her designee may permanently revoke any special use permit, or suspend the same for good cause shown, subject to the right of appeal to the hearing examiner, to be prosecuted by filing a notice with the hearing examiner within 10 days thereafter. The hearing examiner will appoint a day for hearing the appeal, giving appellant at least three days' prior notice in writing thereof. The term "good cause," as used herein, means proof of failure to comply with the terms of this section or other ordinances or laws pertaining to all parking lots.
8. Neither the city nor its employees shall be liable for any claim, loss, injury, or damage to persons or property of whatever kind or nature caused in whole or in part by or arising directly or indirectly out of the issuance of any special use permit hereunder, or the conduct or operation of any such temporary parking lot.

C. In determining compliance, the city administrator or his/her designee shall apply the following required provisions:

1. At no time does this section prevail with new development, additions, and/or change of use for new or existing development.
2. The temporary parking lot shall be gravel, except, alternative materials, as allowed by the city administrator. Examples of alternative materials may include maintained grass, grasscrete, or similar materials that do not create dust and/or erosion.
3. The temporary parking lot shall be bounded by a solid material to prevent gravel from spilling out of the temporary parking lot area.
4. The parking area shall be marked to delineate parking stalls, traffic flow and aisles.
5. As determined by the city administrator, wheel stops may be required.
6. As determined by the city administrator, portable sanitation ("porta-cans") may be allowed.
7. Maintenance of the parking area shall control dust, erosion, weeds, and trash/litter.

8. No backing movement shall be allowed onto city streets and/or alleys.
9. The applicant shall demonstrate safe pedestrian routes within the lot and connecting to public sidewalks and/or pedestrian trails/paths.
10. As determined by the city administrator, improvements for access may be required. Separate permits for construction within public rights-of-way shall be obtained prior to construction.
11. Primary access shall be gained by a city street; and secondary access to allow for through traffic may be gained by alley upon approval by the city administrator. Sole access via alleys shall not be allowed.
12. Parking lot signs shall be allowed; provided, that:
 - a. When located within the commercial districts and visible to the public, such signs are compliant with the Old World Bavarian Alpine theme;
 - b. One portable entrance sign shall be allowed and meet the design provided by the city;
 - c. Internal signs shall not (i) exceed four square feet in area; (ii) are limited to a maximum of one per five parking stalls; and (iii) be compliant with Chapter 46.55 RCW and/or state the rules for parking in the lot; and
 - d. Prohibited signs per LMC 14.10.040 shall not be allowed.

D. The temporary parking lot shall be exempt from the following:

1. Conditional use permitting.
2. Paved, concrete or other similar surfaces.
3. Lighting.
4. Parking stall dimension.
5. Stormwater control.
6. Landscaping.
7. Frontage improvements (street, landscaping, sidewalk, curb and/or gutter), except for safe pedestrian access.

E. The following are prohibited:

1. Encampments and/or overnight camping (overnight parking is allowed).
2. Any use which is not a parking lot.
3. Automobile, boat, truck, trailer, or similar vehicle sales, service, display, or rental.
4. Automobile or other vehicle repair.
5. Auto towing business including secured storage of vehicles.
6. Structures, excepting pay boxes.

F. Penalties. It is a civil infraction for any person to violate or fail to comply with any of the provisions of this chapter and the violator shall pay a civil penalty of \$250.00 for each violation. Each day a violation exists shall be considered a separate civil infraction. In addition, and as determined by the city administrator, the temporary parking lot special use permit may be revoked upon 24-hour notice by the city. [Ord. 1567 § 1 (Att. A), 2018.]

10.08.230 Definitions.

“Municipal/city parking” is parking or standing of motor vehicles on property owned, leased or operated by the city.

“Paid parking” is parking or standing of motor vehicles on property requiring the depositing of currency in a coin-box or compliance with pavement designations for the privilege to park at that location and is subject to restrictions as enacted by the city.

“Parking pay station” means any electronic device placed or erected adjacent to a parking space which, after deposit of money or use of a credit or other payment card, dispenses a proof of payment receipt to be displayed on the vehicle.

“Parking payment device” means any device used to aid in management and control of the parking of vehicles on city streets or other rights-of-way, including pay stations.

“Parking space” means an area duly designated for the parking of a single vehicle by appropriate signage or markings on the pavement and/or the curb. [Ord. 1567 § 2, 2018; Ord. 1522 § 1 (Att. A), 2016; Ord. 1457 § 1 (Att. A), 2013; Ord. 1408 § 1 (Exh. A), 2012. Formerly 10.08.220.]

Chapter 10.12

PARKING VIOLATIONS

Sections:

- 10.12.010 Notice – Records.
- 10.12.020 Violation – Penalty.
- 10.12.030 Hearing – Mitigation hearing.

10.12.010 Notice – Records.

It shall be the duty of the city clerk-treasurer to keep account of the violations of Chapter 10.08 LMC.

A. The Chelan County sheriff or sheriff designee and/or city administrator or designee shall keep an account of and report to the city clerk-treasurer the name of the violator, if known, the license number of the vehicle, together with the model and make thereof, the nature and date and hour of the violation, and any other facts, a knowledge of which is necessary to a thorough understanding of the circumstances attending each violation.

B. The Chelan County sheriff or sheriff designee and/or city administrator or designee shall attach to such vehicle a notice stating that it has been parked in violation of the parking regulations and instructing the owner or operator to report to the city clerk-treasurer at the City Hall in regard to such violation. [Ord. 1457 § 1 (Att. A), 2013; Ord. 1197 § 1, 2003; Ord. 490 § 1, 1967; Ord. 387 § 2, 1954.]

10.12.020 Violation – Penalty.

The penalty for violation of Chapter 10.08 LMC shall be as follows:

A. If the violation is designated a parking infraction the penalty shall be at a rate set by city council resolution as amended from time to time for each infraction;

B. Unauthorized disabled zone parking: \$250.00 or the state penalty for each infraction; and

C. If the violation is designated a civil infraction, the civil penalty for violation of any provisions of this chapter shall be \$25.00 on the first offense, \$50.00 on the second offense and \$100.00 on the third offense. [Ord. 1457 § 1 (Att. A), 2013; Ord. 1197 § 2, 2003; Ord. 1026 § 6, 1996; Ord. 387 § 3, 1954.]

10.12.030 Hearing – Mitigation hearing.

A. Civil Infractions. All civil infractions shall be filed with the district court for Chelan County. All hearings to contest the civil infraction or to seek mitigation shall occur in accordance with the rules for limited jurisdiction court infractions (IRLJ).

B. Parking Infractions. All payments for parking infractions shall be paid to the clerk for the city of Leavenworth. If a party shall wish to contest a parking infraction or to seek mitigation, the party shall request a hearing or a mitigation hearing on such form as the clerk for the city shall prescribe. All hearings shall be conducted by telephone and be heard by the mayor or his/her designee. The decision of the mayor or his/her designee shall be final. [Ord. 1457 § 1 (Att. A), 2013.]

Chapter 10.14

PARKING OF RECREATIONAL VEHICLES – CAMPING

Sections:

- 10.14.010 Purpose of provisions – Definitions.
- 10.14.020 Overnight parking of RVs prohibited.
- 10.14.030 Temporary RV parking area – Permit required.
- 10.14.040 Temporary RV parking area – Standards.
- 10.14.050 No outdoor camping permitted.
- 10.14.060 Violation – Penalties.

10.14.010 Purpose of provisions – Definitions.

The unregulated allowance of overnight parking of recreational vehicles on streets, vacant lots, open areas and private property in the city has the potential to create substantial health, safety, economic and quality of life problems. This chapter establishes standards, procedures and restrictions intended to control overnight parking of RVs and camping during tourist periods, special events and throughout the year.

- A. “Recreational vehicle (RV),” for the purpose of this chapter, is any motor home, vacation trailer, camping trailer, camper, conversion or van, capable of movement on a roadway which will afford a degree of shelter for humans.
- B. “Camping” for the purpose of this chapter is sleeping outdoors in the open, in a tent, or in other similar temporary shelter. [Ord. 1457 § 1 (Att. A), 2013; Ord. 886 § 1, 1991.]

10.14.020 Overnight parking of RVs prohibited.

The parking of recreational vehicles on any street, including any portion of a dedicated right-of-way within the city limits of Leavenworth, for the purpose of occupancy, camping or sleeping is prohibited. [Ord. 1457 § 1 (Att. A), 2013; Ord. 886 § 2, 1991.]

10.14.030 Temporary RV parking area – Permit required.

Any person or group that charges a fee to provide space for occasional, temporary overnight parking of an RV during tourist visitation or special events periods must obtain a permit approved by the city council. A separate permit shall be required for each individual or sponsoring group for each festival or special event when overnight RV parking will occur. A fee of \$100.00 shall be charged for each occasional temporary overnight permit. The duration of a permit shall be set by the city administrative office but shall not exceed seven days, after which the permit must be renewed, and only three renewals will be granted in a calendar year to a specific location. [Ord. 1457 § 1 (Att. A), 2013; Ord. 886 § 3, 1991.]

10.14.040 Temporary RV parking area – Standards.

The following standards shall apply to any temporary RV parking areas approved under a permit by the city council:

- A. No temporary RV parking areas shall be allowed in the residential districts.
- B. No more than 20 RVs may be allowed on a single property.
- C. There shall be a minimum of five feet on each side of the vehicle and five feet at the rear of all units.
- D. Prior to approval, the applicant shall obtain approval from the fire district regarding access and other emergency service needs.
- E. An internal driveway with a minimum driveable width of 16 feet shall provide direct access to each RV parking space. Any and all surfacing shall comply with applicable stormwater and erosion control rules and regulations. For the purposes of this section “drivable” means a graveled or similar surface for dust and erosion control.
- F. The permittee shall provide portable chemical toilets in the ratio of at least one for every 20 temporary RV spaces. If deemed necessary by the city council, an increased number may be required at the time of the permit

approval. At least one portable chemical toilet shall be required for each permit issued. Portable toilets shall be serviced at intervals sufficient to prevent spillages, nuisances, or health hazards.

G. Garbage dumpsters shall be provided in the ratio of at least one for every 20 temporary RV spaces. If deemed necessary by the city council, an increased number may be required at the time of permit approval. At least one dumpster shall be required for each permit.

H. Disposal of “grey water” onto or into catch basins or sewer manholes is prohibited. Recreational vehicles must discharge grey water into self-contained holding tanks or into portable, sealable holding tanks.

I. The city council is authorized to attach any additional requirements to the issuances of a permit which it may deem necessary for the maintenance of health, safety, or general welfare, or to assure adherence to the provisions of this chapter. The permits will comply with all health and fire regulations. [Ord. 1457 § 1 (Att. A), 2013; Ord. 886 § 4, 1991.]

10.14.050 No outdoor camping permitted.

Outdoor camping within Leavenworth’s public parks, rights-of-way, and other city-owned property is not permitted without a permit. Camping fee and a temporary permit with fees are required and sanitary and garbage facilities must be available for groups of outdoor campers. The fee for an outdoor camping permit shall be the same as for temporary RV parking areas and shall meet the same conditions as a temporary RV parking area permit. [Ord. 1457 § 1 (Att. A), 2013; Ord. 886 § 5, 1991.]

10.14.060 Violation – Penalties.

Violation of this chapter is a civil infraction and shall be punishable by penalty of not greater than \$500.00 per day for each day the violation occurs. The city may also exercise civil remedies to enjoin any violation of this chapter and in the event the city is a prevailing party in such action the nonprevailing party shall be required to pay the city’s costs and reasonable attorney fees. [Ord. 1457 § 1 (Att. A), 2013; Ord. 886 § 6, 1991.]