

Chapter 10.23

SNOW EMERGENCY REGULATIONS

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10.23.010 Title for citation.

This chapter shall be known and may be cited as the “snow emergency ordinance of the city of Walla Walla.” (Ord. 95-20 § 1(part), 1995).

10.23.020 Definitions.

The following definitions shall apply in the interpretation and enforcement of this chapter:

- A. “Director” means the public works director or designee.
- B. “Roadway” means that portion of a street or highway improved, designed or ordinarily used for vehicular travel, exclusive of the berm or shoulder.
- C. “Street” or “highway” means the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular traffic. (Ord. 95-20 § 1(part), 1995).

10.23.030 Parking prohibited when – Duration.

A. Whenever the director finds, on the basis of falling snow, sleet or freezing rain, or on the basis of a forecast by the U.S. Weather Bureau of snow, sleet or freezing rain that weather conditions will make it necessary that parking on city streets be prohibited or restricted for snow plowing and other purposes, the director shall put into effect a parking prohibition on parts of or all streets as necessary by declaring such prohibition in a manner prescribed by this chapter.

B. Once in effect, a prohibition under this section shall remain in effect until terminated by announcement of the director in accordance with this chapter, except that any street area which has become substantially clear of snow and ice from curb to curb for the length of the entire block shall be automatically excluded therefrom. While the prohibition is in effect, no person shall park or allow to remain parked any vehicle on any portion of a street to which it applies. However, nothing in this section shall be construed to permit parking at any time or place where it is forbidden by any other provision of law. (Ord. 95-20 § 1(part), 1995).

10.23.040 Stalled motor vehicle – Prohibited when.

A. No person operating a motor vehicle on a street on which there is a covering of snow, sleet or ice shall allow such vehicle to become stalled wholly or partly because the drive wheels thereof are not equipped with effective traction devices, or because the motor fuel is exhausted or the battery has become inoperative. (Ord. 95-20 § 1(part), 1995).

10.23.050 Stalled motor vehicle – Leaving in roadway prohibited – Towing required.

Whenever a vehicle becomes stalled for any reason, whether or not in violation of this chapter, on any part of a street on which there is a covering of snow, sleet or ice or on which there is a parking prohibition in effect, the

person operating such vehicle shall take immediate action to have the vehicle towed or pushed off the roadway of such street either into the first cross-street upon which there is no parking prohibition in effect or onto the public space portion of a nearby driveway. No person shall abandon or leave a vehicle in the roadway of a street (regardless of whether the person indicates, by raising the hood or otherwise, that the vehicle is stalled), except for the purpose of securing assistance during the actual time necessary to go to a nearby telephone or to a nearby garage, gasoline station or other place of assistance and return without delay. (Ord. 95-20 § 1(part), 1995).

10.23.060 Parking prohibited when – Announcement of declaration required.

A. The director shall cause each declaration made pursuant to this chapter to be publicly announced by means of radio broadcast from all local stations with a normal operating range covering the city, and may cause such declaration to be further announced in newspapers of general circulation when feasible. Each announcement shall describe the action taken by the director including the time it became or will become effective, and shall specify the streets or areas affected. A parking prohibition declared by the director shall not go into effect until at least four hours after it has been announced.

B. The director shall make or cause to be made a record of each time and date when any declaration is announced to the public in accordance with this section. (Ord. 95-20 § 1(part), 1995).

10.23.070 Termination of parking prohibition.

Whenever the director shall find that some or all of the conditions which give rise to a parking prohibition in effect pursuant to this chapter no longer exist, the director may declare the prohibition terminated, in whole or in part, in the same manner prescribed by Section 10.23.060, effective immediately upon announcement. (Ord. 95-20 § 1(part), 1995).

10.23.080 Parked or stalled vehicles – Removal by police authorized when – Procedure required.

A. Members of the police department are authorized to remove or have removed a vehicle from a street to the nearest garage or other place of safety (including another place on a street), or to a garage designated or maintained by the police department, or otherwise maintained by this city, when:

1. The vehicle is parked on a part of a street on which a parking prohibition is in effect;
2. The vehicle is stalled on a part of a street on which there is a parking prohibition in effect and the person who was operating such vehicle does not appear to be removing it in accordance with the provisions of this chapter;
3. The vehicle is parked in violation of any parking ordinance or provision of law and is interfering or about to interfere with snow removal operations.

B. Whenever an officer removes or has removed a vehicle from a street as authorized in this section and the officer knows or is able to ascertain from the registration records in the vehicle the name and address of the owner thereof, such officer shall immediately give or cause to be given notice orally and/or in writing to such owner of the fact of such removal and the reasons therefor and of the place to which such vehicle has been removed. In the event any such vehicle is stored in a public garage, a copy of such notice shall be given to the proprietor of such garage.

C. No person shall recover any vehicle removed in accordance with this section except as provided herein. Before the owner or person in charge of such vehicle shall be allowed to recover it from the place where it has been placed or impounded, he or she shall present to a member of the police department evidence of his or her identity and right to possession of the vehicle, shall sign a receipt for its return, shall pay the cost of removal, and shall pay any cost of storage accrued for each day or portion thereof. Until paid, these charges constitute a lien on the vehicle which may be enforced in the same manner as a chattel lien in accordance with the provisions of Chapter 60.08 RCW.

D. It shall be the duty of the police department to keep a record of each vehicle removed in accordance with this section. The record shall include a description of the vehicle, its license number, the date and time of its removal, where it was removed from, its location, the name and address of its owner and the last operator, if known, its final disposition and the parking violation involved.

E. This section shall be supplemental to any other provisions of law granting members of the police department authority to remove vehicles. (Ord. 95-20 § 1(part), 1995).

10.23.090 Parked or stalled vehicles – Traffic citation issued when.

Whenever any motor vehicle without a driver is found parked or left in violation of any provision of this chapter, and is not removed and impounded as provided for in this chapter, the officer finding such vehicle shall take its registration number and any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to such vehicle a traffic citation, on a form provided by the traffic division of the police department, for the registered owner to answer to the charge against him or her within five days during the hours and at a place specified in the citation. (Ord. 95-20 § 1(part), 1995).

10.23.100 Warrant for arrest when – Notice required.

If a violator of this chapter does not appear in response to a traffic citation affixed to such motor vehicle in accordance with this chapter within a period of fifteen days, the clerk of the municipal court shall send the registered owner of the motor vehicle to which the traffic citation was affixed a letter informing him or her of the violation and warning him or her that in the event such letter is disregarded for a period of fifteen days a failure to appear notice will be issued. (Ord. 95-20 § 1(part), 1995).

10.23.110 Parked or stalled vehicles – Prima facie evidence of violation when.

In any prosecution with regard to a vehicle parked or left in a place or in a condition in violation of any provision of this chapter, proof that the particular vehicle described in the complaint was parked or left in violation of a provision of this chapter, together with proof that the defendant named in the complaint was at the time the registered owner of such vehicle, shall constitute a prima facie evidence that the defendant was the person who parked or left the vehicle in violation of this chapter. (Ord. 95-20 § 1(part), 1995).

10.23.120 Chapter takes precedence over conflicting provisions when.

Any provision of this chapter which becomes effective by declaration of the director or upon the occurrence of certain weather conditions shall, while temporarily in effect, take precedence over other conflicting provisions of law relating to traffic accidents, emergency travel of authorized emergency vehicles or emergency traffic directions by a police officer. (Ord. 95-20 § 1(part), 1995).

10.23.130 Violations – Penalty.

Every person convicted of a violation of any provision of this chapter shall be guilty of an infraction and punished as set forth in Section 1.24.010 of this code. (Ord. 95-20 § 1(part), 1995).