

ORDINANCE NO. 10610

AN ORDINANCE RELATING TO PARKING, AMENDING CERTAIN SECTIONS OF THE BELLINGHAM MUNICIPAL CODE.

WHEREAS, administration and management of City parking regulations is presently accomplished by various City departments; and,

WHEREAS, administration and management would be more effective if certain procedures were modified and activities consolidated; and,

WHEREAS, the Bellingham Downtown Parking Commission is required by Chapter 2.02 of the Bellingham Municipal Code, among other things, to recommend to the City Council measures which would make management of downtown parking more effective; and,

WHEREAS, the Parking Commission has carefully reviewed existing parking policies and procedures, has consulted with City staff regarding these, and has forwarded to the Council the specific ordinance changes herein, recommending their adoption; and,

WHEREAS, it is in the best interest of improving downtown parking management to make the modifications herein to the City parking system,

NOW, THEREFORE, THE CITY OF BELLINGHAM DOES ORDAIN as follows:

Section 1: Bellingham Municipal Code section 13.56.010(B) is deleted in its entirety and replaced with the following:

13.56.010 DEFINITIONS.

A. [Unchanged.]

B. "Parking management zone" means an area defined by geographical boundaries that include a portion or all of the Central Business District and some surrounding areas within which the Parking Systems Division administers the policies of the Downtown Parking Commission, as approved by the Mayor and City Council. This area is designated by a map entitled "Parking Management Zone - Exhibit "A" and is incorporated into this chapter.

C. [Unchanged.]

D. [Unchanged.]

Section 2: Bellingham Municipal Code section 13.56.020 is amended to read as follows:

13.56.020 PERMIT - REQUIRED.

Every owner of a parcel located in the parking management zone of the City, whose parcel is served by one or more commercial driveways, shall annually obtain a permit for each driveway from the city's Parking Systems Division Manager.

Section 3: Bellingham Municipal Code section 13.56.030 is amended to read as follows:

13.56.030 PERMIT - FEE.

For the use of commercial driveways in the parking management zone of the city, the Parking Systems Division Manager shall charge a permit fee as follows:

A. Each parcel shall be permitted one commercial driveway of not more than twenty feet in width without the payment of a fee if that driveway provides access to more than ten parking spaces.

B. In the case of all commercial driveways other than those described in subsection (A), above, the fee shall be set by the City Council, based on recommendations of the Downtown Parking Commission.

Section 4: Bellingham Municipal Code section 13.56.060 is amended to read as follows:

13.56.060 ABATEMENT OF ABANDONED COMMERCIAL DRIVEWAYS.

Any commercial driveway located in the parking management zone that has become abandoned or has fallen into disuse, or any commercial driveway in the parking management zone on which the annual fee is not paid to the Parking Systems Division by the thirty-first day of January of each year, shall be declared to be forfeited, and the city may, upon due notice to the owner of the property or properties served by such driveway, replace the driveway with curb and sidewalk.

Section 5: Bellingham Municipal Code section 13.56.070 is amended to read as follows:

13.56.070 ADMINISTRATION AND ENFORCEMENT.

The Parking Systems Division shall administer this chapter. Enforcement and issuance of citations shall be by regularly appointed inspectors or law enforcement officers of the following city departments:

- A. Department of Planning and Community Development;
- B. Department of Public Works;
- C. Any governmental agency having authority to enforce the building codes;

- D. Legal Department; and,
- E. Police Department and those deputized for this purpose.

Section 6: Bellingham Municipal Code section 11.33.090 is amended to read as follows:

11.33.090 CERTAIN TYPES OF FIRMS USING COMMERCIAL VEHICLES MAY OBTAIN MECHANIC'S VEHICLE PERMITS.

(1) Any person, firm or corporation engaged in the plumbing, electrical, construction, refrigeration, or repair business or trade and any other persons engaged in similar trades or businesses within the city limits, requiring the use of a motor vehicle or motor vehicles licensed as a truck or commercial vehicle by the State of Washington in connection with any work being performed by said person, firm, corporation, or any of their employees, may obtain a permit designated as a mechanic's vehicle permit, which permit shall be issued upon the approval of the Parking Systems Division Manager, shall be issued upon payment of a fee duly set by the City Council, and may be renewed annually.

(2) In addition to the requirement that the vehicle benefitted by said permit have a truck or commercial license, said motor vehicle shall also have a decal or lettering of a permanent nature identifying the person, firm, or corporation using said vehicle, prominently affixed to some portion of the exterior of said vehicle, provided that the latter requirement may be dispensed with in the case of an individual vehicle if a written waiver is first obtained from the Parking Systems Division Manager.

Section 7: Bellingham Municipal Code section 11.33.100 is amended to read as follows:

11.33.100 PERMIT TAGS OR SIGNS -- WHERE PARKING PERMITTED -- DISPLAY OF TAG -- VIOLATION AND PENALTY.

(1) Any person, firm or corporation who has been issued a permit pursuant to Section 11.33.090 shall be furnished a suitable card, tag, or other sign by the Parking Systems Division which card, tag, or sign shall signify that the person, firm, or corporation has been issued a mechanic's vehicle permit, the expiration date thereof, and such other information as the Parking Systems Division determines is appropriate. [Balance of subsection unchanged, relieving permittees from overtime parking violations.]

(2) A violation of the provisions of this section and Section 11.33.090 shall be considered a violation of the provisions of this title on stopping, standing, or parking; provided that use of the card, tag, or sign on a motor vehicle other than one complying with Section 11.33.090 shall be a misdemeanor, and, upon conviction, the violator shall be punished by a fine not to exceed five hundred dollars and in addition to said fine upon the first conviction of the latter violation, the card, tag,

or sign involved shall be surrendered to the Parking Systems Division and the subject permit shall be suspended for a period of thirty days. Upon a second or subsequent conviction of the latter offense within a two-year period, the period of suspension and surrender shall be for a period of ninety days.

Section 8: Bellingham Municipal Code section 11.33.190 is amended to read as follows:

11.33.190 SERVICE PARKING.

The Parking Systems Division Manager is authorized to issue a permit for service parking upon payment of the fee set by the City Council following recommendation by the Downtown Parking Commission and upon the following conditions:

(1) Application shall be made to the Parking Systems Division Manager on such forms as are prescribed. The applicant shall set forth the applicant's business and the necessity for such permit. The Parking Systems Division Manager shall investigate the facts as necessary.

(2) If it appears that a necessity exists, the Parking Systems Division Manager may authorize the issuance of such permit under the conditions prescribed in this section.

(3) Upon issuance of the permit, the permittee shall be issued a parking meter hood to be used in covering any "non-handicapped" parking meter. As many hoods may be issued upon payment of the prescribed fee as the Parking Systems Division Manager deems necessary or convenient for the applicant. The hood shall be provided with an identification card attached thereto.

(4) Upon entering any parking meter space available, the permittee shall place the hood over the parking meter and lock the same and shall indicate on the identification card the exact place where the commercial service work is being performed and the identity of the permittee using the hood.

(5) The permittee shall not place the hood over any meter when the space is occupied by another vehicle, and shall, before vacating the space at the conclusion of the work, remove the hood. The hood shall not be allowed to remain in place for over one hour when the space is not occupied by an authorized vehicle, nor shall it be allowed to remain in place after 6 p.m. on any weekday or on any Saturday, Sunday or holiday. It shall not be used during hours when parking or stopping in the parking meter space is prohibited. No vehicle licensed as a passenger car shall be parked in the space controlled by the hooded parking meter unless so authorized by the Parking Systems Division Manager on the face of the permit.

(6) The Parking Systems Division Manager may revoke any permit if the commercial service parking meter hood is used for any purpose other than that authorized in this section or for any violation of this chapter. Upon revocation, the hood shall immediately be returned to the Parking Systems Division and all fees paid shall be forfeited. Any misuse of a parking meter hood shall be reported to the Parking Systems Division.

(7) The permittee shall also pay a deposit in an amount prescribed by the Parking Systems Division Manager at the time of issuance of the hood which shall remain the property of the City of Bellingham. In case a hood becomes lost or destroyed or so defaced that it is no longer usable, the permittee shall forfeit such deposit.

Section 9: Bellingham Municipal Code section 13.12.020 is amended to add a new subsection (D) as follows:

13.12.020 APPLICATION FOR PERMIT -- FEE -- CONDITIONS.

- A. [Unchanged.]
- B. [Unchanged.]
- C. [Unchanged.]

D. If a street obstruction limits the use of a metered parking space for more than four hours, the applicant must have obtained a parking meter hood, in addition to a street obstruction permit, for each space the use of which is limited. Such parking meter hoods must be padlocked to the parking meter head prior to the start of any street obstruction work and are issued by the Parking Systems Division.

Section 10: Bellingham Municipal Code section 11.12.020 is amended to delete subsection (20) (installation of parking meters) in its entirety.

Section 11: Bellingham Municipal Code section 11.12.040 is amended to read as follows:

11.12.040 TRAFFIC SAFETY COMMISSION -- POWERS AND DUTIES.

(1) There is established a traffic safety commission to serve without compensation, consisting of the traffic engineer, the chief of police, or, in his discretion as his representative, the chief of the traffic division or other cognizant member of the police department, the Parking Systems Division Manager (on matters affecting the parking management zone) one representative each from the engineer's office and the attorney's office, and such number of other officers of the City and representatives of unofficial bodies as may be determined and appointed by the Mayor. The chairman of the commission shall be appointed by the Mayor.

Section 12: Bellingham Municipal Code section 11.36.070 is amended to read as follows:

11.36.070 PARKING METERS -- APPLICATION OF PROCEEDS.

(1) The coins required to be deposited in parking meters are levied and assessed as fees to cover the regulation and control of parking upon highways, the costs of parking meters, their installation, inspection, supervision, operation, repair, and maintenance, control and use of parking spaces, and regulating the parking of vehicles in the parking management

zone; and the costs of acquiring, establishing, improving, maintaining, and operating public off-street parking facilities.

(2) [unchanged.]

PASSED by the Council this 17th day of January, 1994.5

Gene Knott
Council President

APPROVED by me this 25th day of JANUARY, 1994.5

Jim Doyle
Mayor

ATTEST: Jimmie Carpenter
Finance Director

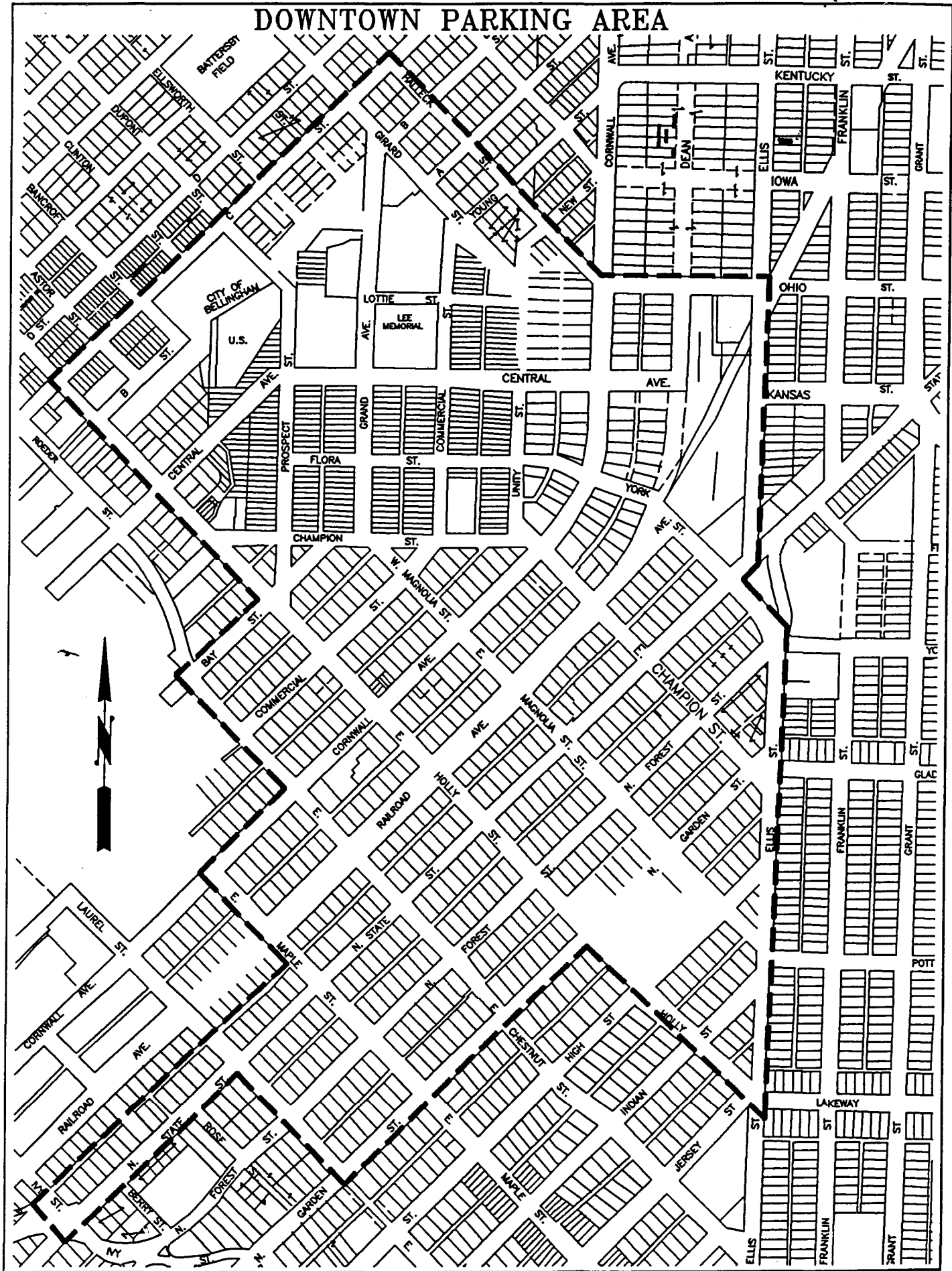
APPROVED AS TO FORM:

[Signature]
Office of the City Attorney

Published: 1/28/95

EXHIBIT "A"

DOWNTOWN PARKING AREA



CITY OF BELLINGHAM, WASHINGTON

ORDINANCE NUMBER:

10610

COUNCIL BILL NUMBER:

12035

AGENDA BILL NUMBER:

11693

AGENDA BILL INTRODUCED:

12/05/94

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