

ORDINANCE NO. 2002-09-064

**AN ORDINANCE AMENDING BELLINGHAM MUNICIPAL CODE SECTION 11.18.020 TO ALLOW TOWING DECISIONS TO BE MADE BY PARKING ENFORCEMENT PERSONNEL.**

**WHEREAS**, the City wishes to protect the health, welfare, and safety of its citizens and their property; and

**WHEREAS**, Bellingham Municipal Code Section 11.18.020 currently requires that towing decisions be made by a "Bellingham police officer", and

**WHEREAS**, the City's parking enforcement needs are primarily met by well-trained parking enforcement officers and senior volunteers, and

**WHEREAS**, requiring sworn police officers to make towing decisions that can more efficiently be made by parking enforcement officers and senior volunteers is an inefficient use of limited law enforcement resources that are needed elsewhere,

**NOW, THEREFORE, THE CITY OF BELLINGHAM DOES ORDAIN:**

**Section 1:** Section 11.18.020 of the Bellingham Municipal Code shall be amended to read as follows:

**11.18.020 - Impounds Authorized In Addition To Rcw 46.55.113**

In addition to the impound situations that are authorized pursuant to RCW 46.55.113, a Bellingham police officer or any person authorized in writing by the Chief of Police to enforce City parking ordinances may take custody of a vehicle and provide for its prompt removal to a place of safety under the following circumstances:

- A. When the vehicle is impeding or is likely to impede the normal flow of vehicular or pedestrian traffic; or
- B. When the vehicle is illegally occupying a truck, commercial load zone, bus, loading, taxi, or other similar zone where, by order of the Director of Engineering or Chiefs of Police or Fire, parking is limited to designated classes of vehicles or is prohibited during certain hours on designated days or at all times, and where such vehicle is interfering with the proper and intended use of such zones; or

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C. When a vehicle is parked in a public right-of-way or on publicly owned or controlled property in violation of any law, ordinance, or regulation and there are 4 or more parking infractions issued against the vehicle for each of which a person has failed to respond, failed to appear at a requested hearing, or failed to pay an adjudicated parking infraction for at least 45 days from the date of the filing of the notice of infraction.

PASSED by Council this 16TH day of SEPTEMBER, 2002.

Barbara L. ...  
Council President

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APPROVED by me this <sup>20<sup>th</sup></sup> day of Sept, 2002.

Mark Asch  
Mayor

ATTEST:

Therese Hale  
Finance Director

APPROVED AS TO FORM:

Jean Hrisington  
Office of the City Attorney

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