

**ORDINANCE NO. 014/2012**

AN ORDINANCE OF THE CITY OF MONROE, WASHINGTON, AMENDING CHAPTER 10.10 MONROE MUNICIPAL CODE PARKING REGULATIONS; PROVIDING STANDARDS AND PROCEDURES GOVERNING THE IMPOUNDMENT OF VEHICLES FOR CERTAIN PARKING INFRACTIONS; PROVIDING FOR SEVERABILITY; AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

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WHEREAS, the City of Monroe has adopted and codified regulations governing vehicle parking at Chapter 10.10 Monroe Municipal Code (MMC); and

WHEREAS, the City desires to amend said regulations for the purpose of authorizing the impoundment of vehicles unlawfully parked on public property where there are five or more outstanding parking infractions against the vehicle for each of which a person has failed to respond, appear at a requested hearing or pay; and

WHEREAS, the amendments set forth herein will serve the public interest by strengthening the City's parking enforcement efforts and facilitating the collection of unpaid infractions; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF MONROE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Amendment MMC 10.10.030. Section 10.10.030 of the Monroe Municipal Code is hereby amended to provide in its entirety as follows:

**10.10.030 Enforcement of parking regulations.**

A. The parking regulations set forth in this chapter shall be enforced by the chief of police or her/his designee(s).

B. Failure to perform any act required or the performance of any prohibited act by this chapter is designated as an infraction and shall not constitute a criminal offense.

C. The chief of police or her/his designee(s) has the authority to issue an infraction when the parking violation is committed in the officer's presence.

D. If any vehicle is found parked, or stopped in violation of this chapter, or otherwise violates the provisions of this chapter, the chief of police or her/his designee(s) finding the vehicle shall take its regulation number (license number) and may take any

other information displayed on the vehicle which may identify its user, and shall conspicuously affix to the vehicle a parking violation. A parking infraction represents a determination that a parking violation has been committed. The determination will be final unless contested as provided by the Revised Code of Washington, Court Rules and provided on the back of the infraction.

E. The chief of police or her/his designee(s) enforcing the parking regulation of the city shall, and are hereby authorized to, mark such vehicles parked from time to time to aid in the enforcement of this chapter. Such mark shall be in chalk upon the tires of said vehicle or by some other convenient method which does not damage the vehicle. It shall constitute a parking violation to interfere with, conceal, obliterate or erase any mark in violation of this section.

F. Whenever any vehicle or person is in violation of the provisions of this chapter, the department shall deliver a notice of parking infraction to the violator, or, in cases where a vehicle is found without a driver, shall conspicuously affix such notice to the vehicle. Such notice of parking infraction shall be on a form approved by the chief and shall indicate the charge, time of issuance, license number of the vehicle, identify the street upon which the violation occurred, and direct the violator to present the notice at the police department or such other location as may be designated and pay the specified fine or request a hearing as may be specified on the notice.

G. A separate violation of this chapter shall be deemed to have occurred when, after issuance of an infraction, eight or more consecutive hours pass and there has been no change in the status of the offending vehicle.

H. Impoundment. The chief of police or her/his designee(s) may take custody of a vehicle and provide for its prompt removal to a place of safety whenever: (i) a vehicle is parked in a public right-of-way or on other publicly owned or controlled property in violation of any law, ordinance or regulation, and (ii) there are five or more Monroe 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.

1. If a vehicle is impounded pursuant to subsection (H) of this section, then in addition to any applicable impoundment

and storage fees, the registered owner or his/her representative shall pay all outstanding fines for 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. Proof of payment shall be provided directly to the Monroe Traffic Violations Bureau prior to the vehicle being released by the impound facility to the registered owner.

2. When a vehicle is impounded pursuant to subsection (H) of this section, the impound facility shall not release the vehicle unless it has received authorization from the Monroe Traffic Violations Bureau. The impounded vehicle may not be redeemed without this authorization. All applicable RCW and/or WAC provisions governing the storage and disposal of impounded vehicles shall apply if the vehicle is not redeemed pursuant to the applicable timeline requirements for the towing company.

3. When a vehicle is impounded pursuant to subsection (H) of this section, the officer directing the impound shall notify the registered owner that the impounded vehicle may not be redeemed without authorization from the Monroe Traffic Violations Bureau. A diligent attempt to notify the registered owner shall be made within 24 hours at the address on the vehicle's registration if the address is within the City of Monroe. If the registered owner's address is outside the city limits, notification will be provided by certified mail.

Section 2. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or 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 be in full force and effect thirty (30) days from and after its passage and approval and publication as required by law.

PASSED by the City Council and APPROVED by the Mayor of the City of Monroe, at a regular meeting held this 19<sup>th</sup> day of June, 2012.

1<sup>st</sup> Reading: 6/5/12  
2<sup>nd</sup> Reading: 6/19/12  
Published: 6/26/12  
Effective: 7/26/12

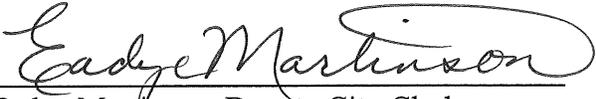
CITY OF MONROE, WASHINGTON:



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Robert Zimmerman, Mayor

ATTEST/AUTHENTICATED:

  
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Eadye Martinson, Deputy City Clerk

APPROVED AS TO FORM:

  
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J. Zachary Lell, City Attorney