ORDINANCE NO. 1963

AN ORDINANCE of the City of Kent, Washington, adopting the Kent Traffic Code; and repealing Ordinances 382, 475, 521, 523, 544, 554, 651, 813, 839, 848, 857, 861, 866, 882, 912, 936, 993, 1018, 1107, 1150, 1166, 1214, 1220, 1222, 1285, 1323, 1328, 1356, 1403, 1413, 1611, 1641, 1642, 1677, 1711 and 1824.

THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. PURPOSE. The purpose of this Ordinance is to adopt as the traffic code of the City of Kent those sections of Chapter 46.90 RCW, known as the Model Traffic Ordinance, which specifically apply to the City thus providing a uniformity of law with other jurisdictions and taking advantage of the automatic updating provision of Chapter 46.90 RCW. This Ordinance will also include provisions deemed necessary by the City Council which were not included in Chapter 46.90 RCW.

Section 2. SECTIONS ADOPTED BY REFERENCE.

(1) The City of Kent hereby adopts by reference, upon the filing of three copies with the City Clerk, the following sections of 46.90 RCW in their entirety:

46.90.010 Amendments to Chapter 46.90 RCW automatically included.

46.90.100 -.112 Definitions.
46.90.118 -.136 Definitions.
46.90.151 -.154 Definitions.
46.90.166 -.190 Definitions.
46.90.205 Public employees to obey traffic regulations.
46.90.220 Authority of police and fire department officials.
46.90.260 Traffic engineer.
46.90.265 Traffic engineer - Authority (except sub. 20 & 21)
46.90.270 Local authority - Authority
46.90.330 Authority to remove and impound vehicle on public property.
46.90.335 Owner of record presumed liable for costs when vehicle abandoned - exception.
46.90.340. Contract with registered disposer to dispose of vehicles and hulks - compliance required.
46.90.345. Stolen and abandoned vehicles - reports of notice - disposition.
46.90.350. Removal and storage of vehicle or hulk - lien - notices - contents.
46.90.355. Sale of unclaimed vehicle or hulk - procedure - proceeds - deficiency.
46.90.370. Abatement and removal of automobile hulks on private property - contents.
46.90.375. Disposition of abandoned junk motor vehicles. (Subsection (1) only)
46.90.400. Provisions of chapter refer to vehicles upon highway - exceptions.
46.90.409. Traffic control devices required - stopping, standing, and parking.
46.90.412. Crossing new pavement and markings.
46.90.418. Prohibited crossing.
46.90.424. U turn restrictions.
46.90.430. Obedience to angle-parking signs or markings.
46.90.433. Parking not to obstruct traffic.
46.90.436. Parking for certain purposes unlawful.
46.90.439. Standing in passenger loading zone.
46.90.442. Standing in loading zone.
46.90.445. Standing in tow-away zone.
46.90.457. Restricted use of bus stops and taxicab stands.
46.90.460. Right of way for parking.
46.90.466. Funeral processions.
46.90.469. When permits required for parades and processions.
46.90.472. Interfering with processions.
46.90.475. Boarding or alighting from vehicles.
46.90.478. Unlawful riding.
46.90.545. Obedience to traffic control devices - bicycles.
46.90.720. Citation on illegally parked vehicle.
46.90.730. Failure to comply with traffic citation attached to parked vehicle.
46.90.740. Presumption in reference to illegal parking.
(2) The City of Kent hereby adopts by reference, upon the filing of three copies with the City Clerk, the following portions of sections of Chapter 46.90 RCW:

46.90.300. The following sections of the Revised Code of Washington as now or hereafter amended are hereby adopted by reference as a part of this Ordinance in all respects as though such sections were set forth herein in full:

46.16.010. Licenses and plates required - Exceptions.
46.16.240. Attachment of plates to vehicle - violations enumerated.
46.16.260. License regulation certificate - Endorsement - Attachment to vehicle.
46.16.500. Liability of operator and/or owner for violations.
46.20.011. Definitions.
46.21.021. Driver's license required - Surrender of license held from another jurisdiction - Other license not required.
46.20.025. Persons exempt from licensing requirement.
46.20.041. Physically or mentally disabled persons - Procedure - Restrictions - Violations - Penalty.
46.20.190. License to be in immediate possession and displayed on demand.
46.20.308. Implied consent - Revocation, etc., for refusal to submit to chemical tests to determine alcoholic content of blood.
46.20.336. Violations - Penalty.
46.20.342. Driving while license suspended or revoked. (This section has jail time as part of penalty)
46.20.410. Penalty (violation of restriction of occupational driver's license)
46.20.420. Operation of motor vehicle prohibited while license is suspended or revoked.
46.20.430. Stopping of vehicle registered to person whose driver's license has been suspended or revoked authorized - Display of license.
46.20.500. Special endorsement for motorcycle operator's license.
46.32.060. Moving defective vehicle unlawful. Impounding authorized.
46.37.010. Scope and effect of regulation - General penalty.
46.37.020. When lighted lamps and signaling devices are required.
46.52.010. Duty on striking unattended car or other property.
46.52.020. Duty in case of injury to or death of person or damage to unattended vehicle.

46.90.406. The following sections of the Revised Code of Washington as now or hereafter amended are hereby adopted by reference as a part of this Ordinance in all respects as though such sections were set forth herein in full:

46.61.010. Required obedience to traffic laws.
46.61.015. Obedience to police officers and flagmen.
46.61.020. Refusal to give information to or cooperate with officer.
46.61.050. Obedience to and required traffic-control devices.
46.61.055. Traffic-control signal legend.
46.61.060. Pedestrian-control signals.
46.61.065. Flashing signals.

46.90.415. The following sections of the Revised Code of Washington as now or hereafter amended are hereby adopted by reference as a part of this Ordinance in all respects as though such sections were set forth herein in full:

46.61.100. Drive on right side of roadway - exceptions.
46.61.110. Overtaking a vehicle on the left.
46.61.115. When overtaking on the right is permitted.
46.61.120. Limitations on overtaking on the left.
46.61.125. Further limitations on driving to left of center of roadway.
46.61.130. No-passing zones.
46.61.135. One-way roadways and rotary traffic islands.
46.61.140. Driving on roadways laned for traffic.
46.61.145. Following too closely.
46.61.150. Driving on divided highways.
46.61.155. Restricted access.
46.61.185. Vehicle turning left.
46.61.190. Vehicle entering stop or yield intersection.
46.61.195. Arterial highways designated - Stopping on entering.
46.61.200. Stop intersections other than arterial may be designated.
46.61.205. Vehicle entering highway from private road or driveway.
46.61.230. Pedestrians subject to traffic regulations.
46.61.235. Pedestrians' right of way in crosswalk.
46.61.240. Crossing at other than crosswalks.
46.90.421. The following sections of the Revised Code of Washington as now or hereafter amended are hereby adopted by reference as a part of this Ordinance in all respects as though such sections were set forth herein in full:
46.61.250. Pedestrians on roadways.
46.61.255. Pedestrians soliciting rides or business.
46.61.290. Required position and method of turning at intersections.
46.61.295. "U" turns on curve or crest of grade prohibited.

46.90.427. The following sections of the Revised Code of Washington as now or hereafter amended are hereby adopted by reference as a part of this Ordinance in all respects as though such sections were set forth herein in full:
46.61.300. Starting parked vehicle.
46.61.305. Turning movements and required signals.
46.61.310. Signals by hand and arm or signal lamps.
46.61.315. Method of giving hand and arm signals.
46.61.340. Obedience to signal indicating approach of train.
46.61.345. All vehicles must stop at certain railroad grade crossings.
46.61.370. Overtaking and passing school bus.
46.61.385. School patrol - appointment - authority - finance - insurance.
46.61.400. Basic rule and maximum limits (speed).
46.61.425. Minimum speed regulation.
46.61.435. Local authorities to provide "stop" signs at intersections with increased speed highways.
46.61.440. Maximum speed limit when passing school or playground crosswalks.

46.61.465. Exceeding speed limit evidence of reckless driving.

46.61.500. Reckless driving.

46.61.506. Persons under influence of intoxicating liquor - Presumptions - Evidence - Chemical tests - Information concerning tests.

46.61.515. Driving while under the influence of intoxicating liquor or drugs - Penalties - Penalty assessments in addition to fines, etc. - Suspension or revocations of license - Appeal.

46.61.525. Operating motor vehicle in a negligent manner.

46.61.530. Racing of vehicles on highways, reckless driving.

46.61.570. Stopping, standing or parking prohibited in specified places.

46.61.575. Additional parking regulations.

46.90.463. The following sections of the Revised Code of Washington as now or hereafter amended are hereby adopted by reference as a part of this Ordinance in all respects as though such sections were set forth herein in full:

46.61.600. Unattended motor vehicle.

46.61.605. Limitations on backing.

46.61.615. Obstructions to driver's view or driving mechanism.

46.61.675. Causing or permitting vehicle to be unlawfully operated.

46.61.685. Leaving children unattended in standing vehicle with motor running - Penalty.

46.90.700. The following sections of the Revised Code of Washington as now or hereafter amended are hereby adopted by reference as a part of this Ordinance in all respects as though such sections were set forth herein in full:

46.64.020. Nonappearance after written promise, misdemeanor.

46.64.048. Attempting, aiding, abetting, coercing, committing violations, punishable.
(3) The following sections are to be included in the Kent Traffic Code:

(a) Police or police officer. "Police or police officer" shall mean the police officers of the Kent Police Department.

(b) Police chief or chief of police. "Police chief or chief of police" shall mean the chief of the Kent Police Department.

(c) Police department. "Police department" shall mean the Kent Police Department.

(d) Any moneys arising from the disposal of abandoned junk motor vehicles shall be deposited in the City general fund.

(e) No person shall wilfully leave an abandoned junk motor vehicle on private property for more than seventy-two hours without the permission of the person having the right to possession of the property, or upon or within the right of way of any highway or other property open to the public for purposes of vehicular travel or parking for forty-eight hours or longer without notification to the chief of police of the reasons for leaving the motor vehicle in such a place. For the purposes of this section, the fact that a motor vehicle has been so left without permission or notification is prima facie evidence of abandonment. Any person convicted of abandoning a junk motor vehicle shall be assessed any costs incurred by the City in disposing of such abandoned junk motor vehicle, less any moneys accruing to the City from such disposal.

(f) 1. No person shall ride a bicycle upon a sidewalk in the Central Business District.
   2. A person may ride a bicycle on any other sidewalk or any roadway unless restricted or prohibited by traffic control devices.
   3. Whenever any person is riding a bicycle upon a sidewalk, such person shall yield the right of way to any pedestrian.

Section 3. ADDITIONAL SECTIONS OF THE RCW ADOPTED BY REFERENCE. The City of Kent hereby adopts by reference upon the filing of three copies with the City Clerk, the following sections of the Revised Code of Washington:

46.52.088. Reports - False information.
46.61.072. Lane direction control signals - Legend.
46.61.215. Highway construction and maintenance.
46.61.261. Pedestrians' right of way on sidewalk.
46.61.264. Pedestrians' yield to emergency vehicles.
46.61.266. Pedestrians under the influence of alcohol or drugs.
46.61.269. Passing beyond bridge or grade crossing barrier prohibited.
46.61.520. Negligent homicide by motor vehicle - Penalty.
46.61.540. "Drugs", what included.
46.61.606. Driving on sidewalk prohibited - Exception.
46.61.608. Operating motorcycles on roadways laned for traffic.
46.61.614. Riding on motorcycles - Clinging to other vehicles.
46.64.017. Arrest pursuant to investigation at scene of accident.

Section 4. PENALTY. Every person convicted of a violation of this Ordinance, except those RCW sections adopted by reference which specifically provide for jail time as part of the penalty, shall be punished by a fine of not more than two-hundred fifty dollars. Every person convicted of a violation of a section or the RCW adopted by reference herein which specifically provides for jail time as a part of the penalty shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than ninety days, or by both such fine and imprisonment.

Section 5. REPEALER. Ordinances 382, 475, 521, 523, 544, 554, 651, 813, 839, 848, 857, 861, 866, 882, 912, 936, 993, 1018, 1107, 1150, 1166, 1214, 1220, 1222, 1285, 1323, 1328, 1356, 1403, 1413, 1611, 1641, 1642, 1677, 1711 and 1824 of the City of Kent are hereby repealed in their entirety.

Section 6. SEVERABILITY. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance, or the application of the provision to other persons or circumstances is not affected.

Section 7. This Ordinance shall take effect five days after its passage, approval and publication as provided by law.
ATTEST:

MARIE JENSEN, CITY CLERK

APPROVED AS TO FORM:

DONALD E. MIRK, CITY ATTORNEY

PASSED the 17th day of May, 1976.
APPROVED the 18th day of May, 1976.
PUBLISHED the 20th day of May, 1976.

I hereby certify that this is a true copy of Ordinance No. 76-3, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

MARIE JENSEN, CITY CLERK (SEAL)
WASHINGTON MODEL TRAFFIC ORDINANCE

MUNICIPAL RESEARCH AND SERVICES CENTER
OF WASHINGTON

AND

MUNICIPAL RESEARCH COUNCIL

AND

WASHINGTON STATE CRIMINAL JUSTICE TRAINING COMMISSION

IN COOPERATION WITH

ASSOCIATION OF WASHINGTON CITIES

Booth Gardner
Governor

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