AN ORDINANCE of the City of Kent, Washington, referring to street closure permits, adding Section 10.02.035 to Kent City Code establishing a permit process and penalty for violation.

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

Section 1. A new section is added to Kent City Code 10.02 as follows:

10.02.035. STREET CLOSURE.

1. The City of Kent may permit the closure of a portion of a street or road within the boundaries of the City of Kent. No closure of any street or road of any duration in time or length shall occur except in accordance with a permit issued by the Chief of Police, and such other laws or regulations which may be applicable. This section shall not apply to a City of Kent initiated closure of any highway, street, or road.

2. The Chief of Police may issue a permit for closure of such street or road if such closure is consistent with the general health, safety and welfare of Kent citizens. The Chief of Police is authorized to require that issuance of the permit is dependent upon fulfillment of such conditions as are necessary to ensure the closure is carried out in a safe, uniform, and reasonable manner, including but not limited to:

   a. The execution of a written agreement regulating access to the street by emergency vehicles and local residents during the closure.

   b. Procurement and posting of a bond, cash or proof of insurance in an amount sufficient to ensure payment for damages and/or all cleanup costs associated with the closure.
c. Use of City-approved signs and barricades for the closure.

d. Written verification from each affected property owner that such owner agrees to the closure.

3. Violation of this section shall be punishable as set out in KCC 10.02.050.

4. A $25 nonrefundable fee shall be paid to the City with the application for the permit as partial defrayal of the costs to process the permit.

Section 2. Those portions of previously enacted ordinances number 1963 and 2680, that adopted by reference RCW 46.61.50 (4), and which conflict with this ordinance are repealed to the extent of the conflict.

Section 3. If any provision or portion of this ordinance, or its application to any person or circumstance is held invalid, the remainder of this ordinance or the application of the provisions to other persons or circumstances shall not be affected.

Section 4. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and confirmed.

Section 5. Effective Date. This ordinance shall take effect and be in force five (5) days from and after its passage, approval and publication as provided by law.

DAN KELLEHER, MAYOR

ATTEST:

MARIE JENSEN, CITY CLERK
APPROVED AS TO FORM:

SANDRA DRISCOLL, CITY ATTORNEY

PASSED the 6 day of Sept., 1988.
APPROVED the 7 day of __________, 1988.
PUBLISHED the 9 day of __________, 1988.

I hereby certify that this is a true copy of Ordinance No. 2791, 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)