Ordinance No. 3894

(Amending or Repealing Ordinances)

CFN=171 – Traffic Control
Passed – 11/18/2008
Residential Parking Zone Ch. 9.38 Adding new section 9.38.175

Amended by Ord. 3974
ORDINANCE NO. 3894

AN ORDINANCE of the City Council of the City of Kent, Washington, amending the City's parking regulations codified at Chapter 9.38 of the Kent City Code to add a new section 9.38.175, entitled "Residential Parking Zone," as follows:

RECATALS

A. The Kent Events Center is scheduled to be open to the public in January, 2009. While adequate parking is provided for those attending events, it is anticipated that such events may result in a displacement of residential parking in the immediate vicinity known as the North Park Neighborhood, which neighborhood is bounded by Fifth Avenue North to the west, West James Street to the south, SR 167 to the north, and the Burlington Northern Santa Fe main line (First Avenue North) to the east, and which is shown approximately on Exhibit A hereto.

B. The Environmental Impact Statement for the Events Center and the recommendation of the Hearing Examiner requires that the City institute a Residential Parking Zone (RPZ) in coordination with citizens of the North Park Neighborhood, which plan should provide permits for owner and resident vehicles and allow for visitor parking through visitor permits and make it illegal to park in the North Park Neighborhood without permits.
C. Coordination with the owners and residents from the North Park Neighborhood was accomplished through neighborhood meetings on June 11 and September 17, 2008.

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

ORDINANCE

SECTION 1. - Amendment. The City’s parking regulations codified at Chapter 9.38 of the Kent City Code are amended to add a new section 9.38.175, entitled “Residential Parking Zone,” as follows:

Sec. 9.38.175. Residential Parking Zone.

A. Purpose of Residential Parking Zone. The City establishes this Residential Parking Zone (RPZ) program in response to parking concerns expressed by residents of the neighborhood surrounding the Kent Events Center and as required to mitigate parking impacts of the Events Center. This RPZ program will reserve parking on the surface streets in the North Park Neighborhood for neighborhood owners, residents, and their visitors, who might otherwise be displaced by visitors to or employees of the Events Center.

B. Residential Parking Zone Established. The following described area, also known as the North Park Neighborhood, is established as Kent RPZ No. 1: That area bounded on the west by Fifth Avenue North, to the south by West James Street, to the north by State Route 167, and to the east by the Burlington Northern main line (First Avenue North).

C. RPZ Manager. The Mayor will appoint from City staff the RPZ Manager who shall administer the RPZ program as set forth in this section. The duties of the RPZ Manager may be carried out by more than one
person and may be delegated to the Customer Services Division of the City’s Finance Department as appropriate.

D. Residential Parking Zone Permit. When properly issued and displayed, a RPZ permit or a visitor parking permit will authorize a vehicle to park within the RPZ for which the permit was issued. A property is included within the RPZ only if its address includes, and/or sole access to the property is via, a street that is within the RPZ. The permit shall not guarantee a parking space, nor shall it exempt the vehicle or operator from observing zones where parking is otherwise prohibited, including but not limited to permanent or temporary no parking zones, loading zones, fire zones, and all zones where parking is regulated or prohibited by other applicable law or regulations of the Kent City Code.

E. Permit Eligibility.
   1. Zone Owners and Residents. Permits may be issued only to persons who own property or reside in the RPZ established by KCC 9.38.175(8). At this time, all permits will be issued to RPZ owners and residents free of charge.
   2. Resident Visitors. The RPZ Manager may issue additional permits to each residence within the RPZ for temporary use by residents’ visitors. Visitor permits may not be sold or redistributed for any purpose.
   3. Government Vehicles. Government vehicles will not be required to obtain permits for the purpose of conducting official business in the North Park Neighborhood. Government vehicles associated with the conduct of business at the Kent Events Center may not park in the RPZ.

F. Use and Validity of Permits.
   1. The RPZ permit is valid only if displayed on the rear left window of the vehicle and only so for long as the permit holder owns or
controls the vehicle and resides at the address for which the permit was issued.

2. A visitor parking permit shall be valid only if the hang tag is hung from the vehicle’s rearview mirror.

3. All permits shall expire on December 31, 2010, irrespective of the date of issuance. Reissuance shall be in accord with the process set forth in KCC 9.38.175(G) for a term to be determined by the RPZ Manager.

G. Issuance of Permits. The RPZ Manager will send four (4) RPZ window decals to the owner of record and to the occupant of each dwelling unit or residence within the RPZ. In addition, the RPZ Manager will send fifteen (15) hang tag visitor permits to each owner of record and the occupant of each dwelling unit or residence for temporary use. Each permit issued shall contain the number of the RPZ for which it was issued and a serial number for the permit, together with such other information as determined by the RPZ Manager. The RPZ Manager is authorized to issue additional RPZ and/or visitor permits, if a demonstrated need exists. Any RPZ resident may make application for additional necessary permits by returning to the RPZ Manager a completed application supplied by the City identifying the additional permits required and the reason for the request. Additional permits will be issued at the discretion of the RPZ Manager and at no cost at this time.

H. Proof of Ownership or Residence. The following will be sufficient proof of ownership or residence within the RPZ:

1. Appearance as owner of record on the King County Recorder’s Office website; or

2. A valid driver’s license showing residence at a current address located within the RPZ; or
3. A deed, lease, rental agreement, or other document which, at the discretion of the RPZ Manager, establishes residency, and which shows residency within the RPZ.

I. Revocation or Denial of Permits—Cause. Any of the following shall be cause for the revocation or suspension of RPZ permits and/or visitor permits by the RPZ Manager:

1. The making of any false or misleading statement in application for a permit.
2. The transfer to an unauthorized person or address.
3. The alteration of a permit in any respect in order to gain privileges not authorized by the permit.
4. The display on a vehicle a permit that has been suspended or revoked.
5. The sale of a permit and the receipt of anything of value in exchange for a permit.

J. Revocation or Denial of Permits—Process. If the RPZ Manager finds that a RPZ permit or a visitor permit should be revoked or denied for any of the reasons set forth KCC 9.38.175(1), the RPZ Manager will send a written notice of revocation or denial to the permit holder, which notice shall contain the following information:

1. That the permit is denied or will be revoked not sooner than ten (10) calendar days from the date of the letter.
2. The reasons for permit revocation or denial.
3. That unless a written notice of appeal is filed with the community development director not later than ten (10) calendar days from the date of the notice of revocation or denial, the permit will be deemed finally revoked or denied.
4. That the basis for the appeal must be contained in the written notice of appeal.
K. Revocation or Denial—Appeal. An applicant aggrieved by the RPZ Manager’s revocation or denial of a RPZ or visitor permit may file a notice of appeal with the Community Development Director who upon consideration of the written documentation submitted in the notice of revocation or denial and the notice of appeal will affirm, reverse, or modify, the revocation or denial decision, or order suspension for a specified period.

L. Violation—Penalty. Effective January 1, 2009, it shall be a parking infraction to park within the RPZ unless the parked vehicle properly displays a valid RPZ permit or a visitor parking permit. Any violation of this section shall be a traffic infraction punishable by a monetary penalty of fifty dollars ($50).

SECTION 2. Severability. If any one or more section, subsections, or sentences of this ordinance are held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance and the same shall remain in full force and effect.

SECTION 3. Effective Date. This ordinance shall take effect and be in force thirty (30) days from and after its passage as provided by law.

Suzette Cooke
Suzette Cooke, Mayor

ATTEST:

Brenda Jacober
Brenda Jacober, City Clerk
APPROVED AS TO FORM:

TOM BRUBAKER, CITY ATTORNEY

PASSED: 18 day of November, 2008.
APPROVED: 18 day of November, 2008.
PUBLISHED: 22 day of November, 2008.

I hereby certify that this is a true copy of Ordinance No. 3894 passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

BRENDA JACOBER (SEAL)
BRENDA JACOBER, CITY CLERK

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Creation of Residential Parking Zone – North Park