TITLE 12
TRAFFIC*

Chapters:
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Chapter 12.10
Pullman Traffic Ordinance

Sections:
12.10.005  Short Title.  This Chapter may be known and cited as the Pullman Traffic Ordinance.  (Ord. 80-64 §1(part), 1980).
* For statutory provisions, See RCW Title 46.

12.10.015 Washington Model Traffic Ordinance adopted. The Washington Model Traffic Ordinance, Washington Administrative Code, Chapter 308-330, hereinafter referred to as the "MTO", and RCW 46.44.180, 46.63.130, 46.63.140, and 46.63.151 are adopted by this reference as if set forth in full each as now existing and in accordance with any amendments that may hereafter be made thereto, except as provided for in Sections 12.10.020 and 12.10.030. (Ord. 94-11 §1, 1994; Ord. 80-64 §1(part), 1980).

12.10.020 Sections of the MTO not adopted. The following sections of the MTO are not adopted by reference and are expressly deleted:

WAC 308-330-240  WAC 308-330-510  WAC 308-330-535
WAC 308-330-245  WAC 308-330-515  WAC 308-330-540
WAC 308-330-250  WAC 308-330-520  WAC 308-330-560
WAC 308-330-500  WAC 308-330-525  WAC 308-330-710
WAC 308-330-505  WAC 308-330-530  WAC 308-330-730
(Ord. 94-11 §2, 1994; Ord. 80-64 §1(part), 1980).

12.10.030 WAC. 308-330-275 amended. WAC. 308-330-275, Traffic Safety Commission, is amended as follows:

(1) There is established a Traffic Safety Commission to serve without compensation, consisting of the traffic engineer, the Chief of Police, or, in his discretion as his representative, the chief of the traffic division or other cognizant member of the Police Department, one representative each from the engineer's office and the attorney's office, and if the Mayor so desires, he or she may appoint one representative from Washington State University, Pullman School District #267, the Washington State Highway Patrol, and any other community organization or governmental entity that requests representation on the Commission. The Chairperson of the Commission shall be appointed by such appointing authority and may be removed by such authority.

(2) It shall be the duty of the Traffic Safety Commission and to this end it shall have authority within the limits of the funds at its disposal to coordinate traffic activities, to supervise the preparation and publication of traffic reports, to receive
complaints having to do with traffic matters and to recommend to the legislative body of the local authority and to the traffic engineer, the chief of the traffic division and other officials, ways and means for improving traffic conditions and the administration and enforcement of traffic regulations. (Ord. 94-11 §3, 1994; Ord. 80-64 §1(part), 1980).

12.10.040 Negligent driving, limitations on backing and crossing fire hose. RCW 46.61.525, Negligent Driving, RCW 46.61.605(1), Limitations on Backing, and RCW 46.61.640, Crossing Fire Hose, shall apply upon highways and elsewhere throughout the City. (Ord. 80-64 §1(part), 1980).

12.10.050 Railroad trains blocking streets. It is unlawful for the directing officer or the operator of any railroad train to direct the operation of or to operate the same in such a manner as to prevent the use of any street for purposes of travel for a period of time longer than five minutes, except that this provision shall not apply to trains or cars in motion other than those engaged in switching. (Ord. 80-64 §1(part), 1980).

12.10.060 Use of roller skates and coasters restricted. No person upon roller skates or riding in or by means of any coaster, toy vehicle, or similar device shall go upon any roadway except while crossing a street in a crosswalk, and when so crossing, such person shall be granted all the rights and shall be subject to all of the duties applicable to pedestrians. (Ord. 80-64 §1(part), 1980).

12.10.070 Riding on sidewalks.

(1) "Central business district" includes: both sides of Grand Avenue from McKenzie Street to Whitman Street; East Main Street from Grand Avenue to Spring Street; Olsen Street from Grand Avenue to Kamiaken Street; Kamiaken Street from Palouse Street to McKenzie Street; Pine Street from Olsen Street to McKenzie Street; High Street from Main Street to Paradise Street, in Pullman.

(2) No person shall ride a bicycle, skateboard, motorized foot scooter, roller skates, coaster, toy vehicle, sled, or similar device upon a sidewalk within the central business district, as the term is defined and described in subsection (1) of this section. Provided, however, that the prohibition against the riding of bicycles contained in this subsection (2) shall not apply to on-duty law enforcement personnel while engaged in activities within the course of employment.
The Director of Public Works is authorized to erect signs on any sidewalk or roadway prohibiting the riding of bicycles, skateboards, motorized foot scooters, roller skates, coasters, toy vehicles, sleds or similar devices, or all of them, thereon by any person when the Director deems the quantity of traffic on or use of such sidewalk or roadway is such that riding all or any of the aforementioned devices thereon creates a special hazard to anyone using such sidewalk or roadway.

Whenever any person is riding a bicycle, skateboard, motorized foot scooter, roller skates, coaster, toy vehicle, sled or similar device upon a sidewalk, such person shall yield the right-of-way to any pedestrian and shall give an audible signal before overtaking and passing such pedestrian; provided nothing in this section shall permit the riding of any of the aforementioned devices upon any sidewalk within the central business district.

12.10.080 Tractor driving in city—Permit. No tractor, except one equipped with rubber tires, shall operate or travel upon any street or alley without first having procured a permit from the Director of Public Works, and the Director of Public Works may refuse to grant such permit if in his judgment the street or alley will be damaged by the tractor. (Ord. 80-64 §1(part), 1980).

12.10.090 Parking in public parks—Prohibited—Exceptions. No motor vehicle shall be either operated, parked, or left standing in or upon any area within a public park located within the City of Pullman, excepting upon a public street or within an area provided for the parking of motor vehicles and marked by a parking sign; provided, however, motor vehicles owned by the City of Pullman and used for park maintenance purposes may be operated or left standing upon public park ground. (Ord. 80-64 §1(part), 1980).

12.10.092 Parking—Residential—Prohibited—Exceptions. Parking of vehicles is prohibited within any yard abutting a public street on any property located within a residential zone district as set forth in Title 17; provided, however, this prohibition shall not apply to public safety vehicles, vehicles in use for maintenance of property grounds, vehicles parking in a “driveway” as defined in Section 17.05.020 and improved in accordance with Section 17.40.040, or vehicles parking in a parking area improved in accordance with Section 17.40.040 and authorized by the Director of Public Works. For purposes of this section, “yard” shall mean that area extending across the full width of a property, from the
property line to the first supporting member of a structure. “Property line” is the line separating the lot or parcel from the public street. (Ord. 00-9 §1, 2000).

12.10.095 Bicycles in unsafe condition. No person shall ride a bicycle which is in an unsafe mechanical condition. (Ord. 80-64 §1(part), 1980).

12.10.100 No parking on bicycle paths and pedestrian mall. It is unlawful for anyone to park a motor vehicle on a designated bicycle path or on a pedestrian mall as defined in RCW 35.71. (Ord. 80-64 §1(part), 1980).

12.10.110 Parking lots. The provisions of WAC 308-330-265 shall apply to parking lots now or hereafter owned, leased, operated, or otherwise controlled by the City, except that the Director of Public Works is authorized to designate parking spaces and direction of travel in parking lots without City Council authorization. (Ord. 03-12 §1, 2003; Ord. 80-64 §1(part), 1980).

12.10.120 Parking in lot--Compliance required. It is unlawful to park any vehicle in any municipal parking lot in the downtown free parking zone, except in the designated parking spaces, or to so park contrary to the rules established for the use of such city lot or in any place or manner contrary to any regulatory signs posted by the Director of Public Works. (Ord. 04-12 §1, 2004, Ord. 80-64 §1(part), 1980).

12.10.130 Marking of tires permitted. Any commissioned police officer within the City or any employee hired by the City whose duties include parking enforcement is authorized to place a chalk mark on the tire of any vehicle parking in an area provided for in this Chapter in order to assist in determining the amount of time that such vehicle has been parked on the travel portion of the tire. The marking chalk shall be of a color which can be contrasted with the tire. It is unlawful for any person to erase any such chalk mark for the purpose of obstructing the enforcement of this Chapter. (Ord. 80-64 §1(part), 1980).

12.10.140 Disposition of revenues. All fines or forfeitures collected for the violation of any of the provisions of this Chapter shall be paid into the general fund of the City and then distributed and paid into the proper funds as provided for in RCW 46.68.050; all penalty assessment proceeds provided for in RCW 46.81.030 shall be distributed as provided for in RCW 46.81.050; all penalty assessments provided for in RCW 46.61.515(2) shall be distributed as provided for in RCW 46.61.518. (Ord. 80-64 §1(part), 1980).

12.10.150 Penalties. The penalty and fees for a person found to have committed an act designated a traffic infraction under the provisions of this chapter shall be the same penalty and fees imposed by RCW 46.63.110, as reflected in the current schedule
published by the state supreme court. The court shall also follow
the conditions specified by the state supreme court for the
exercise of its discretion in assessing fines and penalties for
traffic infractions. The penalty for failure to respond to a notice
of traffic infraction shall be as imposed by RCW 46.63.110(4).
(Ord. 12-16 §1, 2012; Ord. 99-36 §1, 1999; Ord. 80-64 §1(part),
1980).

12.10.160 Additional infractions. Failure to perform any act
required or the performance of any act prohibited under the
following ordinance sections is designated as a traffic infraction
and shall be processed and disposed of in the same manner as all
other traffic infractions:

12.10.040 Limitations on backing and crossing fire hose
12.10.050 Railroad trains blocking streets
12.10.060 Use of roller skates and coasters restricted
12.10.070 Riding on sidewalks
12.10.080 Tractor driving in city
12.10.090 Parking in public parks
12.10.095 Bicycles in unsafe condition
12.10.100 No parking on bicycle paths and pedestrian mall
12.10.120 Parking in lots--Compliance required
12.48.020 Access--Unlawful to drive over or upon High Street Mall
(Ord. 81-4 §1, 1981).

Chapter 12.11
Motorized Foot Scooters

Sections:

12.11.010 Definition
12.11.020 Rules of Operation
12.11.030 Violation - Penalties

12.11.010 Definition. “Motorized foot scooter” means a device
with no more than two ten-inch or smaller diameter wheels that has
handlebars, is designed to be stood or sat upon by the operator,
and is powered by an internal combustion engine or electric motor
that is capable of propelling the device with or without human
propulsion. (Ord. 04-34 §2, 2004).


(1) Age. No person may operate a motorized foot scooter upon
a public right-of-way unless such person is sixteen (16)
years of age or older.

(2) Duty to Obey Traffic Control Devices and Rules of the
Road. Any person operating a motorized foot scooter
shall obey all rules of the road applicable to vehicle,
bicycle or pedestrian traffic, including the duty to visibly signal all turns, as well as the instructions of official traffic-control signals, signs, and other control devices applicable to vehicles, unless otherwise directed by a police officer.

(3) Prohibited Areas. Motorized foot scooters are prohibited from being operated in the central business district, as that term is defined in Pullman City Code Section 12.10.070; in City parks; on City bicycle paths, multipurpose paths or walking trails; and on any City street with a maximum speed limit of twenty-five (25) miles per hour or greater; and as prohibited by Section 12.10.070.

(4) Operation During Daylight Hours Only. No motorized foot scooter shall be operated during the period of time between one-half hour after sunset and one-half hour before sunrise.

(5) Helmets Required. Any person operating a motorized foot scooter in the City of Pullman shall wear an approved helmet designed for safety that meets or exceeds the requirements of standard Z.90.4 set by the American National Standard Institute, or a subsequent nationally recognized standard for helmet performance as the City may adopt. The helmet shall be worn over the head and equipped with either a neck or chin strap that shall be fastened securely while the motorized foot scooter is in motion.

(6) No Passengers or Towing Permitted. No motorized foot scooter shall be operated when a passenger or any person other than the operator is on the riding platform, handlebars or any other part of a motorized foot scooter; nor shall a motorized foot scooter be operated as a towing device for any person or thing.

(7) Reflectors Required. No motorized foot scooter shall be operated on the public right-of-ways without first having affixed visible reflectors of a type approved by the Washington State Patrol.

(8) Engine Kill Switch and Muffler Required. No motorized foot scooter shall be operated on the public right-of-ways without first being equipped with an engine kill switch device. Operation of a motorized foot scooter without a muffling device, or operation with a modified muffling device is unlawful.
(9) Negligent Operation Prohibited. No motorized foot scooter shall be operated in a negligent manner. For purposes of this Chapter, "negligent operation" or "operation in a negligent manner" shall mean operation of a motorized foot scooter in such a manner so as to endanger or be likely to endanger any person or property; or to obstruct, hinder or impede the lawful course of travel of any motor vehicle; or to obstruct, hinder or impede the lawful use by any pedestrian of public streets, sidewalks, alleys, parking areas, pedestrian or bicycle trails or public parks within the City of Pullman.

(10) Responsibility of Operators, Parents and Guardians. No person shall do any act forbidden by this Chapter or fail to perform any act required in this Chapter. The parent or guardian of any child or ward twelve (12) years of age or younger shall not authorize or knowingly permit any such child or ward to violate any of the provisions of this chapter. Where an operator of a motorized foot scooter is in violation of this Chapter, and is twelve (12) years of age or younger, the parent or guardian of any child or ward twelve (12) years of age or younger shall be liable for any and all penalties imposed upon a finding that a civil infraction has been committed by said child or ward. (Ord. 04-34 §2, 2004)

12.11.030 Violation – Penalties. It shall be a civil infraction to commit a violation of this Chapter. The Whitman County District Court shall have jurisdiction over all civil infractions issued under this Chapter. Civil infractions shall be issued and processed in accordance with RCW Chapter 7.80 as currently enacted or as hereinafter amended.

(1) For any person twelve (12) years of age or younger found to have committed a civil infraction, the parents or guardians shall be assessed a penalty as follows:

(a) First Violation – warning.

(b) Second Violation – not to exceed $150.00.

(c) Third Violation – not to exceed $300.00.

(d) Additional Violation – $500.00 each additional violation.

(2) Any person thirteen (13) years of age to sixteen (16) years of age found to have committed a civil infraction shall be adjudicated in juvenile court, pursuant to RCW 13.40.250, traffic and civil infraction cases.
Any person thirteen (13) years of age or older found to have committed a civil infraction shall be assessed a monetary penalty as follows:

(a) First Violation - not to exceed $150.00.
(b) Second Violation - not to exceed $300.00.
(c) Third Violation - $500.00.
(d) Additional Violations - $500.00 each additional violation. (Ord. 04-34 §2, 2004)

Chapter 12.12
Unauthorized Vehicles-Impoundment

Sections:
12.12.010 Purpose.
12.12.040 Regulations.
12.12.050 Registered Tow Truck Operators.
12.12.080 Section Headings Not Part of Law.

12.12.010 Purpose. The purpose of this Chapter is to establish additional provisions pertaining to the administration and enforcement of the provisions of the Model Traffic Ordinance relating to impoundment of a vehicle driven by a driver with license suspended or revoked pursuant to RCW 46.20.342 and WAC 308-330-406. (Ord. 01-7 §3(part), 2001).

12.12.020 Vehicles Driven by Non-Registered Owners. Vehicles driven by non-registered owners and commercially rented vehicles may be impounded but no holds may be placed on the vehicle except that any officer who has verifiable knowledge that the registered owner has previously loaned a vehicle to a suspended driver may impose the full impounds as provided in the Model Traffic Ordinance. In order for a registered owner to obtain his or her impounded vehicle without holds, he or she must certify under penalty of perjury: the identity of the vehicle and that the registered owner was unaware that the non-registered owner driving the vehicle had a suspended or revoked driver’s license. (Ord. 01-7 §3(part), 2001).

12.12.030 Hardship Release. An impounded vehicle may be released to the spouse or domestic partner of a registered owner prior to the end of the mandated hold period if the spouse or domestic partner of the arrested driver establishes economic or personal hardship with the Chief of Police or his designee. The
Chief or his designee shall consider public safety factors, including the driver’s criminal history and driving record. All requests for hardship release shall be made in writing. Any denial or approval of the request shall be made in writing and shall include factors considered in reaching the decision. No subsequent applications for hardship release will be considered. Approval of a hardship release shall not waive the requirement for full payment of towing, storage, impound costs or fees. (Ord. 01-7 §3(part), 2001).

12.12.040 Regulations. The Chief of Police is authorized to adopt such regulations, forms and disclosures as are required to comply with the purpose and intent of the Model Traffic Ordinance as now or hereafter enacted and the provisions contained in this chapter. (Ord. 01-7 §3(part), 2001).

12.12.050 Registered Tow Truck Operators. The Chief of Police shall maintain a list of registered tow truck operators and shall rotate the impoundment of vehicles on a fair and equitable basis. Any registered tow truck operator may make application for inclusion on the tow truck impound list. The Chief of Police may consider the registered tow truck operator’s compliance with the provisions of Chapter 46.55 RCW for the purpose of including a registered tow truck operator on the tow truck impound list. Application for inclusion on the impound list shall constitute a certification by the registered tow truck operator that it will comply in all respects with the provisions of Chapter 46.55 RCW relating to impoundment of motor vehicles. (Ord. 01-7 §3(part), 2001).

12.12.060 General Duty. None of the provisions of this Chapter are intended to create a cause of action or provide the basis for a claim against the City, its officials, or employees for the performance or failure to perform a duty or obligation running to a specific individual or specific individuals. Any duty or obligation created herein is intended to be a general duty or obligation running in favor of the general public. (Ord. 01-7 §3(part), 2001).

12.12.070 Severability. The provisions of this Chapter are hereby declared to be severable. If any section, subsection, sentence, clause, or phrase of this Chapter or its application to any person or circumstance is for any reason held to be invalid or unconstitutional, the remainder of this Chapter shall not as a result of such section, subsection, sentence, clause, or phrase be held unconstitutional or invalid. (Ord. 01-7 §3(part), 2001).

12.12.080 Section Headings Not Part of Law. Section headings as used in this Chapter do not constitute any part of the law. (Ord. 01-7 §3(part), 2001).
Chapter 12.15  
Downtown Free Parking Zone

Sections:
12.15.010 Definitions.
12.15.020 Downtown free parking zone created.
12.15.030 Parking in alleys in downtown free parking zone.
12.15.040 Overtime parking prohibited within downtown free parking zone.
12.15.045 Compact vehicle parking spaces.
12.15.050 Parking regulations--Signs.
12.15.060 Tampering with parking enforcement process violation.
12.15.070 Notice to violators.
12.15.080 Registered owner responsible for unlawful parking.
12.15.090 Penalties.
12.15.100 Severability.

12.15.010 Definitions. As used in this Chapter:

(1) "Alley" means a public highway not designed for general travel and used primarily as a means of access to the rear of residences and business establishments.

(2) "Compact vehicle" means any vehicle which has a maximum overall length of 16 feet 11 inches or less and a maximum overall width of 6 feet 3 inches or less.

(3) "Operator" means every person who is in actual physical control of a vehicle, as defined in this section, upon a public street or highway of the City of Pullman.

(4) "Person" means every natural person, firm, copartnership, association, or organization.

(5) "Vehicle" means every device capable of being moved upon a public highway and in, upon, or by which any person or property is, or may be, transported or drawn upon a public highway, excepting devices moved by human or animal power; or used exclusively upon stationary rails or tracks. (Ord. 93-8 §1, 1993; Ord. 82-12 §1, 1982).

12.15.020 Downtown free parking zone created. There is created within downtown Pullman a "downtown free parking zone" to include:

(1) The City-owned parking lot beneath the Pullman City Hall;
(2) The City-owned parking lot located west of the Old Post Office building on Lot 9, Block 10, Original Town of Pullman;

(3) The City-owned parking lot located at the northwest corner of the intersection of Olsen Street and Kamiaken Street on Lots 3, 4, and 5, Block 36, Original Town of Pullman together with the alley adjacent thereto;

(4) The City-owned parking lot located at the northeast corner of the intersection of Grand Avenue and McKenzie Street on Lots 5, 6, and 7, Block 5, Original Town of Pullman and McKenzie Street right-of-way adjacent thereto;

(5) The City-owned parking lot located at the southwest corner of the intersection of Grand Avenue and Davis Way on Lots 1 and 2, Block 47, Original Town of Pullman;

(6) The City-owned and leased parking lots located on the north side of Paradise Street between High Street and Kamiaken Street on all or portions of Lot 2 and Assessor’s Tracts J, K, and O, Block 4, and Lots 3, 5, and 6, Block 8, Original Town of Pullman;

(7) The City-owned parking lot located on the south side of Olsen Street, east of Grand Avenue on Lots 12 and 13, Block 7, Original Town of Pullman; and

(8) The City-owned parking lot located on the east side of Kamiaken Street between Olsen Street and Palouse Street on all or portions of Lots 1, 2, 3, 5, 6 and 7, Block 32 Original Town of Pullman and adjacent street and alley right-of-way; and

(9) Both sides of the following described streets and within the area circumscribed by the following described streets:

(a) Grand Avenue from McKenzie Street to Olsen Street;

(b) Kamiaken Street from McKenzie Street to Palouse Street, except the easterly half of the first ninety-four feet of Kamiaken Street southwest of the southerly curb extended of Palouse Street;

(c) Pine Street from Paradise Street northerly to the terminus thereof;

(d) Olsen Street from Grand Avenue easterly to the terminus thereof;
(e) Main Street from State Street to Paradise Street;

(f) Paradise Street from Grand Avenue to Main Street;

(g) High Street north of Paradise Street. (Ord. 08-12 §1, 2008; Ord. 03-12 §2, 2003; Ord. 97-32 §1, 1997; Ord. 93-8 §2, 1993; Ord. 87-37 §1, 1987; Ord. 87-12 §1, 1987; Ord. 86-4 §1, 1986; Ord. 85-36 §1, 1985; Ord. 83-12 §1, 1983; Ord. 82-12 §2, 1982).

12.15.030 Parking in alleys in downtown free parking zone. Except for alleys which have been incorporated into city parking lots no vehicle shall be parked in any alley other than for the expeditious loading and unloading of commodities, or where there is a driver at the wheel capable of moving the same, and in such instances only for a period not to exceed thirty consecutive minutes, except that the Chief of Police or his designee may grant special permission in exceptional cases requiring additional time for loading and unloading. Except for alleys which have been incorporated into City parking lots, no vehicle shall be parked so as to prevent the free passage of other vehicles through an alley, except upon written permission by the Chief of Police or his designee. A violation of the provisions of this section shall constitute "parking in alley" and shall result in a penalty as specified in this Chapter. (Ord. 87-37 §2, 1987; Ord. 87-12 §2, 1987; Ord. 82-12 §3, 1982).

12.15.040 Overtime parking prohibited within downtown free parking zone.

(1) No person shall park any vehicle on streets or in public parking lots within the downtown free parking zone for a consecutive period of more than two hours between the hours of 8 a.m. and 6 p.m. Monday through Saturday, except as follows:

(a) Twelve hours on the west side of the City-owned parking lot located west of the Old Post Office building on Lot 9, Block 10, Original Town of Pullman and by Zone D parking permit only on the east side of said lot; and,

(b) Twelve hours in the two most easterly rows of parking spaces in the City-owned parking lot located at the northeast corner of the intersection of Grand Avenue and McKenzie Street on Lots 5, 6, and 7, Block 5, Original Town of Pullman and McKenzie Street right-of-way adjacent thereto; and,

(c) Unlimited hours in the parking lot beneath the Pullman city hall between the hours of five p.m. and eight a.m., Monday through Friday, and all day on Saturdays, Sundays, and holidays; and,
(d) By temporary parking permits for persons using the senior center as authorized by rules and regulations issued by the Chief of Police and administered by his/her designee, provided the permits shall not be issued to City of Pullman employees; and,

(e) Twelve hours in the westerly row and the two center rows of parking spaces in the city-owned parking lot located at the southwest corner of the intersection of Grand Avenue and Davis Way on Lots 1 and 2, Block 47, Original Town of Pullman; and,

(f) Twelve hours on both sides of Main Street from State Street to Grand Avenue; and,

(g) Unlimited hours by permit (Zone D) in the City-owned and leased parking lots located on the north side of Paradise Street between High Street and Kamiaken Street on all or portions of Lot 2 and Assessor’s Tracts J, K, and L, Block 4, and Lots 3, 5, and 6, Block 8, Original Town of Pullman except for four (4) spaces designed by the Traffic Engineer as one-hour parking for which Zone D parking permits will not be applicable. The cost of said permit shall be authorized by resolution of the Pullman City Council and administered pursuant to written policy of the Chief of Police; and,

(h) Three (3) hours in the City-owned parking lot located on the east side of Kamiaken Street between Olsen Street and Palouse Street on all or portions of Lots 1, 2, 3, 5, 6 and 7, Block 32, Original Town of Pullman and adjacent street and alley right-of-way and unlimited hours in the easterly 60 parking spaces in said lot by permit (Zone R) and in all the parking spaces between the hours of 5 p.m. and 8 a.m., Monday through Friday and all day on Saturdays, Sundays and holidays. The cost of said permit shall be authorized by resolution of the Pullman City Council and administered pursuant to written policy of the Chief of Police; and,

(i) By temporary parking permits applicable to designated parking lots in the downtown free parking zone not to exceed one day for official visitors as authorized by rules and regulations issued by the Chief of Police and administered by his/her designee; and,

(j) Unlimited hours on official Washington state holidays as defined in the Revised Code of Washington 1.16.050, New Year’s Day, Fourth of July, Veterans Day and Christmas Day.
The Chief of Police or his/her designee shall have the authority to waive parking limitations in designated portions of the downtown free parking zone for special events within the zone.

1. Application for temporary waiver of parking limitations shall be made to the Chief of Police.

2. Parking limitation waivers shall be issued only upon application in writing and after providing such information as may be requested.

3. No waiver shall be issued for a period of more than thirty days except upon due notice to the public with opportunity to comment. Public hearings may be held, when substantial public interest is shown, at the discretion of the Chief of Police.

4. Any such waiver or renewal thereof shall be granted only for the minimum time period found to be necessary under the facts and circumstances.

The Chief of Police shall have authority to void parking tickets under the following circumstances:

1. Improperly posted area,
2. Emergency situation,
3. Medical emergency,
4. Disabled vehicle,
5. Governmental duties,
6. Disabled parking permit,
7. Circumstances beyond control of the owner,
8. Infraction improperly filled out.

It shall be no defense that the vehicle has been moved from one parking space to another within the downtown free parking zone or that the vehicle traversed streets not within said zone in so being moved.

The prohibition contained in this section shall not be construed as to permit the parking of vehicles in any area designated by the City as a no-parking area or an area containing any other restriction on the parking of vehicles.
12.15.045 Compact vehicle parking spaces. Only compact vehicles, as defined in Section 12.15.010 (2) shall be parked in the parking spaces designated by markings for use by "compact vehicles" in the City-owned parking lots in the downtown free parking zone. A violation of the provisions of this section shall constitute "Oversize Vehicle Parking" and shall result in a penalty as specified in this Chapter. (Ord. 04-12 §3, 2004, Ord. 93-8 §4, 1993).

12.15.050 Parking regulations—Signs. The City Administrator shall instruct the appropriate city department to prepare and erect signs within the downtown free parking zone to reasonably inform the public of parking regulations enacted in this Chapter. Neither failure of a person to observe any such sign nor the non-existence of a sign in a particular location shall be a defense to any violations of this Chapter. (Ord. Nos. 18-25 §27, 2018; 82-12 §5, 1982).

12.15.060 Tampering with parking enforcement process violation. It shall be a violation of this Chapter for a person to erase chalk marks placed on tires of vehicles by enforcement officers of the City of Pullman in their performance of their duty to enforce the provisions of this Chapter, or to tamper with any other enforcement process implemented by said officials, with the intent of circumventing the enforcement process of the provisions of this Chapter. A violation of the provisions of this section shall constitute "tampering with parking enforcement process" and shall result in a penalty as specified in this Chapter. (Ord. 82-12 §6, 1982).

12.15.070 Notice to violators. Designated personnel of the City of Pullman are authorized to give notice to persons violating provisions of this Chapter by delivering a notice of parking infraction to violators or, in cases where vehicles without drivers are parked or stopped in violation of this Chapter, by affixing such notice to the vehicles which are in violation of the provisions of this Chapter. Such notice, among other things, shall indicate briefly the charge, shall state the time of issuance, shall bear the license number of the vehicle, shall identify the street upon which the violation occurred, and shall direct the violator to present the notice and pay the fine at the police station and such other locations as may be designated within fifteen calendar days. A notice of infraction represents a
12.15.080 Registered owner responsible for unlawful parking. Every person in whose name a vehicle is registered shall be responsible for any violation of this Chapter caused by the parking of said vehicle in violation of this Chapter. It shall be no defense that the vehicle was parked illegally by another, unless proof is presented that said vehicle has been stolen and had not been returned to the registered owner by the date of the violation. This section shall not apply to registered owners transferring vehicle ownership who have complied with RCW 46.52.104 prior to the date of the violation. (Ord. 82-12 §8, 1982).

12.15.090 Penalties. The penalties for each violation of the provisions of this Chapter shall be recommended by resolution of the Pullman City Council and shall be effective as actually adopted by order of the Whitman County district court. (Ord. 82-12 §9, 1982).

12.15.100 Severability. The provisions of this Chapter are declared to be severable. If any section, subsection, sentence, clause, or phrase of this Chapter or its application to any person or circumstance is for any reason held to be invalid or unconstitutional, the remainder of the Chapter shall not as a result of said section, subsection, sentence, clause, or phrase be held unconstitutional or invalid. (Ord. 82-12 §10, 1982).

Chapter 12.17
College Hill Parking Prohibitions

Sections:
12.17.010 Prohibited parking areas created.
12.17.020 Parking compliance required; Penalties.
12.17.030 Vehicles subject to towing.
12.17.040 Signage required.

12.17.010 Prohibited parking areas created. Parking is prohibited between the hours of 2 a.m. and 9 a.m. Monday through Friday on the following streets located in the College Hill neighborhood during Washington State University holiday breaks: Thanksgiving (one week in November), Winter (three weeks in December), and Spring (one week in March):

(1) NE Colorado Street from NE D Street to NE Opal Street
(2) NE Campus Street from NE Opal Street to NE B Street
(3) NE B Street from NE Colorado Street to NE California Street
(4) NE California Street from NE B Street to NE Ruby Street
(5) NE Maiden Lane from NE Whitman Street to NE Opal Street
(6) NE D Street from NE Colorado Street to NE Alpha Road
(7) NE C Street from NE Colorado Street to NE Alpha Road
(8) NE A Street from NE Colorado Street to California
(9) Maple Street from Campus to NE Colorado Street
(10) NE Linden Street from NE B Street to NE Monroe Street

This area shall be known as the “College Hill Restricted Parking Zone”.

(Ord. 17-19 §1, 2017; Ord. 17-16 §2, 2017)

12.17.020 Parking compliance required; Penalties. It is unlawful to park any vehicle in the College Hill Restricted Parking Zone in violation of this Chapter. Violation of this Chapter shall be a Class 3 infraction, punishable pursuant to Title 1 of the Pullman City Code.

(Ord. 17-16 §3, 2017)

12.17.030 Vehicles subject to towing. Vehicles parked in violation of this Chapter may be towed and stored at the expense of the registered owner in accordance with RCW 46.55.113(2)(h) upon order of the Public Works Director, Chief of Police, Fire Chief, or their designees.

(Ord. 17-16 §4, 2017)

12.17.040 Signage required. The Public Works Director shall post signs notifying persons that vehicles illegally parked in the College Hill Restricted Parking Zone are subject to towing.

(Ord. 17-16 §5, 2017)

Chapter 12.20
Enforcement of Parking Regulations

Sections:
12.20.010 Applicability.
12.20.020 Definitions.
12.20.030 Rules and regulations authorized.
12.20.040 Registered owner responsible for unlawful parking.
12.20.043 Infraction-Issuance.
12.20.045 Service of Notice of Infraction.
12.20.048 Filing of Notice.
12.20.010  **Applicability.** The provisions of this Chapter shall be applicable to infractions of parking regulations as established and set forth in Pullman City Code Chapter 12.10, known as the Pullman traffic ordinance and appropriate resolutions and rules enacted pursuant thereto, and Pullman City Code Chapter 12.15, entitled "Downtown Free Parking Zone" and appropriate resolutions and rules enacted pursuant thereto. (Ord. 98-18 §1, 1998; Ord. 82-21 §1, 1982).

12.20.020  **Definitions.**

(1) Whenever the words "this code" appear in this Chapter, they shall be interpreted to mean Chapter 12.10 and Chapter 12.15 of the Pullman City Code.

(2) "Public way" as used in this Chapter means any public highway, public street, public alleys, and any private alley and private parking area adapted to and fitted for vehicular travel, that is in common use by the public with the consent, expressed or implied, of the owner.

(3) "Registered tow truck operator" as used in this Chapter means a "registered tow truck operator" as defined in RCW 46.55.400 as it now exists or may hereafter be amended. (Ord. 98-18 §2, 1998; Ord. 82-21 §2, 1982).

12.20.030  **Rules and regulations authorized.** The Police Department shall establish procedures necessary to administer this
Chapter and the parking violations bureau of the City of Pullman. (Ord. 95-5 §2, 1995; Ord. 87-28 §11, 1987; Ord. 82-21 §3, 1982).

12.20.040 Registered owner responsible for unlawful parking. Every person in whose name a vehicle is registered shall be responsible for any parking violation by the parking of said vehicle in violation of the provisions of the Pullman City Code and any appropriate resolutions enacted pursuant thereto. A notice of infraction represents a determination that an infraction has been committed. The determination will be final unless contested as provided in chapter 46.63 RCW. It shall be no defense that the vehicle was parked illegally by another, unless proof is presented that said vehicle has been stolen and had not been returned to the registered owner by the date of the violation. This section shall not apply to registered owners transferring vehicle ownership who have complied with RCW 46.12.102 prior to the date of the violation. (Ord. 95-5 §3, 1995; Ord. 82-21 §4, 1982).

12.20.043 Infraction-Issuance. A notice of infraction may be issued when the infraction is committed in the officer's presence or at the request of a law enforcement officer in whose presence the traffic infraction was committed. (Ord. 98-18 §3, 1998).

12.20.045 Service of Notice of Infraction. A notice of infraction may be served as follows:

(1) The citing officer serving the notice of infraction on the person named in the notice of infraction at the time of issuance; or

(2) The citing officer affixing to a vehicle in a conspicuous place the notice of a traffic infraction if it alleges the violation of a parking, standing, or stopping statute. (Ord. 98-18 §4, 1998).

12.20.048 Filing of Notice. When a notice of infraction has been issued, the notice shall be filed with the Whitman County District Court or with a violations bureau subject to such court's supervision. The notice must be filed within 48 hours after issuance of the notice excluding Saturdays, Sundays, and holidays. A notice of infraction not filed within the time limits of this section may be dismissed without prejudice. (Ord. 98-18 §5, 1998).

12.20.050 Failure to comply with notice of parking infraction.

(1) If no response or payment is made within sixteen (16) calendar days of the date of issuance of the notice of infraction, the City shall mail a delinquency notice to the registered owner of the vehicle to which the notice
of parking infraction was affixed as shown by the records of the Department of Licensing of the state from which the vehicle was licensed informing him or her of the following:

(a) The license number of the vehicle;

(b) The name of the registered owner of the vehicle as shown by the records of the Department of Licenses of the state from which the vehicle is licensed;

(c) The date and nature of each violation;

(d) A statement that the notice of infraction is delinquent;

(e) A statement that the vehicle will be considered to be a public nuisance unless all outstanding, unpaid penalties for violation of the parking provisions of this code are paid within sixteen (16) calendar days of the date of mailing of the delinquency notice;

(f) A statement that the vehicle as a nuisance will be subject to immobilization pursuant to this Chapter; and

(g) The address and telephone number where additional information may be obtained.

(Ord. 18-8 §2, 2018; Ord. 98-18 §6, 1998; Ord. 95-5 §4, 1995; Ord. 82-21 §5, 1982).

12.20.060 Declaration of a nuisance. Any vehicle which has been cited for three or more parking violations of this code and the parking infraction notice issued therefor has gone unpaid for at least forty-six (46) days, and when the registered owner has failed to respond to the delinquency notice, then that vehicle shall constitute a public nuisance in that said vehicle has inhibited the orderly movement of vehicles into parking spaces on the streets of the City of Pullman, created an obstruction to traffic, and restricted public access to limited parking spaces and created a disincentive to others to obey the City of Pullman parking ordinances. (Ord. 18-8 §3, 2018; Ord. 98-18 §7, 1998; Ord. 82-21 §6, 1982).

12.20.070 Authority for immobilization of vehicle. If at least three (3) infractions have gone unpaid for at least forty-six (46) days each, and if all outstanding penalties are not paid within fourteen (14) calendar days of the mailing of the second and
final notice of delinquency for each of the notices of infraction issued, the vehicle hereinbefore declared a nuisance shall be immobilized upon sight by the Police Department.

(Ord. 18-8 §4, 2018; Ord. 98-18 §8, 1998; Ord. 95-5 §5, 1995; Ord. 87-28 §12, 1987; Ord. 82-21 §7, 1982).

12.20.080 Immobilization of vehicle.

(1) Any officer or employee of the City may temporarily immobilize such vehicle by installing on, or attaching to such vehicle, a device designed to restrict the normal movement of such vehicle. At the time the vehicle is immobilized, the City shall cause to be affixed to said vehicle a readily visible notification sticker. Said sticker shall include the following information:

(a) The date and time the sticker was affixed;

(b) The identity of the agent or employee of the City who immobilized the vehicle;

(c) A statement that the vehicle has been immobilized by the City of Pullman for parking violation of this code;

(d) A statement that the vehicle may be released from such immobilization at a designated place, by payment of the designated total of unpaid parking violations penalties plus a one hundred fifty dollar ($150) immobilization fee or alternatively if the owner wishes to contest the immobilization, the owner has the right to file a petition for relief from the failure to pay the parking violation within ten days of the date of immobilization and obtain a release of the immobilized vehicle by posting a cash bond for all outstanding penalties and the immobilization fee with the parking violations bureau;

(e) A statement that unless arrangements are made for the release of said vehicle within twenty-four hours, the vehicle will be towed and stored at the owner's expense and disposed of in accordance with the provisions set forth in Chapter 12.20 of the Pullman City Code;

(f) A warning that removing or attempting to remove the device or moving the immobilized vehicle before a
release is obtained in unlawful and may damage the vehicle;

(g) The address and telephone number and office hours where additional information may be obtained;

(h) A statement that if the vehicle is immobilized in a "tow-away" zone, it shall be subject to immediate impoundment if remaining immobilized during the prohibited time periods;

(i) A statement that the filing fee for a petition for relief will be paid by the person seeking review just as in any other civil case.

(2) The parking restrictions otherwise applicable shall not apply to any vehicle immobilized pursuant to this section. (Ord. 18-10 §1, 2018; Ord. 98-18 §9, 1998; Ord. 82-21 §8, 1982).

12.20.090 Immobilization fee. Any vehicle immobilized pursuant to Section 12.20.080 shall be assessed a one hundred fifty dollar ($150) fee to cover the costs of immobilization, said fee to be in addition to any penalty assessed pursuant to this code. (Ord. 18-10 §2, 2018; Ord. 82-21 §9, 1982).

12.20.100 Release from immobilization. No vehicle immobilization pursuant to Section 12.20.080 shall be released from the device until payment of the total of unpaid parking violation penalties owing, plus the one hundred fifty dollar ($150) immobilization fee assessed pursuant to Section 12.20.090 have been paid or a cash bond in an amount equal to the sum of said penalties and immobilization fee has been posted as directed by the Chief of Police or his designee. (Ord. 18-10 §3, 2018; Ord. 87-28 §13, 1987; Ord. 82-21 §10, 1982).

12.20.110 Petition for relief. Any person desiring to contest an immobilization or an impoundment may serve upon the City and file with the Whitman County district court a petition for relief within ten days of the date of the immobilization or impoundment. The filing fee for filing the petition for review shall be paid by the party seeking review the same as any other civil matter. (Ord. 98-18 §10, 1998; Ord. 82-21 §11, 1982).

12.20.120 Towing of immobilized vehicle. If no one responds to the immobilization of a vehicle within twenty-four hours of the affixing of the immobilization device, or if the immobilized vehicle is located in a "tow-away" zone as designated by the City Traffic Engineer during a prohibited time period, said vehicle shall be towed and stored at the expense of the registered owner.
Said vehicle shall not be released until full payment of all parking penalties, immobilization fee, and towing and storage charge have been paid or a cash bond in an amount equal to the sum of the outstanding penalties, and immobilization fee has been posted with the parking violations bureau; and, the towing and storage charges have been paid to the towing and storage operator. (Ord. 82-21 §12, 1982).

12.20.130 Cash bond forfeitures. Any person posting a cash bond pursuant to Section 12.20.080 or 12.20.120 shall be deemed to have forfeited the cash bond to the City if no petition for relief is filed with the Whitman County district court within ten days following the date of the immobilization. Notice of the right of the City to forfeit the cash bond shall either be given in person to the party posting the bond or mailed to their last known address. (Ord. 98-18 §11, 1998; Ord. 82-21 §13, 1982).

12.20.140 Unlawful to remove or attempt to remove an immobilization device or to move vehicle while immobilized. It is unlawful for any person to remove or attempt to remove an immobilization device or to move an immobilized vehicle without arranging with the City of Pullman for said release. Any removal or attempted removal of an immobilization device or the moving of an immobilized vehicle prior to release of the immobilization device shall be a misdemeanor, and any person violating the provisions of this section shall be liable for any damage to the immobilization device and the immobilized vehicle. (Ord. 82-21 §14, 1982).

12.20.150 Impoundment of vehicle.

(1) Whenever any vehicle is impounded by towing and storage pursuant to the provisions of this Chapter, the Police Department shall, within twenty-four hours after impoundment, mail notification of the impoundment to the last registered owner and the legal owner of the vehicle as shown on the records of the Department of Licenses of the state from which the vehicle is licensed or as otherwise reasonably ascertainable. The notification shall contain a certificate of mailing and shall inform the registered owner of this impoundment, redemption procedures, and opportunity for a hearing to contest the impoundment. The notice need not be mailed if the vehicle is redeemed prior to the mailing of the notice or if the registered owner and the legal owner are not reasonably ascertainable.

Upon impoundment of a vehicle pursuant to this section, the law enforcement officer shall also provide the registered tow truck operator with the name and address...
of the last registered owner and legal owner of the vehicle as may be shown by the records of the Department of Licensing of the state from which the vehicle is licensed or as otherwise reasonably ascertainable.

(2) The notification provided for in this section shall inform the registered owner that any hearing request in the form of a petition for relief shall be directed to the Whitman County district court. Any request for a hearing pursuant to this section shall be made in writing and received by the Whitman County district court at Pullman within ten days of the date the notification provided for in this section was mailed. If the hearing request is not received by the Whitman County district court within the ten-day period, the right to a hearing is waived and the registered owner shall be conclusively liable for any towing, storage, or other impoundment charges permitted under this Chapter. Upon receipt of a request for hearing in the form of a petition for relief, the Whitman County district court with jurisdiction shall proceed to hear and determine the matter as in any other civil action.

(3) If the registered owner timely requests a hearing provided for by this section and prevails at the hearing, the City of Pullman’s Police Department shall be liable for any towing, storage, or other impoundment charges permitted under this Chapter.

(4) Removal and storage of a vehicle shall be at the owner's expense, except as provided in subsection (3) of this section. (Ord. 98-18 §12, 1998; Ord. 87-28 §14, 1987; Ord. 82-21 §15, 1982).

12.20.160 Procedures for disposing of impounded vehicles. Pursuant to the provisions of chapter 46.55 RCW, impounded vehicles shall be processed in the manner provided in RCW 46.52.130 and RCW 46.52.140, as each of those sections now exist or is hereafter amended. (Ord. 98-18 §13, 1998; Ord. 82-21 §16, 1982).

12.20.175 Parking — lack of current registration tabs — Prohibition. It is unlawful for any person to park any vehicle without current registration tabs on a highway, alley, public parking area or structure, or any other publicly-owned property or right of way. (Ord. 00-9 §3, 2000).

12.20.185 Parking — vehicle location after tagged. It shall be unlawful for any person to fail to move his/her vehicle beyond the block where the vehicle was located when the chalk mark and tag
were placed on the vehicle for the purpose of giving notice of a
96-hour violation. (Ord. 18-8 §5, 2018; Ord. 00-9 §5, 2000).

12.20.800 Construction. This Chapter shall be liberally
construed in order to effectuate its purposes. (Ord. 00-9 §2,
2000; Ord. 82-21 §17, 1982).

12.20.900 Severability. The provisions of this Chapter are
declared to be severable. If any section, subsection, sentence,
clause, or phrase of this Chapter or its application to any person
or circumstance is for any reason held to be invalid or unconstitu-
tional, the remainder of the Chapter shall not as a result of said
section, subsection, sentence, clause, or phrase be held
unconstitutional or invalid. (Ord. 00-9 §4, 2000; Ord. 82-21 §18,
1982).

Chapter 12.25
Storing Vehicles and Placing Unmounted Campers and Canopies
on Street Right-of-ways

Sections:
12.25.010 Purpose.
12.25.020 Definitions.
12.25.030 Acts prohibited.
12.25.040 Enforcement--Penalty.
12.25.050 Enforcement--Public Nuisance.
12.25.060 General duty.
12.25.070 Severability.

12.25.010 Purpose. The purpose of this Chapter is to protect
the public health, safety, and welfare by

(1) prohibiting abusive long-term storage of vehicles on
public street right-of-ways and public streets as defined
in this Chapter thereby increasing the availability of
parking spaces for the use of the general public; and

(2) prohibiting the placing of unmounted campers and canopies
on public street right-of-ways and public streets as
defined in this Chapter. (Ord. 88-9 §1, 1988).

12.25.020 Definitions. The following words and terms used in
this Chapter shall have the following meanings except where
otherwise defined in this Chapter, and unless where used the
context thereof clearly indicates to the contrary.

(1) "Camper" means a structure designed to be mounted upon a
vehicle, usually a truck, which provides facilities for
human habitation or for temporary outdoor or recreational lodging.

(2) "Canopy" means a structure designed to be mounted upon a vehicle, usually a truck, which provides security or shelter for things or persons under the structure that is the canopy.

(3) "Intended purpose" means the purpose or purposes for which the vehicle is originally designed, reconstructed, or permanently altered; such as an automobile is designed for transporting persons, a boat trailer is designed for hauling a boat, a truck is designed for transporting goods or persons, a bus is designed for transporting persons, a float is designed for use in a parade, a camper or motor home is designed for use in providing facilities for human habitation away from the usual residence or domicile of the owner or person in control or possession of the camper or motor home.

(4) "Motor home" means a motorized vehicle originally designed, reconstructed, or permanently altered to provide facilities for human habitation.

(5) "Public street" means that portion of a public street right-of-way improved, designed, or ordinarily used for vehicular travel, exclusive of the sidewalk or shoulder even though such sidewalk or shoulder is or could be used by persons riding bicycles.

(6) "Public street right-of-way" means the entire width between the boundary lines of every way publicly maintained including alleys when any part thereof is open to use by the public for purposes of vehicular travel as a matter of right.

(7) "Store", "storage", or "storing" means the parking or leaving of any vehicle whether operable or not on a public street right-of-way or a public parking lot for a period of more than 96 consecutive hours without using the vehicle for its intended purpose during that period.

(8) "Trailer" means every non-motorized vehicle designed for being drawn by or used in conjunction with a motorized vehicle and which is constructed so that no appreciable part of its weight rests upon or is carried by such motorized vehicle. The term trailer also includes what is commonly known as a "fifth-wheeler".

(9) "Vehicle" means
(a) any motorized or non-motorized device capable of being moved upon a public street; and,

(b) in, upon, or by which persons or property may be transported or drawn upon a public street.

(Ord. 18-22 §1, 2018; Ord. 88-9 §2, 1988).

12.25.030 Acts prohibited.

(1) No person owning or possessing or controlling

(a) a camper or canopy shall place or allow it to be placed within a public street right-of-way for any period of time, unless the camper or canopy is mounted on a motorized vehicle intended for the usual use of the camper or canopy.

(b) a vehicle shall store it within a public street right-of-way. This prohibition shall not be construed as granting permission for a vehicle to remain in a public street right-of-way after the Director of Public Works has determined and notice has been given that its removal is necessary in order to make improvements, or perform repairs, or perform maintenance including street cleaning and snow removal within the public street right-of-way, or if a member of the Police Department determines that it is obstructing traffic.

(2) The provisions of this section shall be supplemental to the provisions of Chapter 46.55 RCW and Chapters 12.10, 12.15, and 12.20 of the Pullman City Code as now existing and in accordance with any amendments that may hereafter be made thereto, and shall not be construed in degradation thereof. (Ord. 88-9 §3, 1988).

12.25.040 Enforcement--Penalty.

(1) Any person or entity which violates the provisions of 12.25.030(1)(a) shall be deemed to have committed a civil infraction and for each violation shall be fined not to exceed the sum of $500.00. In lieu of a court appearance, any person or entity charged with having committed a civil infraction prohibited by the provisions of 12.25.030(1)(a) may forfeit to the Whitman County District Court a penalty in the sum of $25.00.
Any person or entity which violates the provisions of 12.25.030(1)(b) shall be deemed to have committed a civil infraction and for each violation shall be fined not to exceed the sum of $500.00. In lieu of a court appearance, any person or entity charged with having committed a civil infraction prohibited by the provisions of 12.25.030(1)(b) may forfeit to the City of Pullman Parking Violations Bureau a penalty in the sum of $25.00.

(Ord. 88-9 §4, 1988).

12.25.050 Enforcement--Public Nuisance.

(1) The placing or allowing to be placed of a camper or canopy contrary to the prohibition set forth in 12.25.030(1)(a), and the storing of a vehicle contrary to the prohibition set forth in 12.25.030(1)(b) are each declared to be a public nuisance; and a civil action may be taken for the abatement thereof which action shall be in addition to the penalties provided for in 12.25.040.

(2) A vehicle stored contrary to the prohibition set forth in 12.25.030(1)(b) shall be considered to be an unauthorized vehicle and disposed of an unauthorized vehicle in accordance with the provisions of Chapter 46.55 RCW as now existing and in accordance with any amendments that may hereafter be made thereto. (Ord. 88-9 §5, 1988).

12.25.060 General duty. None of the provisions of this Chapter are intended to create a cause of action or provide the basis for a claim against the City, its officials, or employees for the performance or failure to perform a duty or obligation running to a specific individual or specific individuals. Any duty or obligation created herein is intended to be a general duty or obligation running in favor of the general public. (Ord. 88-9 §6, 1988).

12.25.070 Severability. The provisions of this Chapter are declared to be severable. If any section, subsection, sentence, clause, or phrase of this Chapter or its application to any person or circumstance is for any reason held to be invalid or unconstitutional, the remainder of this Chapter shall not as a result of said section, subsection, sentence, clause, or phrase be held unconstitutional or invalid. (Ord. 88-9 §7, 1988).

Chapter 12.30
Junk Vehicles and Automobile Hulks

Sections:
12.30.010 Purpose and intent.
12.30.010 Purpose and intent. The purpose and intent of this Chapter is to provide for and implement the greatest powers possible for facilitating the removal of junk vehicles, parts thereof, and automobile hulks from public and private property as authorized by the provisions of RCW 46.55.240 as now existing and in accordance with any amendments that may hereafter be made thereto. (Ord. 88-10 §1, 1988).

12.30.020 Definitions. The following words and terms used in this Chapter shall have the following meanings except where otherwise defined in this Chapter, and unless where used the context thereof clearly indicates to the contrary.

(1) "Automobile hulk" means an automobile hulk whether abandoned or not and further as defined in RCW 46.79.010(2) as now enacted or hereafter amended.

(2) "Junk vehicle" means a junk vehicle as defined in RCW 46.55.010(4) as now enacted or hereafter amended.

(3) "Land owner" means a landowner as now defined in RCW 46.55.230(7) as now enacted or hereafter amended. (Ord. 88-10 §2, 1988).

12.30.030 Nuisance. The storing or keeping of junk vehicles, parts thereof, or automobile hulks on public or private property is declared to be a public nuisance, except as provided for in 12.30.060. Such public nuisance may be abated as provided for in 12.30.040 and 12.30.050. (Ord. 88-10 §3, 1988).

12.30.040 Summary removal procedures.

(1) The Police Department shall inspect and investigate complaints about the storing or keeping of junk vehicles, parts thereof, and automobile hulks on public and private property. Upon discovery of an alleged junk vehicle, parts thereof, or automobile hulk, the Police Department may contact the landowner of the property where the junk vehicle, parts thereof, or automobile hulk is located, and determine if the landowner claims any ownership interest in or bailment responsibility for the junk vehicle, parts thereof, or automobile hulk. If the
landowner claims no ownership interest or bailment responsibility the Police Department shall request the landowner to execute a statement to that effect under penalty of perjury.

(2) If the landowner claims an ownership interest or bailment responsibility for a junk vehicle, parts thereof, or automobile hulk located on his or her property, and the landowner does not within fifteen days after notification by the Police Department voluntarily abate the nuisance either by removing it from the property or enclosing it as provided for in 12.30.060(1), the Police Department may proceed to deal with the junk vehicle, parts thereof, or automobile hulk as provided for in 12.30.050.

(3) Upon execution by the landowner of the statement of no ownership interest in or bailment responsibility for the junk vehicle, parts thereof, or automobile hulk, the Police Department shall cause a junk vehicle notification form to be mailed to the vehicle's registered legal owner of record by certified mail, return receipt requested. Additionally, this notification shall inform the owner of the City's intent to dispose of the junk vehicle, parts thereof, or automobile hulk. If the junk vehicle, parts thereof, or automobile hulk remains unclaimed for more than fifteen days after the junk vehicle notification form has been received, the Police Department may have the junk vehicle, parts thereof, or automobile hulk removed with notice to the Washington State Patrol and the department of licensing that the junk vehicle has been wrecked.

(4) If no information identifying the owner of the junk vehicle, parts thereof, or automobile hulk is available after the landowner has executed the statement of no ownership interest or bailment responsibility, the Police Department may place a legal notice of custody and sale in the official newspaper of the City. This notice shall comply with the provisions of RCW 46.55.230(5), as now enacted or hereafter amended, and shall additionally inform the owner of the City's intent to dispose of the junk vehicle, parts thereof, or automobile hulk. If the junk vehicle, parts thereof, or automobile hulk remains unclaimed more than twenty days after publication of the notice, the Police Department may have the junk vehicle, parts thereof, or automobile hulk removed with notice to the Washington State Patrol and Department of Licensing that the junk vehicle has been wrecked. (Ord. 88-10 §4, 1988).
12.30.050 Nuisance abatement procedures.

(1) If a landowner claims an ownership interest in or bailment responsibility for a junk vehicle, parts thereof, or automobile hulk located on his property upon contact by the Police Department as provided for in 12.30.040(2), then the matter shall be referred to the Chief of Police for possible further action.

(2) After referral to the Chief of Police as provided for in subsection (1) of this section, the Chief of Police may give notice to any landowner storing or keeping a junk vehicle, parts thereof, or automobile hulk within any zone in the City that such vehicle, parts thereof, or automobile hulk is a public nuisance which must be abated by the landowner within fifteen days or the City will proceed to abate the nuisance by removal of the junk vehicle, parts thereof, or automobile hulk from the landowner's property; and, that the costs of such removal including administrative costs shall be assessed against the registered owner of the junk vehicle, parts thereof, or automobile hulk if the identity of the owner can be determined, unless the owner in the transfer of ownership of the vehicle or automobile hulk has complied with RCW 46.12.101, or the costs may be assessed against the owner of the property on which the junk vehicle, parts thereof, or automobile hulk is stored. This notice shall also inform the registered owner and the landowner of the right to request a hearing to contest the City's proposed removal of the junk vehicle, parts thereof, or automobile hulk. This notice shall be delivered to the last registered owner of the junk vehicle, parts thereof, or automobile hulk and to the landowner and the property owner of record if different from the landowner by certified mail, return receipt requested.

(3) Notice. The notice required by subsection (2) of this section shall be in substantially the following form:

"JUNK VEHICLE, PARTS THEREOF, OR AUTOMOBILE HULK REMOVAL NOTICE"

A junk vehicle(s), parts thereof, or automobile hulk(s) described as:

has been discovered by the City of Pullman located at ______________________ (Street Address), described as ______________________ (legal) within the City of Pullman which is shown by public record to be the real property of ______________________,
the last registered owner of such junk vehicle(s), parts thereof, or automobile hulk is listed of record as:

__________________________________________________________________.

All of you are informed that such junk vehicle(s), parts thereof, or automobile hulk(s) (is) (are) a public nuisance and unless such nuisance is abated within fifteen days of your receipt of this notice by removal from the property hereinbefore described or enclosed on said property as set forth in Pullman City Code 12.30.060(1), the City of Pullman will proceed to abate such public nuisance by removal of the listed junk vehicle(s), parts thereof, or automobile hulk(s) fifteen days after you or your representative receives this notice as shown on the return receipt for this certified mail. The costs of removal, including administrative costs, will be assessed against the registered owner, unless the owner can demonstrate compliance with RCW 46.12.101 at the time of transfer of ownership, and/or against the landowner.

You may request a hearing before the Whitman County District Court to contest: the City's determination that the above-described junk vehicle(s), parts thereof, or automobile hulk(s) (is)(are) a public nuisance, the abatement thereof, or that you are legally responsible for these junk vehicle(s), parts thereof, or automobile hulk(s). To request this hearing, one of you must notify the undersigned in writing at the address below within ten days of the date you or your representative received this notice as shown on the return receipt for this certified mail. If you do not request a hearing, the junk vehicle(s), parts thereof, or automobile hulk(s) will be removed by the City of Pullman and the costs thereof, including administrative costs, shall be assessed against all or any one of you.

DATED this ________________ day of _____________________, 1988.

___________________________________
Chief of Police
City of Pullman
P.O. Box 249
Pullman, WA  99163
(509) 334-4555 Ext. 260

(4) After the expiration of the fifteen days provided for in the notice of the registered owner and landowner if no hearing has been requested; or, after a hearing if requested and such action is authorized by the Court, the Police Department may proceed to have the junk vehicle, parts thereof, or automobile hulk removed and the costs of such removal including administrative costs shall be taxed against the registered owner and/or landowner
jointly and severally; and, notice shall be given to the Washington State Patrol and the department of licensing that the junk vehicle, parts thereof, or automobile hulk has been wrecked.

(5) If either the last known registered owner of the junk vehicle, parts thereof, or automobile hulk or the landowner requests a hearing before the Whitman County District Court to contest either (a) the City's determination that the junk vehicle, parts thereof, or automobile hulk constitutes a public nuisance, or (b) the abatement thereof, or (c) the legal responsibility of either or both the registered owner and/or landowner for the junk vehicle, parts thereof, or automobile hulk, that hearing shall be conducted after a written notice of the date, time, and place of such hearing is mailed, by certified mail, with a five day return receipt requested, to the owner of the land as shown on the last equalized assessment roll and to the last registered and legal owner of record unless the vehicle is in such condition that identification numbers are not available to determine ownership. The hearing shall be held within thirty days of receipt of a written request for a hearing. No action shall be taken to remove the junk vehicle, parts thereof, or automobile hulk during the pendency of a hearing except pursuant to a court order.

The landowner may appear in person at said hearing or present a written statement in time for consideration at the hearing, and deny responsibility for the presence of the junk vehicle, parts thereof, or automobile hulk on the real property, with his reasons for the denial. If it is determined at the hearing that the junk vehicle, parts thereof, or automobile hulk was or were placed on the land without the consent of the landowner and the landowner has not subsequently acquiesced in its presence, then the Court shall not assess costs of administration or removal of the junk vehicle, parts thereof, or automobile hulk against the property upon which the junk vehicle, parts thereof, or automobile hulk is located or otherwise attempt to collect the costs from the owner. (Ord. 88-10 §5, 1988).

12.30.060 Exceptions. The provisions of this Chapter shall not apply under the following conditions:

(1) If a junk vehicle, parts thereof, or automobile hulk is completely enclosed within a building in a lawful manner and is not visible from the street or other public or private property, or;
If a junk vehicle, parts thereof, or automobile hulk is stored or parked in a lawful manner on private property in connection with the business of a licensed dismantler or licensed vehicle dealer and is fenced according to RCW 46.80.130 as now enacted or hereafter amended. (Ord. 88-10 §6, 1988).

12.30.070 General Duty. None of the provisions of this Chapter are intended to create a cause of action or provide the basis for a claim against the City, its officials, or employees for the performance or failure to perform a duty or obligation running to a specific individual or specific individuals. Any duty or obligation created herein is intended to be a general duty or obligation running in favor of the general public. (Ord. 88-10 §7, 1988).

12.30.080 Severability. The provisions of this Chapter are declared to be severable. If any section, subsection, sentence, clause, or phrase of this Chapter or its application to any person or circumstance is for any reason held to be invalid or unconstitutional, the remainder of this Chapter shall not as a result of said section, subsection, sentence, clause, or phrase be held unconstitutional or invalid. (Ord. 88-10 §8, 1988).

Chapter 12.44
Pullman High School Grounds

Sections:
12.44.010 Unlawful to pass.
12.44.015 Parking.
12.44.017 Towing of motor vehicles.
12.44.020 Speed limit on Pullman High School grounds.
12.44.030 Traffic signals and control devices must be obeyed.
12.44.040 Pullman transportation code applies to Pullman High School grounds.
12.44.050 Pullman High School grounds defined.
12.44.060 Roads on Pullman High School grounds not city streets.
12.44.070 Savings clause.

12.44.010 Unlawful to pass. It is unlawful for the operator of any motor vehicle to pass another motor vehicle which is moving in the same direction on any road or driveway which runs across, over, or through any portion of the Pullman High School grounds; provided, this prohibition shall not extend to any parking lot where parking spaces are designated, as long as any pass within
such parking lot is made without endangering any person or property. (Ord. 82-56 §1, 1982; Ord. B-303 §1(part), 1976).

12.44.015 Parking. Motor vehicles shall be parked on the Pullman High School grounds only in appropriately marked parking spaces or in appropriately posted parking areas. The parking of motor vehicles in other than appropriately marked parking spaces or in appropriately posted parking areas is unauthorized. (Ord. 82-56 §6, 1982).

12.44.017 Towing of motor vehicles. Motor vehicles may be towed from or removed from the Pullman High School grounds when any one of the following circumstances exist:

(1) Any law enforcement officer of the City of Pullman or the principal of the Pullman High School or his/her designee determines that the motor vehicle is a traffic hazard; or

(2) The motor vehicle is an "abandoned vehicle" as defined in RCW 46.52.102, as that section now exists or may hereafter be amended; and, further provided that any towing of an abandoned vehicle shall be accomplished in compliance with the applicable provisions of RCW Chapter 46.52 as those provisions now exist or may hereafter be amended;

(3) The motor vehicle has been illegally parked for a minimum of twenty-four hours, but is not a traffic hazard. (Ord. 82-56 §7, 1982).

12.44.020 Speed limit on Pullman High School grounds. It is unlawful for the operator of any vehicle to operate any motor vehicle in excess of twenty miles per hour on any road, parking lot, or driveway running over, across, or through any portion of the Pullman High School grounds. (Ord. 82-56 §2, 1982; Ord. B-303 §1(part), 1976).

12.44.030 Traffic signals and control devices must be obeyed. It is unlawful for any operator of any motor vehicle to fail to obey any traffic-control signals, signs, barriers, markings or other traffic-control devices on Pullman High School grounds. (Ord. 82-56 §3, 1982; Ord. B-303 §1(part), 1976).

12.44.040 Pullman transportation code applies to Pullman High School grounds. All provisions of the Pullman Traffic Ordinance, of the Pullman City Code are hereby made applicable to all roads and driveways running over, across, or through any portion of Pullman High School grounds; provided, in the event of a conflict between the other portions of the Pullman Traffic Ordinance and
this Chapter, the provisions of this Chapter shall prevail and shall govern any traffic incident occurring on Pullman High School grounds. (Ord. 82-56 §4, 1982; Ord. B-303 §1(part), 1976).

12.44.050 Pullman High School grounds defined. As used in this Chapter the term "Pullman High School grounds" means those lands and premises owned by the Pullman School District No. 267, which surround and are contiguous to the Pullman High School buildings and include the Military Hill Park parking lot, irrespective of whether any part of such lands and premises are used in the educational program of said school district. (Ord. 82-56 §5, 1982; Ord. B-303 §1(part), 1976).

12.44.060 Roads on Pullman High School grounds not city streets. Nothing in this Chapter constitutes any road or driveway situated on Pullman High School grounds as a part of the City of Pullman street system. (Ord. B-303 §1(part), 1976).

12.44.070 Savings clause. Should any section, sentence, word, phrase, or clause in this Chapter be declared invalid or unconstitutional for any reason, such ruling shall not affect the remaining portion or portions of this Chapter, and such remaining portion or portions shall remain in full force and effect. (Ord. B-303 §1(part), 1976).

Chapter 12.48
High Street Mall

Sections:
12.48.010 Established.
12.48.020 Access.

12.48.010 Established. There is established a mall, to be known as the High Street Mall, located on High Street between Paradise and Grand Streets and more particularly described as follows: that area of High Street right-of-way being sixty-two feet in width and running one hundred and ten feet southerly of the intersection of E. Main Street. (Ord. 78-23 §1, 1978).

12.48.020 Access.

(1) It is unlawful to drive over or upon the High Street Mall except that when the presence of ice or snow prevents safe uphill travel on High Street, then the following vehicles may be driven across the High Street Mall to Main Street:

(a) Any vehicle legally parked on High Street north of Paradise Street;
Any vehicle parked in a private parking lot or garage if the lot or garage has its only egress to High Street at a point north of Paradise Street.

(Ord. 80-64 §2(part), 1980).

Chapter 12.50
Restricted Residential Parking Areas

Sections:
12.50.010 Purposes.
12.50.020 Definitions.
12.50.030 Criteria for designating residential areas for restricted parking.
12.50.040 Procedures for initiating restricted residential parking area designation.
12.50.050 Engineering and traffic investigation.
12.50.060 Public Hearing.
12.50.070 Resolution designating a restricted residential parking area.
12.50.080 Modifications to or elimination of a restricted residential parking area and restrictions.
12.50.090 Street signs.
12.50.100 Parking in a restricted residential parking area--unlawful.
12.50.110 Residential parking permit application.
12.50.120 Residential parking visitors permit application.
12.50.130 Permit does not guarantee parking space.
12.50.140 Expiration of permits.
12.50.150 Display of parking permits.
12.50.160 Penalties.
12.50.170 No special duty created.
12.50.180 Priority of Chapter over conflicting provisions.
12.50.190 Severability.

12.50.010 Purposes. The purposes of this chapter are to:

(1) promote the health, safety, and welfare of the community by restricting the long-term on-street parking of motor vehicles in areas of the city zoned for residential uses by non-residents of those areas.

(2) to establish criteria which promote the health, safety, and welfare of the community to be satisfied before designating areas as restricted residential parking areas.
(3) to provide procedures for designating areas as restricted residential parking areas and for the imposition and enforcement of restrictions in those areas. (Ord. 96-13 §1, 1996).

12.50.020 Definitions. Words used in this chapter shall have their normal and customary meaning, unless specifically defined otherwise. The following words and terms when used in this chapter shall have the following meanings unless when used the context thereof clearly indicates to the contrary.

(1) “motor vehicle” means every motor vehicle which is self-propelled and in, upon, or by which any persons or property is or may be drawn whether operable or not. Mopeds shall be considered motor vehicles for the purposes of this chapter.

(2) “zoned for residential uses” means the residential districts allowed for in Chapter 17.75 of this code and as shown on the zoning map of the city and any amendments that may hereafter be made to the zoning map.

(3) “residence” means a separate living unit with a separate street address for that unit and has property abutting the street to be controlled. (Ord. 96-13 §2, 1996).

12.50.030 Criteria for designating residential areas for restricted parking. The City Council may designate areas of the city as restricted residential parking areas if the City Council finds

(1) that the area under consideration for such a designation:

   (a) is an area zoned for residential uses; and,

   (b) is an area consisting of more than one named street which is more than one block in length unless the street is a dead-end or cul-de-sac street, or a street with a non-intersecting street or streets; and,

   (c) that the use of the street or streets within the area for the parking of motor vehicles by non-residents of the area results in the inability of residents of the area to obtain reasonably adequate on-street parking adjacent to or close by their place of residence; and,

(2) that the designation of the area as a restricted residential parking area will promote the health, safety,
and welfare by providing the possibility of accomplishing at least any three of the following:

(a) relieve hazardous motor vehicle and or pedestrian traffic conditions in the area.

(b) relieve the tendency of motor vehicles to be parked so as to block pedestrian crosswalks or driveway entrances or alleys in the area.

(c) reduce the obstruction of visibility of pedestrians or motorists at intersections in the area or close proximity thereto.

(d) preserve or improve the safety of children or physically disabled persons or elderly persons residing in the area.

(e) reduce air pollution or other adverse environmental effects of commuting by motor vehicle.

(f) encourage the use of car pools or mass transit.

(g) reduce excessive noise or noise traffic hazards.

(h) reduce litter in the residential area.

(i) reduce unreasonable burdens placed on residents of the area and visitors to and guests of residents of the area attempting to gain access to the residences of the residents of the area.

(j) preserve or promote tranquility among commuters and residents of the area.

(k) preserve the character of a residential area.

(Ord. 96-13 §3, 1996).

12.50.040 Procedure for initiating a restricted residential parking area designation.

(1) The process of proposing the designation of an area as a restricted residential parking area shall begin by Petition. The receipt of a petition by the City Council signed by the owners or residents of property abutting at least sixty percent of the frontage of each side of the street or streets in the area proposed for consideration.

(2) The petition shall
(a) describe the area to be considered for restricted residential parking regulation, and

(b) state the hours and days when on-street parking in the area to be considered are requested to be restricted or partially restricted for residential parking. (Ord. 09-14 §1, 2009; Ord. 96-13 §4, 1996).

12.50.050 Engineering and traffic investigation.

(1) If the City Council concurs that a proposal submitted by a petition pursuant to 12.50.040(1)(a) to designate an area as a restricted residential parking area may promote the health, safety, and welfare of the community, and if the Council desires to proceed with further consideration of the proposal it shall refer the petition to the city traffic engineer for an engineering and traffic investigation in accordance with the provisions of WAC. 308-330-270 as now existing or hereafter amended.

(2) Upon receipt of the petition, the traffic engineer shall conduct an engineering and traffic investigation, consult with the city police department to determine police-related impacts, and report the results thereof to the City Council. The report to the City Council shall include

(a) a discussion of how the proposal as presented will satisfy or fail to satisfy the criteria required by 12.50.030(1) and (2).

(b) if appropriate, a discussion of how the proposal as presented could be modified to satisfy the criteria required by 12.50.030(1) and (2).

(c) such other discussion or discussions as the traffic engineer considers appropriate.

(d) the recommendation or recommendations of the traffic engineer. (Ord. 96-13 §5, 1996).

12.50.060 Public hearing. Within sixty days after receipt of the report from the traffic engineer, the City Council shall consider the proposal to designate an area as a restricted residential parking area at a public hearing at which time proponents and opponents to the proposal shall be heard. Thereafter, the Council shall take final action on the proposal by granting the proposal, modifying the proposal, or denying the proposal. If the action is to grant the proposal or modify the
proposal and grant it as modified such action shall be taken by resolution of the City Council containing the requirements set forth in 12.50.070.  (Ord. 96-13 §6, 1996).

12.50.070 Resolution designating a restricted residential parking area. A resolution designating an area as a restricted residential parking area shall include at least

(1) a description of the area or the street or streets so designated, and

(2) the hours of the day and the days of each week the restrictions are to apply, and

(3) any special provisions or exceptions applicable to schools, churches, businesses, or public park use within the area.

(4) an effective date for the commencement of the restriction or restrictions.  (Ord. 96-13 §7, 1996).

12.50.080 Modifications to or elimination of a restricted residential parking area and restrictions. Once an area has been designated by resolution of the City Council as a restricted residential parking area, the area and restrictions may be modified or eliminated by resolution of the City Council after receipt by the Council of an engineering and traffic investigation report from the city traffic engineer; provided, however, that prior to taking final action to modify or eliminate a restricted residential parking area or the restrictions in a restricted residential parking area persons residing within the area shall be given an opportunity to be heard by the City Council on the proposed action. (Ord. 96-13 §8, 1996).

12.50.090 Street signs. Upon adoption of a resolution by the City Council designating an area as a restricted residential parking area, the traffic engineer shall cause appropriate signs to be erected along the streets identified in the resolution prior to the effective date for the commencement of the restriction or restrictions and any enforcement of the restricted residential parking regulations. The street signs erected shall give notice of the nature of the parking limitations and shall indicate the hours and days when such parking limitations shall be in effect. At least one sign shall be located in each block within a restricted residential parking area. (Ord. 96-13 §9, 1996).
12.50.100 Parking in a restricted residential parking area—unlawful.

(1) It is unlawful for any person to park a motor vehicle on any street identified in a resolution adopted by the City Council designating an area a restricted residential parking area during the hours and on the days set forth in such resolution, except for

(a) those vehicles displaying a valid residential parking permit or visitor’s permit for the area; or

(b) an emergency vehicle, including, but not limited to, an ambulance, fire engine, or police vehicle; or

(c) a clearly marked business vehicle which is under the control of a person providing a service to persons or property located in the designated restricted residential parking area, including but not limited to service and delivery vehicles.

(2) Anyone violating this section shall be deemed to have committed a parking infraction. (Ord. 96-13 §10, 1996).

12.50.110 Residential parking permit application.

(1) Applications for a residential parking permit shall be made only by a resident of the restricted residential parking area to the city police department on forms provided by the police department. The application for a permit shall contain information to verify that the applicant is a resident of the area for which application has been made and has legal title to or the right to possession of the motor vehicle or motor vehicles to be permitted. Not more than one residential parking permit shall be issued for each residence located in the restricted residential parking area. The permit may be used for any motor vehicle owned or possessed by the applicant which is identified on the application. The Chief of Police shall be responsible for establishing policies for verification of residency, and ownership or possession of a motor vehicle or motor vehicles. The information shall include, but need not be limited to, the following:

(a) Applicant’s name, address, operator’s permit number, and date of issuance;
(b) Vehicle owner’s name, address, operator’s permit number, and date of issuance;

(c) The make, model, color, state of registration, and license number of the vehicle to be permitted.

(2) In addition to any person who permanently resides within a restricted residential parking area, any person who maintains or intends to maintain a seasonal or temporary residence in excess of one hundred consecutive days within a calendar year shall also be considered a resident, provided the structure being occupied is occupied in conformance with Pullman City Code Title 17, the Zoning Code of the City of Pullman.

(3) A residential parking permit will not be issued for any motor vehicle for which one or more unpaid citations for parking violations have been issued by the city.

(4) The police department shall issue the residential parking permit when

(a) the requirements of this section have been satisfied and in accordance with any conditions or limitations contained in the resolution of the City Council designating the area as a restricted residential parking area, and

(b) any fee for the permit as established by resolution of the City Council has been paid. (Ord. 96-13 §11, 1996).

12.50.120 Residential parking visitor permit application. Applications for a residential parking visitor permit shall be made to the city police department on forms provided by the police department only by holders or those eligible to hold a residential parking permit issued under 12.50.110, and shall be restricted for use in the area where the applicant resides. Not more than one residential parking visitor’s permit shall be issued to each holder of or person eligible to hold a residential parking permit. Residential parking visitor’s permits shall be issued after payment of any fee for the permit as may be established by resolution of the City Council. (Ord. 96-13 §12, 1996).

12.50.130 Permit does not guarantee parking space. The issuance of a residential parking permit or a residential parking visitor permit does not serve as a guarantee that there will or will always be a parking space available for the permit holder on the public streets within the designated restricted residential parking area. (Ord. 96-13 §13, 1996).
12.50.140 Expiration of parking permits. Residential parking permits and residential parking visitor permits shall expire on July 31 of each calendar year and no part of the parking permit fees shall be pro-rated or refundable for any portion of a calendar year except as provided in this section. If a restricted residential parking area is formed and the City Council directs that enforcement therein is to commence at any time within 150 calendar days prior to July 31 of any calendar year, then the City Council may by resolution pro-rate or waive the fees for residential parking permits and residential parking visitors permits for any portion of this 150 calendar-day period providing that the permittee has paid for a permit for the annual period commencing the next August 1st. Residential parking permits and residential parking visitor permits shall automatically expire when the permittee no longer resides in the restricted residential parking area. (Ord. 97-3 §1, 1997; Ord. 96-13 §14, 1996).

12.50.150 Display of parking permits required. Residential parking permits and residential parking visitor permits shall be displayed on a motor vehicle in the place and in the manner prescribed by the police department. It is unlawful to

(1) attempt to display a parking permit from another area designated as a restricted residential parking area, or

(2) to display an altered, forged, expired, or stolen permit.

Anyone violating this section shall be deemed to have committed a parking infraction. (Ord. 96-13 §15, 1996).

12.50.160 Penalties. The penalties for violations of the provisions of 12.50.100(1)(a) and 12.50.150 (1) and (2) of this Chapter shall be recommended to the Whitman County District Court by resolution of the Pullman City Council and shall be effective as adopted by order of the Whitman County District Court. (Ord. 96-13 §16, 1996).

12.50.170 No special duty created. Nothing in this chapter is intended to create a special relationship, duty, or cause of action in favor of specific individuals or classes of persons. Any duty created herein is intended to be a general duty running in favor of the public citizenry as a whole. (Ord. 96-13 §17, 1996).

12.50.180 Priority of Chapter over conflicting provisions. This chapter shall be liberally construed to effectuate the purposes as set forth herein. It is not the intention of this chapter to repeal any other existing city ordinance pertaining to parking or permits but to supplement the provisions of existing
ordinances. However, in the case where any conflict or inconsistency between this chapter and any other existing ordinance or other laws becomes apparent, the provisions of this chapter shall be controlling. (Ord. 96-13 §18, 1996).

12.50.190 Severability. If any section, subsection, paragraph, sentence, clause, or phrase of this chapter is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this chapter. (Ord. 96-13 §19, 1996).

Chapter 12.52
Wheeled All-Terrain Vehicles

Sections:
12.52.010 Definitions.
12.52.020 Use of wheeled all-terrain vehicle on city streets.
12.52.030 Restrictions on use of wheeled all-terrain vehicle on city streets.
12.52.040 Equipment requirements of a wheeled all-terrain vehicle.
12.52.060 Duty to obey traffic-control devices and rules of the road.
12.52.080 Prohibited areas.
12.52.090 Use for Official Purpose Authorized
12.52.095 Violation – Penalty.
12.52.100 Severability.

12.52.010 Definitions. When used in this chapter, the city defines the words and phrases listed below as follows:

(1) “City” means the City of Pullman, its elected officials, its employees, and its agents.

(2) “City street” means every way, lane, road, street, boulevard, and every way or place in the city open as a matter of right to public vehicular traffic inside the city limits.

(3) “Motorcycle helmet” has the same meaning as provided in RCW 46.37.530 as it now exists or may hereafter be amended.

(4) “Rules of the road” means all the rules that apply to vehicle or pedestrian traffic as set forth in state statute, rule or regulation.

(5) “Sidewalk” shall have the meaning set forth in RCW 35.69.010 as existing or amended.

(6) “Wheeled all-terrain vehicle” means
(a) any motorized non-highway vehicle with handlebars that are 50 inches or less in width, has a seat height of at least 20 inches, weighs less than 1,500 pounds, and has four tires having a diameter of 30 inches or less, or

(b) a utility-type vehicle designed for and capable of travel over designed roads that travels on four or more low-pressure tires of 20 psi or less, has a maximum width less than 74 inches, has a maximum weight less than 2,000 pounds, has a wheelbase of 110 inches or less, and satisfies at least one of the following:

(i) has a minimum width of 50 inches;

(ii) has a minimum weight of at least 900 pounds;

or

(iii) has a wheelbase of over 61 inches.

A wheeled all-terrain vehicle is an off-road vehicle for purposes of Chapter 4.24 RCW.

(Ord. 17-7 §2, 2017)

12.52.020 Use of wheeled all-terrain vehicle on city streets.

Subject to the restrictions and requirements set forth in this chapter and Ch 46.09 RCW, a person with a valid driver’s license issued by the state of the person’s residence may operate a wheeled all-terrain vehicle upon a city street having a speed limit of 35 miles per hour or less.

(Ord. 17-7 §3, 2017)

12.52.030 Restrictions on use of wheeled all-terrain vehicle on city streets.

(1) A person who operates a wheeled all-terrain vehicle on city streets as authorized in this Chapter, and all passengers riding in or upon a wheeled all-terrain vehicle, must wear a securely fastened motorcycle helmet while the vehicle is in motion, except as allowed per RCW 46.37.530(1)(c);

(2) A person may not operate a wheeled all-terrain vehicle upon a city street with a speed limit in excess of 35 miles per hour; however, a person may cross a city street with a speed limit in excess of 35 miles per hour at an intersection if the crossing begins and ends on a city street with a speed limit of 35 miles per hour or less and occurs at an intersection of approximately 90 degrees, or begins or ends on a residential or commercial driveway and the opposite, intersecting city street has a speed limit of 35 mph or less;
A person may only operate a wheeled all-terrain vehicle on city streets with the appropriate current and proper on-road vehicle registration affixed to the rear of the wheeled all-terrain vehicle in compliance with RCW Ch. 46.09.442, and

No passengers under the age of five may be transported in a wheeled all-terrain vehicle.

Equipment requirements of a wheeled all-terrain vehicle. A wheeled all-terrain vehicle operated on a city street must comply with all equipment requirements of RCW 46.09.457 including, but not limited to, headlights, tail lamps, stop lamps, reflectors, turn signals, mirrors, windshields, horns, brakes, spark arresters, and muffling devices. An adequate and operating muffling device must be installed and must comply at all times with RCW 46.09.470, as it now exists or may hereafter be amended.

Duty to obey traffic-control devices and rules of the road. Unless a law enforcement officer directs otherwise, a person operating a wheeled all-terrain vehicle must obey all rules of the road that are applicable to vehicle or pedestrian traffic and must obey the instructions of official traffic-control signals, signs and other control devices applicable to vehicles. A person operating a wheeled all-terrain vehicle upon a city street is subject to all of the duties Chapters 46.09 and 46.61 RCW et seq. imposes on an operator of a vehicle, except those provisions which by their nature have no application.

Prohibited areas.

It is unlawful to operate a wheeled all-terrain vehicle on a sidewalk, except for the purposes set forth in PCC 11.42.

It is unlawful to operate a wheeled all-terrain vehicle in a park, except on a park drive or in a designated parking lot.

City vehicles are exempt from this section.

Use for Official Purpose Authorized. A City employee or other authorized person may operate a wheeled all-terrain vehicle upon any city street, sidewalk or path while being used for official City purposes, or under the authority or direction of an appropriate agency that engages in emergency management, as defined in RCW 46.09.310, or search and rescue, as defined in RCW 38.52.010, as it now exists or may hereafter be amended, or a general authority Washington law enforcement agency as defined in
RCW 10.93.020, as it now exists or may hereafter be amended, within the scope of the agency’s official duties.

(Ord. 17-7 §8, 2017)

12.52.095 Violation – Penalty. A person who violates a provision of this chapter is guilty of a traffic infraction and will be punished by the imposition of a monetary penalty not to exceed $250.00, exclusive of statutory assessments; provided, conduct which constitutes a criminal traffic offense may be charged as such and is subject to the maximum penalties allowed for such offenses.

(Ord. 17-7 §9, 2017)

12.52.100 Severability. Each separate provision of this chapter is independent of all other provisions. If any provision of the chapter, or any part thereof, is declared invalid, all other provisions, or parts thereof, remain valid and enforceable.

(Ord. 17-7 §10, 2017)