

**Subject:** Ordinance #1490 – Amending Section 16.03.050(e) to allow Parking on certain City streets that was previously prohibited

**Dept. Origin:** Planning Dept.  
**Prepared by:** Jennifer Robertson, City Attorney’s Office  
**For Agenda of:** November 15, 2016  
**Exhibits:** Ordinance #1490

**Proposed Council Action:**

This matter is on for Third Reading and Adoption of Ordinance #1490.

Initial & Date

**Concurred by Mayor:** \_\_\_\_\_  
**Approved by City Planner:** \_\_\_\_\_  
**Approved as to form by City Atty:** JSR/10-6-16  
**Approved by Finance Director:** \_\_\_\_\_  
**Approved by Department Head:** \_\_\_\_\_

**INFORMATION / BACKGROUND**

The City has received a request from Metro Parks Tacoma to allow parking on certain streets while the Point Defiance Park update is in process. Specifically, MPT requested that the City open up the following “no parking” zones to allow parking:

1. Parking on the north side of 54<sup>th</sup> Street between Pearl Street and Bennett Street (RMC 16.03.050(e)(14)); and
2. Parking any time of day on the east side of Pearl Street from N. 49<sup>th</sup> Street to N. 54<sup>th</sup> Street (RMC 16.03.050(e)(2)).

In order to continue to work collaboratively with Metro Parks Tacoma, staff recommends an update to the parking restrictions to facilitate use of the waterfront and Point Defiance Park by updating RMC 16.03.050(e) to allow the parking as requested. In addition, RMC 16.03.050(e) (16) prohibits parking in the Ruston Way Tunnel. Because the Tunnel is no longer in use as a City right of way, this restriction should be removed from having parking restrictions as a housekeeping matter. On October 4, 2016, Council set this matter over for later consideration on the November 15, 2016 Council Meeting. It is on for Third Reading tonight and may be adopted.

**FISCAL CONSIDERATION**

N/A

**RECOMMENDATION / MOTION**

Adopt Ordinance #1490.

**MOTION:** I move adoption of Ordinance No. 1490 relating to vehicle parking on city streets, amending Section 16.03.050(e) of the Ruston Municipal Code to delete the following parking restrictions: on the east side of Pearl Street (from N. 49<sup>th</sup> to N. 54<sup>th</sup>), time of day restrictions on the north side of N. 54<sup>th</sup> street between Pearl and Bennett, and the Ruston Way tunnel.

**ORDINANCE NO. 1490**

**AN ORDINANCE OF THE CITY OF RUSTON, WASHINGTON, RELATING TO VEHICLE PARKING ON CITY STREETS, AMENDING SECTION 16.03.050(e) OF THE RUSTON MUNICIPAL CODE TO DELETE THE FOLLOWING PARKING RESTRICTIONS: ON THE EAST SIDE OF PEARL STREET (FROM N. 49<sup>TH</sup> TO N. 54<sup>TH</sup>), TIME OF DAY RESTRICTIONS ON THE NORTH SIDE OF N. 54<sup>TH</sup> STREET BETWEEN PEARL AND BENNETT, AND THE RUSTON WAY TUNNEL, AND ESTABLISHING AN EFFECTIVE DATE.**

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WHEREAS, the City Council finds that it is the policy of the City to ensure safety on the City's rights of way, including restricting and allowing parking on City streets as appropriate; and

WHEREAS, as development and use of the streets and surrounding property in Ruston and in adjacent locales has changed over time; and

WHEREAS, the City reviews its codes to determine changes that should be made to support desired uses and for housekeeping purposes; and

WHEREAS, the City has received a request from Metro Parks Tacoma to allow parking on certain streets while the Point Defiance Park update is in process; and

WHEREAS, the City Council desires to work collaboratively with Metro Parks Tacoma to allow use of the waterfront and Point Defiance Park, thus supporting allowing parking on the north side of 54<sup>th</sup> Street between Pearl Street and Bennett Street should be permitted as well as allowing parking any time of day on the east side of Pearl Street from N. 49<sup>th</sup> Street to N. 54<sup>th</sup> Street; and

WHEREAS, the Ruston Way Tunnel is no longer in use as a City right of way and thus may be removed from having parking restrictions as a housekeeping matter; and

WHEREAS, on September 20, 2016, the City Council held the first reading of this Ordinance; and

WHEREAS, on October 4, 2016, the City Council held second reading and deferred consideration until a later date; and

WHEREAS, on November 15, 2016 the City Council held third reading and adopted this Ordinance during its regular meeting; **NOW, THEREFORE,**

**THE CITY COUNCIL OF THE CITY OF RUSTON HEREBY ORDAINS AS FOLLOWS:**

**Section 1.** Section 16.03.050 of the Ruston Municipal Code is hereby amended to read as follows:

**16.03.050 - Improper stopping, standing or parking.**

- (a) No person shall stop, stand or park a vehicle in any designated parking space so that any part of such vehicle occupies more than one such space, protrudes beyond the markings designating such space or protrudes into the maneuvering lines.
- (b) No person shall stop, stand or park a vehicle in any parking space for a period of time longer than the period allowed in that time zone. Once a vehicle remains in a parking space beyond the time which the time zone permits, each subsequent period of time for which the vehicle remains beyond the period of time allowed in that time zone shall constitute a separate violation.
- (c) No person shall stop, stand or park a vehicle in any parking space which is designated "Motorcycle Only" unless the person stops, stands or parks a motorcycle within the designated parking space. Motorcycle spaces will be appropriately designated by the Town's Mayor.
- (d) No person shall stop, stand or park a vehicle in any parking space which is designated "Small Car Only" unless the person stops, stands or parks a "small car" as defined herein within the designated parking space. "Small cars" shall be those vehicles which can be stopped, stood or parked entirely within the markings on the pavement which outline the "Small Car Only" parking space. "Small Car Only" spaces will be appropriately designated by the Town's Mayor.
- (e) It is a violation of this chapter to park any motor vehicle or permit the same to remain standing in any of the following places:
  - (1) On the east side of Pearl Street for a distance of 35 feet north of North 51st Street and on the east side of Pearl Street for a distance of 70 feet south of North 51st Street.
  - (2) ~~On the east side of Pearl Street from North 49th Street to North 54th Street between 3:00 p.m. and 6:00 p.m. on any Sunday or legal holiday between April 1st and September 30th of any year.~~

- ~~(3)~~ On the east side of Pearl Street for a distance of 50 feet south from North 54th Street.
  - ~~(3)~~~~(4)~~ On the north side of 51st Street for a distance of 35 feet east of Pearl Street.
  - ~~(4)~~~~(5)~~ On the north side of North 51st Street from its intersection with Winnifred Street to its intersection with Gallagher Street.
  - ~~(5)~~~~(6)~~ On the south side of North 51st Street from Winnifred Street to Baltimore Street.
  - ~~(6)~~~~(7)~~ The alley between Pearl and Highland Streets, extending from North 50th to North 52nd Streets.
  - ~~(7)~~~~(8)~~ On either side of Baltimore Street from North 51st Street to North 49th Street.
  - ~~(8)~~~~(9)~~ On the east side of Baltimore Street between North 49th Street and the south Town limits.
  - ~~(9)~~~~(10)~~ On the east side of Bennett Street from North 51st Street to North 54th Street.
  - ~~(10)~~~~(11)~~ On either side of North 49th Street for a distance of 30 feet east and west of Baltimore Street.
  - ~~(11)~~~~(12)~~ The north side of North 49th Street between Pearl and Baltimore Streets.
  - ~~(12)~~~~(13)~~ On the south side of North 49th Street for a distance of 100 feet east of Pearl Street.
  - ~~(13)~~~~(14)~~ On the south ~~either~~ side of North 54th Street between Pearl Street and Bennett Street.
  - ~~(14)~~~~(15)~~ On the Winnifred Street Bridge.
  - ~~(16)~~ ~~In the Ruston Roadway Tunnel.~~
  - ~~(15)~~~~(17)~~ On the north side of North 52nd Street from Bennett Street to Shirley Street and on either side of North 52nd Street from Bennett Street to Baltimore Street.
  - ~~(16)~~~~(18)~~ On the south side of North 52nd Street between Pearl Street and Shirley Street.
  - ~~(17)~~~~(19)~~ That portion of the north side of North 52nd Street between Winnifred and Shirley Streets, lying 60 feet west and 20 feet east of the alley between such streets.
  - ~~(18)~~~~(20)~~ At either of the two parking slots located adjacent to the Winnifred Street traffic island at the corner of North 51st Street.
- (f) It is a violation to park a vehicle in the opposite direction of a designated direction parking sign, such as, but not limited to, parking forward in space designated for back-in parking only.

**Section 2. Severability.** If any section, sentence, clause or phrase of this Ordinance should be held to be unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

**Section 3. Publication.** This Ordinance shall be published by an approved summary consisting of the title.

**Section 4. Effective Date.** This Ordinance shall be effective five days after publication as provided by law.

ADOPTED by the City Council of the City of Ruston and attested by the City Clerk in authentication of such passage on this 15th day of November, 2016.

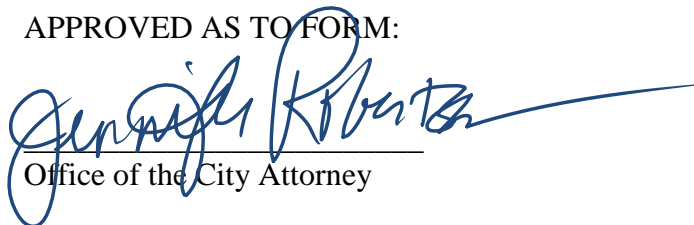
APPROVED by the Mayor this 15th day of November, 2016.

\_\_\_\_\_  
Bruce Hopkins, Mayor

ATTEST/AUTHENTICATED:

\_\_\_\_\_  
Judy Grams, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Office of the City Attorney

FILED WITH THE CITY CLERK: \_\_\_\_\_

PASSED BY THE CITY COUNCIL: \_\_\_\_\_

PUBLISHED: \_\_\_\_\_

EFFECTIVE DATE: \_\_\_\_\_

ORDINANCE NO: 1490