



Business of the City Council
Ruston, WA

Subject: Ordinance #1576 – Update of City Parking Code – Updating Fines and Housekeeping Changes

Dept. Origin: Ruston Police Dept.

Prepared by: Jennifer Robertson

For Agenda of: November 7, 2023

Exhibits: Ordinance No. 1576

Proposed Council Action:

This is on for First Reading. Unless directed Otherwise, this will return for Second Reading And Action on November 21, 2023.

Concurred by Mayor:	Initial & Date	_____
Approved by City Planner:		_____
Approved as to form by City Atty:		<u>JSR/10-31-23</u>
Approved by Finance Director:		_____
Approved by Department Head:		_____

INFORMATION / BACKGROUND

Recently, the Ruston Police Department became aware that portions of the City’s traffic and parking code were out of date and had penalties that were below State law and surrounding jurisdictions. Police requested that the code be updated for consistency. The current code mostly dates to the mid-1990s and has had very few changes since that time. This Ordinance is a housekeeping ordinance. It makes things consistent with State law and updates language and fines. As part of this update, additional housekeeping changes were put into place, such as changing “town” to “city” and the like. The attached Ordinance has been reviewed by Ruston PD and they support the Council’s adoption of these measures.

FISCAL CONSIDERATION

If passed, this Ordinance will increase fines consistent with State law and other jurisdictions.

RECOMMENDATION / MOTION

No action requested. This is on for First Reading. Unless directed otherwise, this will return for Second Reading and Action on November 21, 2023.

ORDINANCE NO. 1576

AN ORDINANCE OF THE CITY OF RUSTON, WASHINGTON, REGARDING PARKING AND TRAFFIC, REVISING SECTIONS 16.01.110, 16.01.120, AND 16.01.150 OF THE RUSTON MUNICIPAL CODE TO INCREASE FINES, AMENDING AND MAKING HOUSEKEEPING AMENDMENTS TO THE RUSTON PARKING CODE, SECTIONS 16.03.020, 16.03.030, 16.03.040, 16.03.070, 16.03.090, 16.03.130, 16.03.175, 16.03.190, 16.03.230, 16.03.240, 16.03.250, AND 16.03.270 OF THE RUSTON MUNICIPAL CODE, TO MAKE CORRECTIONS AND INCREASE FINES; PROVIDING FOR SEVERABILITY AND CORRECTIONS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Ruston’s Parking Code is located in Chapter 16.03 of the Ruston Municipal Code (“RMC”); and

WHEREAS, the Parking Code was adopted in 1996 and with a few exceptions has not been updated since that time and no increase in the amounts of fines adopted; and

WHEREAS, RMC 16.01.150 also contains fines for parking unlicensed vehicles on City streets and the fines should be updated; and

WHEREAS, there are currently no fines listed in RMC 16.01.110 and 16.01.120 and these should be added for clarity; and

WHEREAS, this Ordinance will protect the health, safety, and welfare of the people in Ruston; and

WHEREAS, on November 7, 2023, the City Council held the first reading of this Ordinance; and

WHEREAS, on November 21, 2023, the City Council adopted this Ordinance at Second Reading during its regular meeting; **NOW, THEREFORE,**

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

Section 1. Section 16.01.110 of the Ruston Municipal Code is hereby amended to read as follows:

16.01.110 U-turns.

~~It is unlawful to make a U-turn with a motor vehicle except at a street intersection which is not equipped with a traffic light or stop signal.~~

(1) The driver of any vehicle shall not turn such vehicle so as to proceed in the opposite direction unless such movement can be made in safety and without interfering with other traffic.

(2) No vehicle shall be turned so as to proceed in the opposite direction upon any curve, or upon the approach to or near the crest of a grade, where such vehicle cannot be seen by the driver of any other vehicle approaching from either direction within five hundred feet.

(3) The fine for violating this section shall be \$145.00.

Section 2. Section 16.01.120 of the Ruston Municipal Code is hereby amended to read as follows:

16.01.120 Cutting corners.

It is unlawful to drive a motor vehicle through a service station or any improved corner property unless an occupant of the vehicle stops therein for service or to transact business. The fine for violating this section shall be \$145.00.

Section 3. Section 16.01.150 of the Ruston Municipal Code is hereby amended to read as follows:

16.01.150 Unlawful to park or stand unlicensed vehicle.

It is unlawful for any person to park any vehicle or to permit any vehicle to stand on any public street, alley, highway, or parking strip of the City of Ruston unless there is displayed on the vehicle the proper number of valid vehicle license number plates or temporary vehicle registration attached in the manner required by the Washington Motor Vehicle Act. A violation of this section shall be a traffic infraction and shall be subject to the following fines:

(a) Vehicle license number plates not valid for under two months:
~~\$136.00~~145.00;

(b) Vehicle license number plates not valid for over two months:
~~\$228.00~~237.00.

Section 4. Section 16.03.020 of the Ruston Municipal Code is hereby amended to read as

follows:

16.03.020 Definitions.

Unless the context clearly requires a different meaning, the following terms shall have the meaning given to them throughout this title:

- (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) "Alley entrance" means that portion of the street which provides access to an alley through curb cut or a depression in the constructed curb or, when there is no constructed curb, that are in front of such alley as is well defined or is designated by authorized signs, markings, or existing physical features. "Alley entrance" shall include an alley exit for one-way alleys.
- (3) "Bus stop" means a fixed portion of the highway parallel and adjacent to the curb and designated by a sign to be reserved exclusively for buses for layover in operating schedules or while waiting for, loading, or unloading passengers; provided, that such bus provides regularly scheduled service within the ~~Town~~City.
- (4) "Camper" means a structure designed to be mounted upon a motor vehicle and which provides facilities for human habitation or for temporary outdoor or recreational lodging.
- (5) "City" means the City of Ruston.
- (~~56~~) "Crosswalk" means that portion of the roadway between the intersection area and a prolongation or connection of the farthest sidewalk line or in the event there are no improved sidewalks, then between the intersection area and a line 10 feet therefrom, except as modified by a marked crosswalk.
- (~~67~~) "Crosswalk, marked" means any portion of a roadway distinctly indicated for pedestrian crossing by lines or other markings on the surface thereof.
- (~~78~~) "Curb" or "curb line" means the edge of a roadway, either marked by curbing construction or not.
- (~~89~~) "Fire zone lane" or "fire zone" means an area of street in the vicinity of churches, schools, hospitals, theaters or other public buildings, and an area along curves, narrow streets and in alleys to facilitate unimpeded exit from such building by large numbers of persons and to facilitate adequate maneuvering room for fire apparatus at all times.

- (~~9~~10) "Highway" means the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.
- (~~40~~11) "Intersection" means the area embraced within the prolongation of the lateral curb lines or, if there are no curbs, then the lateral roadway boundary lines of two or more streets which join one another at an angle, whether or not such streets cross one another. The junction of an alley with a street or highway shall not constitute an intersection for purposes of this chapter.
- (~~41~~12) "Legal owner" means a person having a security interest in a vehicle perfected in accordance with Chapter 46.12 RCW or the registered owner of a vehicle unencumbered by a security interest, or the lessor of a vehicle unencumbered by a security interest.
- (~~42~~13) "Loading zone" means a space reserved for the exclusive use of vehicles during the loading or unloading of property and/or passengers.
- (~~43~~14) "Motorcycle" means every motor vehicle having a saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground.
- (~~44~~15) "Motor home" means motor vehicles originally designed, reconstructed, or permanently altered to provide human habitation.
- (~~45~~16) "Motor vehicle" means every self-propelled device capable of being moved upon a highway and in, upon or by which any person or property is or may be transported or drawn upon a public highway, including mopeds, excepting devices moved by human or animal power or used exclusively upon stationary rails or tracks. For purposes of this title, the definition of "vehicle" encompasses, but is not limited to, motor vehicles, trailers, trucks, and motorcycles.
- (~~46~~17) "Operator" or "driver" means every person who drives or is in actual physical control of a vehicle.
- (~~47~~18) "Owner" means a person who has lawful right of possession of a vehicle by reason of obtaining it by purchase, exchange, gift, lease, inheritance, or legal action whether or not the vehicle is subject to a security interest and means registered owner where the reference to owner may be construed as either to registered or legal owner.
- (~~48~~19) "Park" or "parking" means the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading of property or passengers.

- (~~19~~20) "Planting strip" means the portion of a highway lying between the constructed curb, or edge of the roadway, and the property line exclusive of the sidewalk area.
- (~~20~~21) "Police officer" means a law enforcement officer of the ~~Town~~City of Ruston.
- (~~21~~22) "Registered owner" means the person whose lawful right of possession of a vehicle has most recently been recorded with the Washington State Department of Licensing.
- (~~22~~23) "Roadway" means that portion of a street improved, designed or ordinarily used for vehicular travel, exclusive of the sidewalk or shoulder, even though such sidewalk or shoulder is used by persons riding bicycles.
- (~~23~~24) "Safety zone" means the area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is marked or indicated by painted marks, signs, buttons, standards or otherwise, so as to be plainly discernible.
- (~~24~~25) "Sidewalk" means the property between the curb lines or for the lateral lines of a roadway and the adjacent property, set aside and intended for the use of pedestrians or such portion of private property parallel and in proximity to a public highway and dedicated to use by pedestrians.
- (~~25~~26) "Stand" or "standing" means the halting of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in receiving or discharging passengers.
- (~~26~~27) "Stop" or "stopping" means any halting of a vehicle resulting in complete cessation from movement, even momentarily.
- (~~27~~28) "Town" means the ~~Town~~City of Ruston.
- (~~28~~29) "Trailer" includes every vehicle without power designed for being drawn by or used in conjunction with a motor vehicle.
- (~~29~~30) "Truck" means every motor vehicle designed, used, or maintained primarily for the transportation of commodities, merchandise, produce, freight, or animals.
- (~~30~~31) "Truck tractor" means every motor vehicle designed and used primarily for drawing other vehicles but so constructed as to permit carrying a load in addition to part of the weight of the vehicle and load so drawn.

Section 5. Section 16.03.030 of the Ruston Municipal Code is hereby amended to read as follows:

16.03.030 Stopping, standing or parking prohibited in specified places.

Except when necessary to avoid conflict with other traffic, or in compliance with the law or the directions of a police officer or official traffic control device, no person shall:

- (a) Stop, stand, or park a vehicle:
- (1) On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
 - (2) On a sidewalk or street planting strip;
 - (3) Within an intersection;
 - (4) On a crosswalk;
 - (5) Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless official signs or markings indicate a different no-parking area opposite the ends of a safety zone;
 - (6) Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic;
 - (7) Upon any bridge or other elevated structure upon a highway or within a highway tunnel;
 - (8) On any railroad tracks;
 - (9) In the area between roadways of a divided highway including crossovers;
 - (10) At any place where official signs prohibit stopping;
 - (11) Within any fire zone or fire exit;
 - (12) On any Town/City-owned property except in areas which have been clearly identified by the Town/City by sign, painted lines or other marking as parking spaces;
- (b) Stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger or passengers:
- (1) In front of a public or private driveway, alley entrance or within five feet of the end of the curb radius leading thereto;
 - (2) Within 15 feet of a fire hydrant;
 - (3) Within 20 feet of a crosswalk;
 - (4) Within 30 feet upon the approach to any flashing signal, stop sign, yield sign or traffic control signal located at the side of a roadway;
 - (5) Within 20 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within 75 feet of said entrance when properly signed;
 - (6) At any place where official signs prohibit standing; or
 - (7) At any place where Town/City barricades are placed;
- (c) Park a vehicle, whether occupied or not, except temporarily for the purpose of and while actually engaged in loading or unloading property or passengers:
- (1) Within 50 feet of the nearest rail of a railroad crossing; or
 - (2) At any place where official signs or barricades prohibit or limit parking;
- (d) Reserve or attempt to reserve any portion of a street or alley for the purpose of stopping, standing, or parking to the exclusion of any other like person, nor shall any person be granted such right;

- (e) Parking or standing shall be permitted in the manner provided by law at all other places except where a time limitation or parking restriction has been imposed;
- (f) No person shall move a vehicle not lawfully under his or her control into any such prohibited area or away from a curb such a distance as is prohibited.

Section 6. Section 16.03.040 of the Ruston Municipal Code is hereby amended to read as follows:

16.03.040 Stopping, standing or parking next to curb.

- (a) Parallel Parking.
 - (1) Every vehicle standing or parked upon a two-way road shall have the right-hand wheels of the vehicle parallel to and within 12 inches of the right-hand curb or as close as practicable to the right edge of the right-hand shoulder.
 - (2) Every vehicle stopped or parked upon a ~~one-way~~ roadway shall be so stopped or parked parallel to the curb or edge of roadway, in the direction of authorized traffic movement, with its right-hand wheels within 12 inches of the right-hand curb or as close as practicable to the right edge of the right-hand shoulder, or with its left-hand wheels within 12 inches of the left-hand curb or as close as practicable to the left edge of the left-hand shoulder.
- (b) Angle Parking.
 - (1) Upon those streets which have been signed or marked for angle parking, no person shall park or stand a vehicle other than at the angle to the curb or edge of the roadway indicated by such signs or markings. The wheels nearest the curb or edge of the roadway shall be no more than 12 inches away from said curb or edge.
 - (2) No person shall stop, stand, or park a vehicle in any space which has been signed or marked for angle parking so that the vehicle, or any portion thereof, extends into the traveled portion of the roadway so that the vehicle either obstructs, endangers or is likely to obstruct or endanger pedestrians or traffic.
- (c) Parking on Grade. Notwithstanding the requirements set forth in this section, no person shall stand or park a vehicle upon any perceptible grade without first turning the front wheels to the curb or the side of the roadway.

Section 7. Section 16.03.070 of the Ruston Municipal Code is hereby amended to read as follows:

16.03.070 Parking for disabled persons.

- (a) No person shall stop, stand, or park a vehicle in a parking space reserved for disabled persons provided on public property or on private property without charge without a special license plate, card or decal issued pursuant to RCW ~~46.16.381~~46.19.060.
- (b) A public parking space or stall for a disabled person may be identified by pavement paint with the international symbol of access or a vertical sign, including fine and tow-away information between 36 and 84 inches off the ground with the international symbol of access, whose colors are white on a blue background, described under RCW 70.92.120 and the notice “State disabled parking permit required.”
- (c) A parking space or stall for a disabled person shall also be identified by a painted white line at least four inches in width on the improved surface delineating the perimeter of the parking space or stall and a legend of the “international symbol of access” on the surface of the stall in white.
- (d) In addition to assessing the penalty identified in Section 16.03.250, the Police Department may remove and impound the improperly parked vehicle. The court may also impose an additional penalty sufficient to reimburse the Police Department for any costs it may have incurred in the removal and storage of the improperly parked vehicle.
- (e)
 - (1) The ~~Town~~City of Ruston will consider applications for designation of a “load and unload only” parking designation on public roadways where street parking is otherwise permitted, to allow loading and unloading for severely disabled citizens where no viable means of access otherwise exists to their residence.
 - (2) To apply for such a designation, the resident must submit a declaration of need to establish that access to the home from alternate ingress and egress points is not feasible and that the lack of parking poses a hardship to the resident in attempting to access his or her home. In addition, the applicant must provide the ~~Town~~City with a copy of an approved disability parking permit issued by the State of Washington along with the medical verifications required by the State. The parking designation will be issued for a six-month period only. Any ~~citizen~~resident needing the designation for additional six-month periods must submit a declaration of ongoing need.
 - (3) A fee of \$100.00 will be required if the ~~Town~~City Council grants the request. The ~~Town~~City Council shall grant or deny the designation.
 - (4) If approved, the ~~Town~~City will paint or mark a standard parking stall in proximity to the entrance of the home as a load and unload only

zone. ~~Citizens~~Residents must display their disabled parking placard prominently while using the load and unload only zone and must repark the car when loading and unloading is complete. The load and unload only zone will also be available to other members of the public, but parking for more than 10 minutes in a load and unload zone will be prohibited. Each resident granted the designation under this subsection must notify the ~~Town~~City when the special designation for a load and unload zone is no longer necessary. Violations of this section will result in a traffic offense as outlined in Sections 16.03.220 through 16.03.250 with a fine of ~~\$30.00~~\$50.00 as described in subsections 16.03.250(a) and (b). The Clerk shall provide the applicant with a copy of the ordinance codified in this section upon granting of the request and the payment of the fee.

Section 8. Section 16.03.090 of the Ruston Municipal Code is hereby amended to read as follows:

16.03.090 Parking for certain purposes prohibited.

No person shall park any vehicle upon any street or alley for the principal purpose of:

- (a) Selling merchandise from such vehicle, except when a valid business license has been obtained from the ~~Town~~City;
- (b) Displaying advertising.

Section 9. Section 16.03.130 of the Ruston Municipal Code is hereby amended to read as follows:

16.03.130 Parking in a fire lane.

No person shall stop, stand, or park a vehicle in a place marked as a fire lane approved by the ~~Town~~City. Any vehicle or object obstructing a designated fire lane is hereby declared to be a traffic and fire hazard and, in addition to assessing the penalty identified in RMC 16.03.250, the Police Department may immediately remove and impound the vehicle in accordance with RCW 46.55.113 when parked in violation of this Section. The court may also impose an additional penalty sufficient to reimburse the Police Department for any costs it may have incurred in the removal and storage of the improperly parked vehicle.

Section 10. Section 16.03.175 of the Ruston Municipal Code is hereby amended to read as

follows:

16.03.175 Residential parking zone.

- (a) Location of Residential Parking Zone. That portion of the public right-of-way up to the center of the right-of-way which has frontage immediately adjacent to a residential zoning district as described on the TownCity's official zoning map shall be designated as a residential parking zone.
- (b) Restricted Parking — Parking Permits Required. In any portion of the residential parking zone, the TownCity may issue permits or other means of identification, maintain lists of vehicles used by residents, or adopt any other reasonable means of distinguishing vehicles than may validly be parked in any restricted portion of a residential parking zone from other vehicles. The establishment of restricted portions of the residential parking zone shall not limit parking of vehicles displaying a card or decal pursuant to RCW ~~46.16.380~~46.19.030. Restricted portions of residential parking zones shall be appropriately signed and/or marked.
- (c) Residential Parking Zones — Violation. No person shall stop, stand, or park a vehicle in violation of the posted or marked restrictions of when a permit or other authorization issued by the TownCity is required as a condition for parking unless the same or a card or decal issued pursuant to RCW ~~46.16.380~~46.19.060 is displayed in a prominent place on the vehicle.

Such acts shall be punishable by a penalty in an amount not less than those amounts set forth below:

Violation	Minimum Amount
Parking in Restricted Zone without permit	\$30.00 <u>50.00</u>

Section 11. Section 16.03.190 of the Ruston Municipal Code is hereby amended to read as

follows:

16.03.190 Parking trailers, campers, motor homes, and trucks.

- (a) Except as provided in subsections (b) and (c) below, it shall be unlawful to park, store or keep any bus, semitrailer, trailer, motor truck, motor home, camper, tractor and/or truck tractor, or any commercial vehicle over 11,500 pounds gross vehicle weight, upon any TownCity street, sidewalk, avenue, alley, or any right-of-way.
- (b) The restrictions set forth in this subsection (a) above shall not apply to the parking of a trailer, camper or motor home on a street or alley immediately abutting street lot line of the lot upon which the owner or operator of the vehicle resides if such parking is solely for the purpose of connection with a planned trip, outing or vacation, commencing or ending on the same day of

such departure or return, including any loading or unloading of persons and personal effects, or for the preparation of the vehicle in regards to such departure or return: provided, however, that such parking may not occur on more than two consecutive days or on more than two days in any seven-day period and such vehicle shall not be occupied while parked on street, avenue, alley or any right-of-way within the ~~Town~~City.

- (c) The restrictions set forth in subsection (a) above shall not apply to the parking of a bus, semitrailer, trailer, motor truck, tractor and/or truck tractor, or any commercial vehicle over 11,500 pounds gross vehicle weight when such vehicle is actively being loaded or unloaded provided such parking time period does not exceed eight hours.
- (d) Acts prohibited by this section shall be punishable by a penalty in an amount not less than those amounts set forth below:

Offense	Minimum Amount
Parking overtime in violation of this section— first offense	\$150.00
Parking overtime in violation of this section— second offense	\$200.00

Section 12. Section 16.03.230 of the Ruston Municipal Code is hereby amended to read as follows:

16.03.230 Enforcement of parking regulations.

- (a) The parking regulations set forth in this chapter shall be enforced by the ~~Town~~City's police officers ~~and the Town's parking enforcement officers.~~
- (b) Failure to perform any act required or the performance of any act prohibited by this chapter is designated as a parking infraction and shall not constitute an infraction or criminal offense, unless otherwise specifically indicated in this chapter.
- (c) ~~Town~~City police officers ~~and Town parking enforcement officers~~ have the authority to issue a notice of parking infraction when the parking violation is committed in the officer's presence.
- (d) If any vehicle is found parked, standing, or stopped in violation of this chapter or otherwise violates the provisions of this chapter, the officer finding the vehicle shall take its license number and may take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to the vehicle a notice of parking infraction. A notice of parking violation represents a determination that a parking infraction has been committed. The determination will be final unless contested as provided in this chapter.
- (e) The ~~Town~~City's police officers ~~and parking enforcement officers~~ in charge of the enforcement of the parking regulations of the ~~Town~~City shall, and are

authorized to, mark such vehicles parked, standing, or stopped from time to time to aid in the enforcement of this chapter. Such mark shall be by chalk upon tires of said vehicles or by some other convenient method that will not be injurious to or damage such vehicle. The marks so placed shall not be interfered with, concealed, obliterated, or erased by any person other than a police officer or parking enforcement officer, while the same shall remain parked or standing at the place where so marked. It shall constitute a parking violation to interfere with, conceal, obliterate, or erase any mark in violation of this section.

Section 13. Section 16.03.240 of the Ruston Municipal Code is hereby amended to read as

follows:

16.03.240 Registered owner responsible — Presumption.

- (a) Every person in whose name a vehicle is registered shall be responsible for any violation of this chapter caused by the parking, standing, or stopping of said vehicle in violation hereof. It shall be no defense that the vehicle was parked illegally by another, unless proof is presented that said vehicle had 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~~46.12.650 prior to the date of the infraction.
- (b) In any parking infraction case involving a violation of this chapter relating to the stopping, standing, or parking of a vehicle, proof that the particular vehicle described in the notice of parking violation was stopping, standing or parking in violation of any such provision of this chapter, together with proof of registered ownership of the vehicle at the time of the violation, shall constitute in evidence a prima facie presumption that the registered owner of the vehicle was the person who parked or placed the vehicle at the point where, and for the time during which, the violation occurred, provided the procedure for issuing a parking infraction set forth in this chapter has been followed.

Section 14. Section 16.03.250 of the Ruston Municipal Code is hereby amended to read

as follows:

16.03.250 Penalties.

- (a) Unless specifically set forth elsewhere in this chapter, the penalties for each violation of this chapter shall be:
 - (1) Overtime parking: ~~\$30.00~~50.00;
 - (2) Unauthorized parking in alley: ~~\$30.00~~50.00;
 - (3) Parking in disabled space without requisite permit, decal, or license: ~~\$250.00~~450.00;

- (4) Parking, stopping or standing in fire lane in violation of this chapter: ~~\$30.00~~100.00;
 - (5) Interfering with, concealing, obliterating or erasing marks in violation of Section 16.03.230(e): ~~\$30.00~~50.00;
 - (6) All other violations: ~~\$30.00~~50.00.
- (b) If no response or payment is made within ~~15~~thirty (30) calendar days of the date of issuance of the notice of parking infraction, the penalty for each infraction shall be doubled.
 - (c) Payments shall be for the entire sum unless other arrangements are made and approved by the Judge.
 - (d) Payment of all parking infractions shall be made to the Municipal Court Clerk's office. All proceeds derived from individuals charged with an infraction of any of the provisions of this chapter shall be paid into the current expense fund of the ~~Town~~City, except that proceeds derived from individuals charged with an infraction of Sections 16.03.080 and 16.03.090 shall be used exclusively for law enforcement.

Section 15. Section 16.03.270 of the Ruston Municipal Code is hereby amended to read as follows:

16.03.270 Failure to comply with notice of parking violation.

- (a) A request for a hearing or, in the alternative, payment shall be made within ~~15~~thirty (30) calendar days of the date of issuance of the notice of parking infraction. If no request for a hearing or payment is made within ~~15~~thirty (30) calendar days of the date of issuance of the notice of parking infraction, the Municipal Court Clerk's office shall mail by first class mail a delinquency notice to the registered owner of the vehicle to which the notice was affixed, informing him/her of the infraction and of the ~~Town~~City's intent to commence collection procedures.
- (b) If no request for a hearing or payment is made, the registered owner of the vehicle is declared delinquent, and the ~~Town~~City may bring suit for judgment on the penalties plus costs of suit. The ~~Town~~City may also turn this matter over to a collection agency.
- (c) If no request for a hearing or payment is made within ~~15~~thirty (30) days of the date of issuance of the notice of parking infraction, or if no payment is made within ~~15~~thirty (30) calendar days of a decision by the Municipal Court Judge affirming all or part of a monetary penalty, or upon a failure to appear for such hearing, the Municipal Court Clerk may forward an abstract of the parking infraction record to the Department of Licensing for two or more such infractions as provided by RCW 46.20.270~~(3)~~; provided, any appeal to Superior Court shall stay the forwarding of said abstract to the Department of Licensing as provided herein.

Section 16. 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 17. Publication. This Ordinance shall be published by an approved summary consisting of the title.

Section 18. Corrections. Upon the approval of the city attorney, the city clerk, and/or the code publisher is authorized to make any necessary technical corrections to this ordinance, including but not limited to the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers, and any reference thereto.

Section 19. Effective Date. This Ordinance shall be effective five days after publication as provided by law. The rates adopted herein shall be effective as stated in Section 1 of this Ordinance.

ADOPTED by the City Council of the City of Ruston and attested by the City Clerk in authentication of such passage on this __ day of November, 2023.

APPROVED by the Mayor this ___ day of November, 2023.

Bruce Hopkins, Mayor

ATTEST/AUTHENTICATED:

Judy Grams, City Clerk

APPROVED AS TO FORM:

Jennifer S. Robertson
City Attorney

FILED WITH THE CITY CLERK: _____

PASSED BY THE CITY COUNCIL: _____

PUBLISHED: _____

EFFECTIVE DATE: _____

ORDINANCE NO: 1576