

Title 9

VEHICLES AND TRAFFIC

Chapters:

9.05 *Repealed*

9.10 **Parking**

9.15 **Storage of Recreational and Commercial Vehicles**

9.20 *Repealed*

9.25 *Repealed*

9.30 *Repealed*

9.35 **Parades**

9.40 **Loading/Unloading Zone**

9.45 **Motorized Foot Scooters**

Chapter 9.05

TRAFFIC CODE

(Repealed by Ord. 812)

Chapter 9.10

PARKING*

Sections:

- 9.10.010 First Street.
- 9.10.020 Restrictions.
- 9.10.025 Restricted street end parking.
- 9.10.030 Further restrictions.
- 9.10.040 Violation – Civil penalty.
- 9.10.050 General parking infraction penalties.
- 9.10.060 Reduction in fine for timely payment.

*Code reviser’s note: Ord. 554 was passed 10-26-87 but no copy was available for codification. Ord. 506A having to do with overnight parking is not being codified since it may have been superseded by Ord. 554.

9.10.010 First Street.

No automobile, truck or vehicle shall be parked or shall stand on the east side of First Street and within an area 20 feet north of the intersection of the curblines of First Street with the north curblines of Commercial Street. [Ord. 243 § 1, 1940.]

9.10.020 Restrictions.

(1) No automobile, truck or other vehicle shall be parked or shall stand for more than 10 minutes on the east side of First Street and within an area commencing 20 feet north of the intersection of the east curblines of First Street and the north curblines of Commercial Street and ending at a point 80 feet north of the intersection.

(2) Barrier-free parking shall be made available and enforced as per RCW 46.16.381. [Ord. 864 § 2, 2002; Ord. 243 § 2, 1940.]

9.10.025 Restricted street end parking.

No automobile, truck or other vehicle shall be parked for more than four hours within any 24-hour period of time, at the Washington Street end, west of First Street; Caledonia Street end, west of First Street; Morris Street end, west of First Street; Benton Street, east of First Street; and Commercial Street end, west of First Street. [Ord. 874 § 1, 2003; Ord. 824 § 2(A), 2001.]

9.10.030 Further restrictions.

No automobile, truck or vehicle shall be parked or shall stand on the west side of First Street and within an area 63 feet north of the intersection of the west curblines of First Street and north curblines of Commercial Street. [Ord. 243 § 3, 1940.]

9.10.040

9.10.040 Violation – Civil penalty.

Any person violating the provisions of this chapter shall be guilty of a civil infraction for which a civil penalty shall be imposed pursuant to the provisions of Chapter 1.15 LCMC. [Ord. 839 § 18, 2001; Ord. 824 § 2(B), 2001; Ord. 243 § 4, 1940.]

9.10.050 General parking infraction penalties.

The following actions are infractions of the La Conner parking standards, and penalties for the infractions:

Infraction	Fine
Alley parking	\$10.00
Failure to pay	\$25.00
Overtime parking	\$15.00
Parking in no RV parking zones	\$25.00
Parking in a loading zone	\$10.00
Parking in a crosswalk	\$10.00
Parking in a fire lane	\$250.00
Double parking	\$10.00
Blocking a private drive	\$25.00
Other	\$10.00
Parking in a handicap zone	\$300.00
Parking across the fog line	\$25.00
Parking in a police parking only zone	\$25.00
Prohibited areas	\$25.00
Restricted area	\$25.00
Parking too close to a fire hydrant	\$25.00
Parking too close to an intersection	\$25.00
Parking too close to a stop sign	\$25.00
Parking too far from the curb	\$25.00
Parking in the wrong direction	\$25.00
Parking in a permit only area without a valid permit	\$25.00
Attaching a bicycle with a locking device to a publicly owned tree	\$25.00
Failure to pay required moorage fees	\$25.00
Failure to pay launch fees	\$25.00

[Ord. 1015 § 2, 2008; Ord. 864 § 1, 2002; Ord. 824 § 2(C), 2001; Ord. 747 § 1, 1999.]

9.10.060 Reduction in fine for timely payment.

Should payment be made for any infraction listed in LCMC 9.10.050 by the next business day following the infraction issuance, a 50 percent deduction in the civil penalty shall be allowed. [Ord. 839 § 19, 2001; Ord. 747 § 2, 1999.]

Chapter 9.15

**STORAGE OF RECREATIONAL AND
COMMERCIAL VEHICLES**

Sections:

- 9.15.010 Definitions.
- 9.15.020 Parking restrictions for commercial and recreational vehicles.
- 9.15.030 Violation – Civil penalty.

9.15.010 Definitions.

(1) As used in this chapter, “recreational vehicle” includes all travel trailers, tent trailers, boats, boat trailers, snowmobile trailers, or any similar vehicle. The term shall also include any “motor home” or “camper” as such terms are defined in RCW 82.50.010, which definitions are hereby adopted by reference.

(2) As used in this chapter, “commercial vehicle” means all motor vehicles exceeding 20 feet in length, including trailers, and all nonmotorized vehicles or trailers designed to be, or actually attached or connected to a motor vehicle, which exceed 20 feet in length measured from the front of the motor vehicle to the end of the nonmotorized vehicle or trailer, and all vehicles exceeding 10,000 pounds gross vehicle weight, which vehicles are used, in whole or in part, for the transportation of commodities, merchandise, produce, freight, vehicles, animals, passengers for hire, or which are used, in whole or in part, in construction or farming. [Ord. 526 § 1, 1984.]

9.15.020 Parking restrictions for commercial and recreational vehicles.

(1) No recreational or commercial vehicle may be parked or stored upon First Street between Morris Street and Commercial Street.

(2) The restriction set forth in subsection (1) of this section shall not apply to the temporary stopping of a commercial delivery vehicle which is delivering merchandise, equipment, food or beverages, or inventory items to businesses located on First Street between Morris Street and Commercial Street or to the temporary stopping of commercial buses for the purpose of loading or unloading passengers. [Ord. 526 § 2, 1984.]

9.15.030 Violation – Civil penalty.

Any person violating any provision of this chapter shall be deemed to have committed a traffic

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infraction, and upon a final determination that such infraction has been committed, such person shall be subject to a civil penalty as set forth and established in Chapter 1.15 LCMC. [Ord. 839 § 20, 2001; Ord. 526 § 3, 1984.]

Chapter 9.20

USE OF COMPRESSION BRAKES

(Repealed by Ord. 812)

Chapter 9.25

VEHICLE LOAD LIMITS

(Repealed by Ord. 812)

Chapter 9.30

DRIVING OVER FIRE HOSE

(Repealed by Ord. 812)

Chapter 9.35

PARADES

Sections:

- 9.35.010 Purpose and intent.
- 9.35.020 Definitions.
- 9.35.030 Permit.
- 9.35.040 Deposit required.
- 9.35.050 Insurance.
- 9.35.060 Permit issuance standards – Issuance or denial.
- 9.35.070 Traffic control.
- 9.35.080 *Repealed.*
- 9.35.090 Appeal procedure.
- 9.35.100 Permit revocation.
- 9.35.110 Interference with events.
- 9.35.120 Violation – Civil penalty.

9.35.010 Purpose and intent.

(1) The purpose of this chapter is to provide reasonable supervision of any movement of persons, or vehicles or boats within the limits of the town by way of runs, parades, street dances, special events, or other demonstrations or exhibition, for the protection of persons and property.

(2) The intent of this chapter is to allow community-based organizations to sponsor special events on public thoroughfares and public waterways, and to provide guidelines that protect the public’s health, safety, and welfare. [Ord. 549A § 1, 1987.]

9.35.020 Definitions.

(1) “Committee” means the town special events committee, which shall consist of the mayor, police and fire chiefs, and the head of the maintenance department.

(2) “License” and “permit,” unless the context in which it is used clearly indicates otherwise, as used in this chapter both mean the official approval or authorization of the town to carry on or conduct the special event or activity for which such license or permit is required pursuant to the provisions of this chapter.

(3) “Motorcade” means any organized procession containing 10 or more vehicles, except funeral processions, upon a public street, sidewalk, alley or public right-of-way.

(4) “Parade” means any march or procession consisting of people, animals, bicycles, vehicles, or combination thereof, except wedding processions

and funeral processions, upon any public street or sidewalk which does not comply with normal and usual traffic regulations or controls.

(5) “Run” means an organized procession to contend in a race consisting of people, bicycles, or other vehicular devices or combination thereof containing 10 or more persons upon a public street or sidewalk.

(6) “Street” or “streets” mean any public roadway, sidewalk or portions thereof in the town of La Conner dedicated to the public use.

(7) “Street dance” means any organized dance of three or more couples on any public street, public sidewalk, or publicly owned parking lot.

(8) “Temporary special event” means any fair, show, festival, or other attended entertainment or celebration, conducted by a nonprofit public service organization, which entertainment is not of a political, religious or commercial nature; and which event is to be held in whole or in part upon publicly owned property and/or public rights-of-way, or if held wholly upon private property, will nevertheless affect or impact the ordinary and normal use by the general public of public property or public rights-of-way within the vicinity of such event. [Ord. 549A § 2, 1987.]

9.35.030 Permit.

(1) Permit Required. It is unlawful to conduct any parade, temporary special event, run, street dance or motorcade in, on, or along any public street, alley, sidewalk, or other public way or place in the town, unless a permit therefor is first obtained from the town clerk, upon which license the route to be followed, the purpose of the parade, demonstration or exhibition shall be specified and approved.

(2) Application Requirements. Any nonprofit public service organization which wants to conduct a temporary special event shall apply to the town clerk for a permit, at least 45 days, but not more than 365 days, in advance of the date of the proposed temporary special event. Additional information may be required as deemed necessary by the mayor, police chief, fire chief, maintenance department, for the protection of the public safety. [Ord. 549A § 3, 1987.]

9.35.040 Deposit required.

The town special events committee shall meet with a representative of the sponsoring organiza-

tion and set a deposit in the amount that will cover police, fire protection and clean-up expenses. The amount shall not be less than \$1.00 nor more than \$500.00. [Ord. 549A § 4, 1987.]

9.35.050 Insurance.

(1) Required. If required, the applicant shall show proof of liability insurance. A specimen copy shall be filed with the application.

(2) Save Harmless Agreement. At the time that a permit is issued, the permittee shall file with the town a save harmless agreement in which the permittee agrees to defend, pay, and save harmless the town, its officers and employees, from any and all claims, real or imaginary, which may be filed against the town, its officers or employees, where such claim arises in whole or in part out of the activities for which such permit is issued; excepting therefrom, any claims arising solely out of the negligent acts or omissions of the town, its officers and employees. [Ord. 549A § 5, 1987.]

9.35.060 Permit issuance standards – Issuance or denial.

In reviewing the application for the purpose of determining whether the permit should be issued or denied, the committee may seek consultation with other town officials and shall make such review in conformance with the following standards:

(1) The time, hours, location, and size of the temporary special event will unnecessarily disrupt the movement of other traffic within the town;

(2) The location of the temporary special event would cause undue hardship for adjacent businesses or residents;

(3) The temporary special event is of a size or nature that requires the diversion of so great a number of police officers of the town to properly police the event, site, and areas contiguous thereto, that allowing the special event would unreasonably deny police protection to the remainder of the town and its residents;

(4) Failure to arrange for or to remit by the applicant or person conducting or sponsoring the same, all fees, charges, deposits, taxes, insurance or bonds, if any, required by the town, including any department thereof for the use of the public place where it is proposed to conduct or to hold such special event;

(5) The town resources required to support the special event are out of proportion to the reim-

bursed expenses to be received by the town from the holding of the special event;

(6) The information contained in the application is found to be false or nonexistent to a material degree;

(7) The applicant refuses to agree, to abide or comply with all of the conditions and terms of the permit;

(8) It is found that the purpose of the temporary special event is principally devoted to the advertising of a commercial product or for a private commercial process. [Ord. 549A § 6, 1987.]

9.35.070 Traffic control.

(1) Traffic Control. The chief of police may require any reasonable and necessary traffic control. If such traffic control cannot be handled by the sponsor and shall require the deployment of additional police personnel, the permittee shall be responsible for the expense. The town clerk shall notify the applicant(s) of the actual projected expense and collect this amount before a permit is issued.

(2) Police Escort Required. All parades, runs, and motorcades shall have a police escort which shall be either appointed or approved by the chief of police of the town. [Ord. 549A § 7, 1987.]

9.35.080 Open air vending.

Repealed by Ord. 905. [Ord. 549A § 8, 1987.]

9.35.090 Appeal procedure.

Upon denial of a permit by the committee, an applicant may appeal to the town council by filing a written notice of appeal for hearing by the town council at its next meeting. Upon such appeal, the town council may reverse, affirm, or modify the committee's determination. [Ord. 549A § 9, 1987.]

9.35.100 Permit revocation.

(1) Authority. The committee shall have the authority to revoke a permit upon application of the standards for issuance as herein set forth. The town clerk shall notify the permittee of the revocation in writing, 15 days prior to the event, or as soon as possible.

(2) Revocation of Permit. Any permit for a temporary special event issued pursuant to this chapter may be summarily revoked by the mayor for the town at any time when, by reason of disaster, public calamity, riot, or other emergency, the commit-

9.35.110

tee determines that the safety of the public or property requires such revocation. Notice of such action revoking a permit shall be delivered in writing to the permittee by personal service or certified mail at the address specified by the permittee in his application. [Ord. 549A § 10, 1987.]

9.35.110 Interference with events.

Interfering with or obstructing a parade or run is prohibited. All persons, except those participating in parades or runs shall keep off streets, alleys, or other public rights-of-way temporarily closed for parades or runs and it is unlawful for any person to leave any vehicle upon any street, knowing that the same has been cleared for parade or run purposes. It shall be unlawful for any pedestrian, equestrian, or the operator of any vehicle to pass through or drive between the vehicles, units or floats comprising a parade or motorcade where such parade or motorcade has been granted a permit pursuant to this chapter, provided that this shall not prohibit the operation of emergency vehicles, nor prevent the passage of such vehicles or persons at intersections where traffic is controlled by police officers of the town. A violation of this section shall be a simple crime. [Ord. 549A § 11, 1987.]

9.35.120 Violation – Civil penalty.

(1) Violation. Violations of the specifics and requirements of this chapter shall be grounds for refusal of the issuance of future permits.

(2) Violation – Civil Penalty. Any person, firm or corporation violating any of the provisions of this chapter shall be guilty of a civil infraction and subject to civil penalty as set forth and established in Chapter 1.15 LCMC. [Ord. 839 § 21, 2001; Ord. 549A § 12, 1987.]

Chapter 9.40

LOADING/UNLOADING ZONE

Sections:

9.40.010 Designated.

9.40.010 Designated.

(1) A loading zone is established on the west side of S. First Street, defined as follows:

Beginning at the intersection of the south boundary line of Calhoun Street and the curb on the west side of S. First Street, thence northeast along said street a distance of 80 feet, to the approximate south property line of the property commonly known as the Seafood and Prime Rib House, thence southeast 10 feet, thence southwest 80 feet, thence northwest 10 feet to the point of beginning.

(2) The area described in subsection (1) of this section shall be only used for the loading and unloading of commercial delivery vehicles during the hours of 6:00 a.m. to 2:00 p.m., Monday through Saturday of each week. Delivery vehicles shall not park longer than 15 minutes.

(3) No vehicle shall double park in the street.

(4) Vehicles, other than commercial delivery vehicles, found to be parked in the area described in subsection (1) of this section during the hours reserved for delivery vehicles, shall be guilty of a civil infraction and subject to a civil penalty as set forth and established in Chapter 1.15 LCMC.

(5) Delivery vehicles which park on S. First Street, in this or any other location, shall be guilty of a civil infraction and subject to a civil penalty as set forth and established in Chapter 1.15 LCMC.

(6) All shop owners are encouraged to coordinate delivery times with their suppliers to fit the above time periods. [Ord. 854 § 1, 2002; Ord. 839 § 22, 2001; Ord. 628, 1993.]

Chapter 9.45

MOTORIZED FOOT SCOOTERS

Sections:

- 9.45.010 Motorized foot scooters – Defined.
- 9.45.020 Motorized foot scooters – General requirements and operation.
- 9.45.030 Helmet required – Defined.
- 9.45.040 Traffic laws apply to persons operating motorized foot scooters.
- 9.45.050 Severability.

9.45.010 Motorized foot scooters – Defined.

“Motorized foot scooter” means a device with no more than two 10-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. 943 § 1, 2004.]

9.45.020 Motorized foot scooters – General requirements and operation.

(1) No person may operate a motorized foot scooter on a public way unless such person is 16 years of age or older.

(2) It is unlawful for any person to use or operate a motorized foot scooter upon any sidewalk or public trail within the town of La Conner, with the exception of disabled persons utilizing electric personal assistive mobility devices (RCW 46.04.1695).

(3) Every motorized foot scooter when in use during the hours of darkness as defined in RCW 46.37.020 shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least 500 to the front and with a red reflector on the rear of a type approved by the State Patrol which shall be visible from all distances up to 600 to the rear when directly in front of lawful lower beams of headlamps on a motor vehicle. A lamp emitting a red light visible from a distance of 500 to the rear may be used in addition to the red reflector. A light-emitting diode flashing taillight visible from a distance of 500 to the rear may also be used in addition to the red reflector.

(4) Operation of a motorized foot scooter without a muffling device in good working order and in constant operation to prevent excessive or unusual noise, or operation with a modified muffling device is unlawful.

(5) Operation of a motorized foot scooter on a public way with a speed limit in excess of 25 miles per hour unless the motorized foot scooter is operated within a bicycle lane is unlawful.

(6) Any person violating the provisions of this section shall be deemed to have committed a traffic infraction and shall be subject to a penalty of \$25.00. [Ord. 943 § 2, 2004.]

9.45.030 Helmet required – Defined.

Any person operating a motorized foot scooter or riding as a passenger upon a motorized foot scooter on any public area in the town of La Conner shall wear an approved helmet designed for safety and shall have either the neck or chinstrap of the helmet fastened securely while the motorized scooter is in motion.

“Helmet” means a protective covering for the head consisting of a hard outer shell, padding adjacent to and inside the outer shell, and a neck or chinstrap type retention system, with a label required by the Federal Consumer Products Safety Commission as adopted by the Code of Federal Regulations 16 CFR 1203.

Any person violating the provision of this section shall be deemed to have committed a traffic infraction and shall be subject to a penalty of \$25.00. [Ord. 943 § 3, 2004.]

9.45.040 Traffic laws apply to persons operating motorized foot scooters.

Every person riding a motorized foot scooter upon a public way shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle pursuant to Chapter 46.61 RCW, except special regulations in RCW 46.61.750 through 46.61.780 shall apply to persons operating a motorized foot scooter and except as to those provisions of Chapter 46.61 RCW which by their nature can have no application. [Ord. 943 § 4, 2004.]

9.45.050 Severability.

If any section, subsection, sentence, clause, chapter, provision, or phrase of this chapter or its application to any person or circumstance is found to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remainder of the chapter or the application or the provisions to other persons or circumstances. [Ord. 943 § 5, 2004.]

