

Title 10

VEHICLES AND TRAFFIC

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Chapter 10.04

MODEL TRAFFIC ORDINANCE

Sections:

10.04.010 Model Traffic Ordinance--Adopted.

10.04.020 Fines, forfeitures and penalties--Paid to city general fund.

10.04.030 Copies to be filed for use by public.

10.04.010 Model Traffic Ordinance--Adopted.

The Model Traffic Ordinance as set forth in the Washington Administrative Code Chapter 308-330 is adopted by reference, as and for the traffic ordinance of the city as if set forth in full in this chapter.
(Ord. 1006 § 1, 1994)

10.04.020 Fines, forfeitures and penalties--Paid to city general fund.

All fines, forfeitures and penalties assessed and collected with respect to any violation of the provisions of this chapter shall be paid to the general fund of the city.
(Ord. 1006 § 2, 1994)

10.04.030 Copies to be filed for use by public.

Incident to the adoption of the Model Traffic Ordinance by reference, by this ordinance, copies of the text of the adopted Model Traffic Ordinance, Washington Administrative Code Chapter 308-330 shall be filed

as required by RCW 35.21.180 for use and examination by the public.
(Ord. 1006 § 3, 1994)

Chapter 10.08

SPEED LIMITS

Sections:

10.08.010 Designated.

10.08.020 Council may create special parking zones.

10.08.030 State highways.

10.08.040 Penalty for violation.

10.08.010 Designated.

It is unlawful for the operator of any vehicle to operate the same in the city in excess of twenty-five miles per hour, with the following exceptions:

- A. The maximum speed on First Street between Montgomery Avenue and the east city limits shall be thirty miles per hour;
- B. The lower speed limits established in the vicinity of schools by Ordinance 689, and for snowmobiles prescribed by Chapter 10.20, and slower speeds dictated by Ordinance 689 due to dangerous or emergency conditions, shall remain in effect.

(Ord. 952 § 1, 1991; Ord. 934 § 1, 1991; Ord. 702 § 1, 1975)

10.08.020 Council may create special parking zones.

Pursuant to RCW 46.61.570, the city council may by ordinance designate certain special parking zones for motor buses, taxicabs, police cars, fire department vehicles and automobiles, and other vehicles of a public or emergency nature. Authorized vehicles parked therein shall not be subject to provisions of any other general ordinance of the city prohibiting parking in the designated zones or areas, but the persons in charge of such authorized vehicles must be available nearby and must remove them promptly at the request of any city official or employee and for such time as public need or business shall require. Such special parking zones shall be clearly marked by appropriate signs and curb painting, and it is unlawful for anyone to park unauthorized vehicles therein.

(Ord. 702 § 2, 1975)

10.08.030 State highways.

It is acknowledged that at the present time all of Interstate Highway 90 lying inside Cle Elum, First Street from Pennsylvania Avenue to the east city limits, Pennsylvania Avenue between First Street and Second Street, and Second Street between Pennsylvania Avenue and the west city limits, are state arterial highways.

(Ord. 702 § 4, 1975)

10.08.040 Penalty for violation.

Anyone convicted of violating any of the provisions of this chapter shall be punished by a fine of not more than two hundred fifty dollars or imprisoned for not more than thirty days, or both so fined and

imprisoned; and in addition, any penalty except additional fine or imprisonment may be exacted and revocation or suspension of license may be enforced if the laws of the state specifically confer jurisdiction upon the police court or police judge of this city to in addition exact such penalty or suspend or revoke such license.
(Ord. 702 § 5, 1975)

Chapter 10.12

PARKING

Sections:

- 10.12.010 Angle parking--Required.**
- 10.12.020 Angle parking--Compliance required.**
- 10.12.030 Parallel parking--Required.**
- 10.12.040 Alley parking prohibited.**
- 10.12.050 Parking restriction on First Street.**
- 10.12.060 Parking--Regulations.**
- 10.12.070 Winter parking--Exceptions.**
- 10.12.080 Penalties for violations.**
- 10.12.090 Towing and impounding of vehicles.**

10.12.010 Angle parking--Required.

A. Angle parking of vehicles having an overall length of less than eighteen feet is required on all avenues of the city, and on Second Street between Harris Avenue and Wright Avenue and on the north side of First Street between Oakes Avenue and Stafford Avenue. Any vehicles angle parked shall be parked at an angle of thirty-five degrees to the curb with the right front wheel of the vehicle at the curb.

B. Diagonal parking is permitted in the residential zoning districts of the city only from Montgomery Avenue to Stafford Avenue as these streets are the only streets that are wide enough to accommodate such diagonal parking. Parallel parking shall be permitted in the remainder of residential streets only.

(Ord. 1081 § 2, 1999; Ord. 823 § 1, 1984; Ord. 659 § 1, 1972; Ord. 458 § 1, 1950)

10.12.020 Angle parking--Compliance required.

Whenever any lines or other boundaries designating angle parking have been laid out by the city, any vehicle parked in said designated area or areas must be parked within the boundaries or lines so laid out and shall not be parked on or across any of the lines or boundaries.

(Ord. 823 § 2, 1984; Ord. 458 § 2, 1950)

10.12.030 Parallel parking--Required.

On all streets other than those designated for permissible angle parking in Section 10.12.010 every vehicle parked upon any street or road within the city shall be parked with the right-hand wheels of the vehicle parallel to and within twelve inches of the right-hand curb and headed in the direction of lawful traffic movement. It shall be unlawful to park two vehicles adjacent to each other (double parking) on any city street.

(Ord. 823 § 3, 1984)

10.12.040 Alley parking prohibited.

A. No person shall leave any vehicle unattended in any alley of the city except for bona fide delivery vehicles which may stop for loading and unloading only, which loading and unloading shall be accomplished as quickly as reasonably possible. Nondelivery vehicles and delivery vehicles not in the process of loading and unloading may be removed and impounded and placed in such storage as may be designated by the city police department.

B. All charges for removing, impounding and storing of such vehicle shall be paid by the registered owner, operator, or other person having control of said vehicle, before said person may retake possession thereof. All such charges shall be a lien against such vehicle.

C. Utility repair vehicles, the crews of which are engaged in utility repairs, shall be excepted from prohibitions of this section.
(Ord. 912, 1990: Ord. 823 § 4, 1984)

10.12.050 Parking restriction on First Street.

It shall be unlawful to park any vehicle with an overall length of twenty-six feet or more on First Street, between Stafford Avenue and Peoh Avenue. Temporary parking by utility repair vehicles for specific repair purposes shall not be considered to be a violation of this section.
(Ord. 828 § 1, 1984: Ord. 823 § 5, 1984)

10.12.060 Parking--Regulations.

A. No Parking at any Time. No person shall park or cause to be parked a vehicle upon any of the streets of the city, contrary to "no parking" signs placed or erected by the city.

B. No Parking During Certain Hours. No person shall park or cause to be parked a vehicle upon any of the streets as posted during the hours prohibited by signs placed or erected by the city.

C. Parking Prohibited on Designated Streets. It is unlawful to park or leave standing any vehicle on any of the following designated streets between the hours of two a.m. and six a.m.:

First Street from Stafford Avenue to Montgomery Avenue;

All of the following avenues bounded by Second Street on the North and Railroad Street on the South:

- a. Billing Avenue;
- b. Oakes Avenue;
- c. Pennsylvania Avenue;
- d. Harris Avenue;

- e. Wright Avenue;
- f. Bullitt Avenue.

D. **Seventy-two Hour Parking.** No vehicle shall be parked in excess of seventy-two hours on any public street or avenue in the city from April 16th to November 14th, contrary to the regulations prescribed in this section.

E. **Inoperable Vehicles.** Vehicles shall be currently licensed and in operable condition other than for minor repairs that do not allow discharge of fluids onto the roadway or interfere with normal traffic flow. Disassembly of motor train, engine, and axle components is considered a major repair and not permitted on public right-of-way. All other provisions of the city's parking code shall remain in full force and effect. (Ord. 1081 § 1, 1999; Ord. 1008, 1994; Ord. 823 § 6, 1984; Ord. 657 § 1, 1971)

10.12.070 Winter parking--Exceptions.

No vehicle shall be parked on any public street or avenue continuously in one location for more than twenty-four hours in the city from November 15th to April 15th, being the winter months, contrary to the regulations prescribed in Section 10.12.060. The parking regulation shall not apply to vehicles parked off the street or avenue, in private driveways or on private property, where they do not interfere with the plowing or removal of snow.

(Ord. 1062 § 1, 1997; Ord. 823 § 7, 1984; Ord. 657 § 2, 1971)

10.12.080 Penalties for violations.

Any person convicted of violating the provisions of this chapter shall be guilty of a misdemeanor and shall be punished by a fine of not more than one hundred dollars.

(Ord. 823 § 8, 1984; Ord. 657 § 4, 1971)

10.12.090 Towing and impounding of vehicles.

In addition to such penalties as provided in Section 10.12.080, the police department is empowered to remove and impound any vehicle in violation and such vehicle shall be towed from the street or avenue or alley, and impounded until the owner or person in charge of the vehicle pays to the tow-operator the towing charges plus all accumulated storage charges for the vehicle. All towing and storage of the vehicle shall be by licensed, commercial tow truck operators, and all such tow truck operators shall be licensed and bonded as required by the laws of the state.

(Ord. 823 § 9, 1984; Ord. 657 § 3, 1971)

Chapter 10.16

LOADING AND UNLOADING ZONES

Sections:

10.16.020 Elumwood Apartments.

10.16.020 Elumwood Apartments.

There is established in front of the main entrance of the Elumwood Apartments located on the south side of East Second Street between Harris and Wright Avenues, a restricted loading and unloading zone in which no parking will be allowed except for emergency or loading or unloading purposes specified in this chapter. The zone shall be sixteen feet in length and no parking shall be allowed therein, except that vehicles may stop at the curb of the zone for the limited purposes only of emergency uses such as for medical purposes or fire; or for loading and unloading purposes only with a maximum of fifteen minutes use for loading or unloading at any one time. The curb shall be painted yellow in the zone, by the Elumwood Apartments operator, and signs shall be erected by the Elumwood Apartments spelling out the restricted zone purposes and conditions.
(Ord. 699 § 1, 1975)

Chapter 10.20

SNOWMOBILES

Sections:

10.20.010 Adoption of Snowmobile Act.

10.20.020 Muffler required.

10.20.030 Snowmobiles on sidewalk prohibited.

10.20.040 Streets designated as snowmobile trails.

10.20.050 Rules and regulations.

10.20.060 Right-of-way.

10.20.070 Operator license required.

10.20.080 Speed limit.

10.20.090 Violation--Penalty.

10.20.010 Adoption of Snowmobile Act.

Chapter 29 of the Washington Laws, 1971 First Extraordinary Session, codified at RCW Chapter 46.10, is adopted by reference. Three copies thereof are on file with the city clerk and shall be kept available there for inspection.

(Ord. 655 § 1, 1971)

10.20.020 Muffler required.

Each snowmobile must have a muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke; and no person shall use a muffler cutout, bypass or similar device.

(Ord. 655 § 2(1), 1971)

10.20.030 Snowmobiles on sidewalk prohibited.

It is unlawful to drive, operate or park a snowmobile on any sidewalk in the city.

(Ord. 655 § 2(2), 1971)

10.20.040 Streets designated as snowmobile trails.

In order to facilitate access between the city and outlying unincorporated areas surrounding the city, Railroad Street is designated as a snowmobile trail. For uses other than ingress or egress to and from the city,

the operation of snowmobiles is permitted on that portion of the Railroad Street right-of-way lying south on the Railroad Street median between Owens Road and South Cle Elum Way where these vehicles may be operated only in single file. The operation of snowmobiles upon this designated trail area is for the purpose of ingress and egress to the city and additional purposes, including recreational purposes, parking of snowmobiles, shopping, engaging in commerce, and other retail customer activities. Other than this designated street, operation of snowmobiles in the city shall be permitted only for the purpose of transit shall be permitted only for the purpose of transit (ingress and egress) from the place of residence or the place of storage of snowmobiles inside or outside of the city.

(Ord. 1084, 1999: Ord. 655 § 2(3), 1971)

10.20.050 Rules and regulations.

Except as modified by this chapter, all motor vehicle rules and regulations adopted by the city shall, unless clearly inapplicable, apply to snowmobiles.

(Ord. 655 § 2(4), 1971)

10.20.060 Right-of-way.

In use of the streets, motor vehicles and pedestrians shall have the right-of-way with respect to snowmobiles.

(Ord. 655 § 2(5), 1971)

10.20.070 Operator license required.

No person under the age of sixteen years shall operate a snowmobile in Cle Elum. No person shall operate a snowmobile in Cle Elum without possessing a valid motor vehicle operator's license.

(Ord. 655 § 2(6), 1971)

10.20.080 Speed limit.

The maximum speed limit for snowmobiles in the city shall be twenty miles per hour, except that between the hours of ten p.m. and eight a.m. the maximum speed limit shall be ten miles per hour.

(Ord. 655 § 2(7), 1971)

10.20.090 Violation--Penalty.

Any person convicted of violating any of the provisions of this chapter shall, for each violation, be fined in any sum not exceeding two hundred fifty dollars or imprisoned in the city or county jail for not more than ninety days, or both so fined and imprisoned.

(Ord. 655 § 3, 1971)

Chapter 10.24

VEHICLE EQUIPMENT

Sections:

10.24.010 Safety belts--Required.

10.24.020 Compression brakes--Prohibited.

10.24.010 Safety belts--Required.

A. RCW 46.61.688 is adopted by reference as if set forth in full in this section.

B. Penalty. Any person who is convicted of violating or failing to comply with any of the provisions of this section shall be punished as set forth in Section 1.16.010.
(Ord. 862 §§ 1, 2, 1987)

10.24.020 Compression brakes--Prohibited.

A. The use of engine compression brakes within the city disturbs the repose of the substantial number of citizens.

B. The use of any engine compression brake within the city is prohibited.
(Ord. 867 §§ 1, 2, 1987)

Chapter 10.28

MOTORIZED FOOT SCOOTERS

Sections:

10.28.010 Definitions--Exemption.

10.28.020 Operation of motorized foot scooters.

10.28.030 Helmets required--Nighttime operation prohibited.

10.28.040 Noise restrictions--Mufflers.

10.28.050 Violation--Penalty.

10.28.060 General duty.

10.28.070 Savings.

10.28.080 Severability.

10.28.090 Corrections.

10.28.010 Definitions--Exemption.

"City property" includes all city rights-of-way, as defined in the city of Cle Elum zoning code.

"City street" means every public highway, as defined in Chapter 46.04, or part thereof, located within the city limits of the city of Cle Elum.

"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.

"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.

"Rules of the road" means all rules applicable to vehicle or pedestrian traffic as set forth in state statute,

rule or regulation.

"Wheeled recreational device" means any wheeled recreational object designed to propel the person using that object with an internal combustion or electric motor, whether it be stood or sat upon or ridden in, and that is not required to obtain and display a Washington State vehicle license (RCW 46.16). For purposes of this chapter, "wheeled recreational device" does not include motorcycles (RCW 46.04.330), motor driven cycles (RCW 46.04.332), mopeds (RCW 46.04.304), electric assisted bicycles (RCW 46.04.169) electric personal mobility devices (RCW 46.04.1695), or power wheelchairs (RCW 46.04.415).

The regulations of this chapter shall not apply to any vehicle used by a disabled person as defined by RCW 46.16.381.

(Ord. 1227 § 1 (part), 2005)

10.28.020 Operation of motorized foot scooters.

A. It is unlawful for any person to operate a motorized foot scooter or other wheeled recreational device:

1. On any city street unless such person is sixteen years of age or older;
2. With a passenger in addition to the operator;
3. On any city street with a maximum speed limit above twenty-five miles per hour, unless the device is operated within a designated bicycle lane;
4. On any city property that is not a city street;
5. In any park;
6. Upon any bicycle path or trail that is not a designated bicycle lane, or upon any equestrian, hiking or recreational trail;
7. Upon any sidewalk, except as may be necessary to enter or leave adjacent property; or
8. On any posted private or public property.

B. Any person operating a motorized foot scooter or other wheeled recreational device shall obey all the rules of the road, 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.

C. No motorized foot scooter or other wheeled recreational device shall be ridden or operated in a negligent or unsafe manner but shall be operated with reasonable regard for the safety of the operator and other persons. For purposes of this section:

1. To operate in a negligent manner means the operation of a motorized foot scooter or other wheeled recreational device in such a manner as to endanger or be likely to endanger any person

or property.

2. Operation of a motorized foot scooter in excess of fifteen miles per hour shall be prima facie evidence of operation in a negligent manner.

(Ord. 1227 § 1 (part), 2005)

10.28.030 Helmets required--Nighttime operation prohibited.

A. Any person operating a motorized foot scooter or other wheeled recreational device upon any city street shall wear a helmet and shall have the neck or chinstrap of the helmet fastened securely while the device is in motion.

B. Motorized foot scooters and other wheeled recreational devices may not be operated at any time from sunset to sunrise.

(Ord. 1227 § 1 (part), 2005)

10.28.040 Noise restrictions--Mufflers.

A. No motorized foot scooter or other wheeled recreational device shall be operated in a manner that creates continuous sound associated with a gasoline-powered engine so as to unreasonably disturb or interfere with the peace and comfort of owners or occupants of real property.

B. It is unlawful to sell or operate a motorized foot scooter that is powered by an internal combustion engine that is not equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise.

(Ord. 1227 § 1 (part), 2005)

10.28.050 Violation--Penalty.

A. Any person violating the provisions of this chapter shall be deemed to have committed a traffic infraction and the penalty shall be seventy-one dollars.

B. In lieu of the penalty described above, any Cle Elum police officer may utilize the following penalty provision for a person under sixteen years of age found operating a motorized foot scooter or other wheeled recreational device on city property:

1. The officer may take custody of the device. If the officer does not impound the device, he or she may release it only to an adult.
2. The officer must provide the violator with a written notice setting forth the procedure for reclaiming the device.
3. The procedure for reclaiming the device shall be promulgated by the chief of police.
4. Only the parent or legal guardian of a violator or an adult owner can reclaim a motorized foot scooter or other wheeled recreational device impounded pursuant to this section.

5. A fifty-dollar fee for costs of impound and administrative processing shall be paid to the city clerk prior to the release of any property impounded under this alternative penalty.

6. Any unclaimed devices may be disposed of in accordance with state law.

C. The parent of any child and the guardian of any ward shall not authorize or knowingly permit any such child or ward to violate any provision of this chapter.

(Ord. 1227 § 1 (part), 2005)

10.28.060 General duty.

It is expressly the purpose of this chapter to provide for and promote the health, safety and welfare of the general public and not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this chapter. It is the specific intent of the ordinance codified in this chapter that no provision nor any term used in this chapter is intended to impose any duty whatsoever upon the city or any of its officers or employees. Nothing contained in the ordinance codified in this chapter is intended nor shall be construed to create or form the basis of any liability on the part of the city, or its officers, employees or agents, for any injury or damage resulting from any action or inaction on the part of the city related in any manner to the enforcement of the ordinance codified in this chapter by its officers, employees or agents.

(Ord. 1227 § 1 (part), 2005)

10.28.070 Savings.

The enactment of the ordinance codified in this chapter shall not affect any case, proceeding, appeal or other matter currently pending in any court or before the city or in any way modify any obligation, right or liability, civil or criminal, which may exist by virtue of any of the ordinances herein amended.

(Ord. 1227 § 1 (part), 2005)

10.28.080 Severability.

If any section, subsection, sentence, clause, phrase or word of this chapter should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this chapter.

(Ord. 1227 § 1 (part), 2005)

10.28.090 Corrections.

The city clerk and the codifiers of the ordinance codified in this chapter are authorized to make necessary corrections to this chapter including the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

(Ord. 1227 § 1 (part), 2005)

BICYCLES AND OTHER RECREATIONAL WHEELS

Sections:

10.32.010 Recreational wheels--Defined.

10.32.020 Business district--Bicycles and recreational wheels prohibited.

10.32.030 Parental responsibility.

10.32.040 Impounding bicycles and other recreational wheels.

10.32.050 Penalties.

10.32.010 Recreational wheels--Defined.

For the purpose of this chapter, the term "recreational wheels" means any nonmotorized, but wheeled, operator-propelled equipment which transports the operator on land, except wheelchairs. Recreational wheels shall include, but not be limited to, skates, in-line skates, skateboards, bicycles, tricycles, unicycles, quad cycles and scooters.

(Ord. 1252 (part), 2006)

10.32.020 Business district--Bicycles and recreational wheels prohibited.

It shall be unlawful for any person to operate recreational wheels on sidewalks within the business district area starting at Billings Avenue through Montgomery Avenue on First Street. To include all avenues between Railroad Street and Second Street that fall within those business district boundaries. Also to include the south half of the 300 Block of Pennsylvania Avenue, the area between the fire department and the city library; provided however, this prohibition shall not apply to any law enforcement officer or public works employee operating a bicycle in his or her official capacity. This prohibition on the operation of recreational wheels shall include the sidewalks on either side of the streets and avenues identified above as constituting the boundaries of the downtown business area. This provision shall not apply to wheelchairs or other ADA compliant devices being utilized by a person with temporary or permanent disabilities. The city shall post and maintain signs, at those locations affected by this chapter, notifying the public of the prohibitions contained herein.

(Ord. 1252 (part), 2006)

10.32.030 Parental responsibility.

A parent who has custody of any child under the age of eighteen years and the guardian of any ward under the age of eighteen years shall not authorize or knowingly permit any such child or ward to violate any of the provisions of this section.

(Ord. 1252 (part), 2006)

10.32.040 Impounding bicycles and other recreational wheels.

The chief of police or his designee is authorized and empowered to administer the provisions of this chapter. The chief of police or his designee is authorized and empowered to impound for a period not to exceed twenty-four hours the bicycle or other recreational wheels used by any minor child under sixteen years of age in violating any of the provisions of this chapter or any of the ordinances of the city of Cle Elum relating to street traffic, insofar as they are applicable. Any impound by the chief of police or his designee shall be for the limited purpose of placing the minor child's bicycle or other recreational wheels in the possession of the child's parent or legal guardian. Upon impound, the chief of police or his designee shall contact the parent or legal guardian

and advise him/her of the impound and the location where the bicycle or recreational wheels may be obtained.
(Ord. 1252 (part), 2006)

10.32.050 Penalties.

Violation of any provision of this chapter shall be a civil infraction with a penalty of fifty dollars upon a finding that the violation has been committed.
(Ord. 1252 (part), 2006)