

TOWN OF WOODWAY

ORDINANCE 19-603

AN ORDINANCE OF THE TOWN OF WOODWAY AMENDING WOODWAY MUNICIPAL CODE ("WMC") CHAPTER 9.12 AND SECTION 9.12.030 CONCERNING THE IMPOUNDMENT OF VEHICLES; ESTABLISHING AN EFFECTIVE DATE AND AUTHORIZING SUMMARY PUBLICATION BY ORDINANCE TITLE ONLY.

WHEREAS, the Town Council of the Town of Woodway desires to provide a remedy for vehicles parking on Town owned or controlled property for purposes other than the purpose for which the parking spaces were created in connection with the intended use of the property; and

WHEREAS, Chapter 46.55 RCW authorizes the immediate impoundment of vehicles left unattended in publicly owned or controlled parking spaces provided the provisions of state law for impoundment are observed; and

WHEREAS, the parking of motor vehicles in the designated parking area adjacent to Town Hall by persons for purposes other than the transacting business at Town Hall or using the adjacent park facilities has become a reoccurring problem in the limited parking area,

NOW, THEREFORE, the Town Council of the Town of Woodway does hereby ordain as follows:

Section 1. Section 9.12030 WMC concerning the impoundment of vehicles is hereby amended to read as follows (additions shown by underline and deletions shown by strikeout):

9.12.030 Impoundment of vehicles in violation.

A. The ~~Police e~~Chief of police or Police Chief's his designee of the town shall be authorized to impound ~~items or~~ vehicles or trailers as authorized by any statutes of the State of Washington or ordinances of the Town and the restrictions provided in this section which are in violation of this chapter pursuant to the following procedures provided in state law.

A.B. Within the hours of 6 am through 8 pm Monday through Friday, no motor vehicle shall park in the designated parking stalls or designated parking area on property owned, leased, operated, or controlled by the Town on 113th Place W. in the Town of Woodway, unless the operator of the vehicle is concurrently within Town Hall for a lawful purpose or making lawful use of the adjacent park property.

A. The chief of police or his designee shall post a notice on the item or vehicle and send a notice to the registered owner of the item or vehicle, if known, seven

~~calendar days prior to the date of the proposed impound. Such notice shall specify that the item or vehicle is in violation of this chapter and that if it is not removed by the date specified in the notice, the chief of police or his designee shall impound such item or vehicle, unless the time period is otherwise extended by the chief of police or his designee. The notice shall also provide a opportunity for the possessor of such item or vehicle to have a hearing regarding the proposed impound. The possessor of such item or vehicle must provide the chief of police or his designee a request for such hearing no later than five p.m. two days before the date scheduled for the impound. The hearing shall be held by the mayor or his or her designee.~~

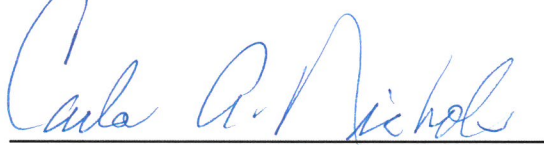
~~B. If the chief of police or his designee has not been requested to have a hearing or if after the hearing the mayor or his or her designee finds that the vehicle is still in violation of this chapter, the chief of police or his designee shall be authorized to impound the item or vehicle.~~

~~C. The owner, the registered owner and/or the possessor of the item or vehicle shall be responsible for all cost to the town for such impound and all cost related thereto. (Ord. 173 § 4, 1986)~~

Section 2. If any part or portion of this Ordinance is declared invalid for any such reason, such declaration of invalidity shall not affect any remaining portion. This Ordinance shall take effect 5 days after date of publication by ordinance title only.

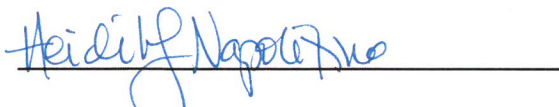
PASSED this 19th day of August 2019 by the Town Council of the Town of Woodway.

TOWN OF WOODWAY



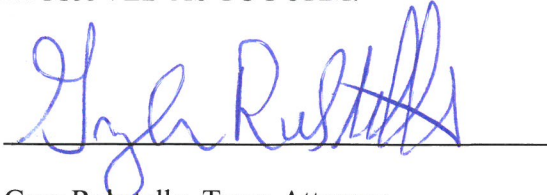
Carla A. Nichols, Mayor

ATTEST:



Heidi K. S. Napolitano, Clerk-Treasurer

APPROVED AS TO FORM:



Greg Rubstello, Town Attorney

Date Passed by the Town Council: 19 August 2019

Date Published: 24 August 2019

Effective Date: 29 August 2019