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ORDINANCE NO. 93

AN ORDINANCE OF THE CITY OF WOODINVILLE, WASHINGTON, ADOPTING THE WASHINGTON MODEL TRAFFIC ORDINANCE AS CONTAINED IN THE WASHINGTON ADMINISTRATIVE CODE, CHAPTER 308-330 WAC, AND INCORPORATING AND ADDING NEW SECTIONS AFFECTING THE TRAFFIC CODE ADOPTED BY THE 1994 STATE LEGISLATURE, READOPTING THE CRIME OF DRIVING WHILE UNDER THE INFLUENCE, INATTENTIVE DRIVING, DEFINITIONS, SPEED LAWS, LAWS REGARDING "IMPOUND", ABANDONED VEHICLES, FIRE LAWS, PARKING LIMITS, AND VARIOUS OTHER TRAFFIC PROVISIONS, REPEALING ORDINANCE NO. 71 AND ORDINANCE NO. 88 AND ALL OTHER ORDINANCES AND SECTIONS OR SUBSECTIONS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE, INCLUDING A SAVINGS CLAUSE AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the state legislature has determined that RCW Chapter 46.90, which contained the Washington Model Traffic Ordinance (MTO), will be repealed as of July 1, 1994, and

WHEREAS, the state legislature has also determined that the provisions of the Washington MTO shall be transferred and readopted into the Washington Administrative Code (WAC), Chapter 308-330, which will become effective on July 1, 1994, and

WHEREAS, in order for the City to continue to have a valid traffic ordinance, the City must adopt those provisions that have been transferred into the WAC, and

WHEREAS, the 1994 state legislature has additionally amended and created new traffic provisions, and in order for the City to incorporate the new changes that have been made by the 1994

state legislature to traffic provisions, the City must adopt and incorporate those changes into its own traffic ordinance for the health, safety and welfare of its citizens, and

WHEREAS, the City Council passed Ordinance No. 71 and Ordinance No. 88 which regulates traffic within the City of Woodinville and the City desires to repeal said ordinances and consolidate the City's traffic regulations into one ordinance for ease of and effectiveness of enforcement, NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF WOODINVILLE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Model Traffic Ordinance Adopted by Reference.

The Washington Model Traffic Ordinance, Chapter 308-330 WAC, referred to as the "Model Traffic Ordinance (MTO)," including any future additions, amendments and repeals thereof, and all other statutes adopted by reference therein, is hereby adopted by this reference as if set forth in full herein, except as provided in Section 2 of this ordinance, and shall be known as the "Woodinville Traffic Ordinance."

Section 2. Sections of Model Traffic Ordinance Not Adopted. The following sections of the MTO are not adopted by reference and are expressly deleted:

1. WAC 308-330-142. Parking meter.
2. WAC 308-330-145. Parking meter space.
3. WAC 308-330-148. Parking meter zone.
4. WAC 308-330-172. Service parking.
5. WAC 308-330-250. Police department to administer bicycle license.
6. WAC 308-330-255. Police department to regulate parking meters.

7. WAC 308-330-500 through 308-330-540. Regulating bicycles.
8. WAC 308-330-555. Bicycles riding on sidewalks.
9. WAC 308-330-600 through 308-330-660. Regulating parking meters.

That portion of WAC 308-330-425 which adopts by reference RCW 46.61.502, 46.61.504 and 46.61.506, and

That portion of WAC 308-330-406 which adopts by reference RCW 46.55.010(1) and 46.55.010(4).

That portion of WAC 308-330-327 which adopts 46.79.010(1) and 46.79.010(2).

That portion of WAC 308-330-330 which adopts 46.80.010(1).

Section 3. State Statutes Adopted by Reference. The following sections of the Revised Code of Washington (RCW), including any future additions to, amendments and repeals thereof, are hereby adopted by reference:

1. RCW 46.01.230 and 46.12.160 and the Laws of 1994, Chapter 262, Sections 1, 5.
2. RCW 46.20.710, .720, .730, .740, 46.55.113, 46.61.5151, .5152 and the Laws of 1994, Chapter 275, Sections 1, 14, 10, 21, 22, 23, 24, 32, 4-9, 39, 40.
3. RCW 46.16.381 and the Laws of 1994, Chapter 194, Sections 1, 6.
4. RCW 46.12.270 and the Laws of 1994, Chapter 139, Sections 2, 1.
5. The Laws of 1994, Chapter 141, Section 1.
6. RCW 46.04.071. Defines bicycle.
7. RCW 46.08.190. Jurisdiction of judges of district, municipal and superior court.
8. RCW 46.09.050. Vehicles exempted from ORV user permits.
9. RCW 46.09.070(4). Application for ORV user permit.
10. RCW 46.12.270. Penalties for violation of RCW 46.12.250, 46.12.260 or 46.12.410.

11. RCW 46.16.065. Small trailer license fee.
12. RCW 46.16.070. License fees on trucks, buses based on gross weight.
13. RCW 46.16.080. Fixed load machines.
14. RCW 46.16.090. Gross weight fees on farm vehicles--Penalty.
15. RCW 46.16.160. Vehicle trip permits.
16. RCW 46.16.350. License plates for amateur radio operators.
17. RCW 46.16.585. Personalized license plate.
18. RCW 46.20.055. Instruction permits and temporary licenses.
19. RCW 46.20.205. Change of address or name--Duty to notify department.
20. RCW 46.20.720. Ignition interlocks--Drivers convicted of alcohol offenses.
21. RCW 46.20.730. Ignition interlocks--Definitions.
22. RCW 46.29.610. Surrender of license--Penalty.
23. RCW 46.32.050. Motor vehicle prohibited practices--Penalty.
24. RCW 46.44.080. Local regulations--State highway regulations.
25. RCW 46.52.083. Confidentiality of reports.
26. RCW 46.61.165. Reservation of portion of highway for use by public transportation vehicles.
27. RCW 46.61.508. Liability of medical person withdrawing blood.
28. RCW 46.70.090. Dealers and manufacturer license plates.
29. RCW 46.70.140. Handling "hot" vehicles--Unreported motor "switches"--Unauthorized use of dealer plates--Penalty.
30. RCW 46.70.170. Dealer licenses--Unfair practices--Penalty for violation
31. RCW 46.80.020. License required--Penalty.

Section 4. Driving While Under the Influence of Intoxicating Liquor or Drug--What Constitutes. A person is guilty of driving while under the influence of intoxicating liquor or any drug if the person drives a motor vehicle within the City and:

A. The person has 0.08 grams or more of alcohol per two hundred ten liters of breath, within two hours after driving, as shown by analysis of the person's breath, made under this ordinance; or

B. The person has 0.08 percent or more by weight of alcohol in the person's blood, within two hours after driving, as shown by an analysis of the person's blood, made under this ordinance; or

C. The person is under the influence of or affected by intoxicating liquor or any drug; or

D. The person is under the combined influence of or affected by intoxicating liquor and any drug.

The fact that any person charged with a violation of this section is or has been entitled to use such drug under the laws of this state shall not constitute a defense against any charge of violating this section.

Section 5. Actual Physical Control of Motor Vehicle While Under Influence of Intoxicating Liquor or Drug--What Constitutes--Defenses. A person is guilty of being in actual physical control of a motor vehicle while under the influence of intoxicating liquor or any drug if the person has actual physical control of a motor vehicle within the City and:

A. The person has 0.08 grams or more of alcohol per two hundred ten liters of breath, within two hours after driving, as shown by analysis of the person's breath made under Section 6 of this ordinance; or

B. The person has 0.08 grams or more by weight of alcohol in the person's blood, within two hours after driving, as shown by an analysis of the person's blood made under Section 6 of this ordinance; or

C. The person is under the influence of or affected by intoxicating liquor and any drug.

D. The person is under the combined influence of or affected by intoxicating liquor and any drug.

The fact that any person charged with a violation of this section is or has been entitled to use such drug under the laws of this state shall not constitute a defense against any charge of violating this section. No person may be convicted under this section if, prior to being pursued by a law enforcement officer, he or she has moved the vehicle safely off the roadway.

Section 6. Persons Under Influence of Intoxicating

Liquor or Drug--Evidence--Tests--Information Concerning Tests.

A. Upon the trial of any civil or criminal action or proceeding arising out of acts alleged to have been committed within the City by any person while driving or in actual physical control of a vehicle while under the influence of intoxicating liquor or any drug, if the amount of alcohol in the person's blood or breath at the time alleged as shown by analysis of the person's blood or breath is less than 0.08 percent by weight of alcohol in his or her blood or 0.08 grams of alcohol per two hundred ten liters of the person's breath, it is evidence that may be considered with other competent evidence in determining whether the person was under the influence of intoxicating liquor or any drug.

B. The breath analysis shall be based upon grams of alcohol per two hundred ten liters of breath. The foregoing provisions of this section shall not be construed as limiting the introduction of any other competent evidence bearing upon the question of whether the person was under the influence of intoxicating liquor or any drug.

C. Analysis of the person's blood or breath to be considered valid under the provisions of this section or Sections 4 or 5 of this ordinance shall have been performed according

to methods approved by the state toxicologist and by an individual possessing a valid permit issued by the state toxicologist for this purpose. Pursuant to RCW 46.61.506, the state toxicologist is directed by the State to approve satisfactory techniques or methods, to supervise the examination of individuals to ascertain their qualifications and competence to conduct such analyses, and to issue permits which shall be subject to termination or revocation at the discretion of the state toxicologist.

D. When a blood test is administered under the provisions of RCW 46.20.308, the withdrawal of blood for the purpose of determining its alcoholic content may be performed only by a physician, a registered nurse, or a qualified technician. This limitation shall not apply to the taking of breath specimens.

E. The person tested may have a physician, or a qualified technician, chemist, registered nurse, or other qualified person of his or her choosing administer one or more tests in addition to any administered at the direction of a law enforcement officer. The failure or inability to obtain an additional test by a person shall not preclude the admission of evidence relating to the test or tests taken at the direction of a law enforcement officer.

F. Upon the request of the person who shall submit to a test or tests at the request of a law enforcement officer, full information concerning the test or tests shall be made available to him or her or his or her attorney.

Section 7. Penalty for Violation of Section 4 or Section 5 of Woodinville Traffic Ordinance. The penalty for violating Section 4 or Section 5 of this ordinance is the same penalty as established by the State Legislature for a violation of RCW 46.61.502 or RCW 46.61.504 which is in the 1994 Session Laws, Chapter 275. Therefore, Chapter 275, Sections 4-9, 10, 14, 32, 39

and 40 of the 1994 Session Laws, including any future additions to, and amendments and repeals thereof, is hereby specifically adopted by reference as if set forth in full.

Section 8. Inattentive Driving. It is unlawful for any person to operate a motor vehicle within the City in an inattentive manner. For the purposes of this section, "inattentive manner" means the operation of a motor vehicle in a manner which evidences a lack of the degree of attentiveness required to safely operate the vehicle under the prevailing conditions, including but not limited to the nature and condition of the roadway, presence of other traffic, presence of other pedestrians, and weather conditions. The offense of operating a motor vehicle in an inattentive manner shall be considered an infraction, punishable by a fine of not more than two hundred and fifty dollars \$250.00, and a lesser offense than, but included in, the offense of operating a motor vehicle in a negligent manner.

Section 9. Definitions. The following definitions shall apply to the provisions of this ordinance:

A. Street. "Street" as used in all sections of this ordinance means every city street and/or public highway within the City limits of the City of Woodinville.

B. Scrap Processor. "Scrap Processor" as used in all sections of this ordinance means any person, firm or corporation legally and currently licensed to demolish or destroy automobiles or automobile hulks by lawful means including but not limited to, crushing, shearing, hydraulic baling or shredding, for recycling automobile salvage.

C. Motor Vehicle Wrecker. "Motor Vehicle Wrecker" as used in all sections of this ordinance means every person, firm, partnership, association, or corporation engaged in the business of buying, selling, or dealing in vehicles of a type required to be licensed under the laws of the City of Woodinville or of this State, for the purpose of wrecking, dismantling, disassembling, or substantially changing the form of any motor vehicle, or who buys or sells integral secondhand parts of component material thereof, in whole or in part, and deals in secondhand motor vehicle parts.

D. Abandoned Vehicle. "Abandoned Vehicle" as used in all sections of this ordinance means any abandoned vehicle, any abandoned automobile hulks and any other vehicle or parts thereof not defined as or amounting to abandoned vehicle or automobile hulk, whether on public or private property, whether or not so left with or without the permission of the property owner thereof.

E. Abandoned Junk Vehicle. As used in all sections of this ordinance, means a vehicle meeting any two of the following requirements:

1. Is three years old or older;
2. Is extensively damaged, such damage including but not limited to any of the following: a broken window or windshield, or missing wheels, tires, motor, or transmission;
3. Is apparently inoperable and has not been moved off the property in over six months;
4. Is without a valid, current registration plate; or
5. Has an approximate fair market value equal only to the approximate value of the scrap in it.

F. Garage Keeper. A "Garage Keeper" means a person, firm, partnership, association or corporation whose business it is to store vehicles for compensation.

Section 10. State Speed Laws--Exceptions. The state traffic laws regulating the speed of vehicles at 25 MPH shall be applicable upon all streets within the City, except that the legislative authority of the City, as authorized by state law, may declare and determine by order, rule or regulation, properly adopted, that certain increased or decreased speed regulations shall be applicable upon specified streets or in certain areas, in which event it is unlawful for any person to operate a vehicle at a speed in excess of the speed so established when proper signs are in place giving notice thereof.

A. Increasing State Speed Limit. Whenever conditions are found to exist upon an arterial street or highway which warrant an increase in the speed permitted by state law, the legislative authority of this City, subject to the approval of the State Highway Commission in cases involving state highways, shall determine and declare a reasonable and safe maximum speed limit for such arterial street or highway, or portion thereof, not to exceed 55 miles per hour.

B. Decreasing State Speed Limit. Whenever it is deemed inadvisable for vehicles to operate at the maximum speed allowed by state law at 25 MPH on any portion of a street or public highway on account of a sharp curvation, highway construction or repairs, excessive traffic, any dangerous condition, or other temporary or permanent cause, the legislative authority of the City, subject to the approval of the State Highway Commission in cases involving state highways, shall determine and fix a lower maximum speed or otherwise regulate a lesser speed; provided that in no case shall the maximum speed be reduced to less than 20 miles per hour.

Section 11. Impoundment and Redemption of Certain Vehicles. King County Code Chapter 46.08, including any future

additions to, and amendments and repeals thereof, is hereby adopted by reference.

Section 12. Automobile Hulks: Abatement and Removal of Automobile Hulks on Private Property--Contents.

A. The storage or retention of an automobile hulk or junk vehicle on private property is declared to constitute a public nuisance subject to removal and impoundment. The Police Department, shall inspect and investigate complaints relative to automobile hulks, or junk vehicles, or parts thereof on private property. Upon discovery of such nuisance, the Police Department shall give notice in writing to the last registered owner of record of the automobile hulk or junk vehicle and also to the property owner of record, ordering removal of such automobile hulks, junk vehicles, or parts thereof.

B. This section shall not apply to:

1. An automobile hulk, junk vehicle, or parts thereof, which is completely enclosed within a building in a lawful manner where it is not visible from the highway and/or roadway or other public or private property; or

2. An automobile hulk, junk vehicle, or parts thereof, which is stored or parked in a lawful manner on private property in connection with the business of a licensed dismantler or licensed vehicle dealer, fenced according to the provisions of RCW 46.80.130.

Section 13. Disposition of Abandoned Junk Vehicles.

A. Notwithstanding any other provision of law, the Police Department on its own, or upon request from a private person having the right to possession of property upon which an abandoned junk vehicle has been left, shall inspect and may authorize the disposal of an abandoned junk vehicle. The Police Department shall record the make of such vehicle, the serial number if available, and shall also

detail the damaged or missing equipment to substantiate a fair market value as scrap only. It shall prepare in duplicate for each such abandoned junk vehicle an authorization to dispose on a form provided by the director. It shall issue the original copy of such authorization to dispose to any registered disposer or scrap processor for the purpose of acquiring an abandoned junk vehicle: PROVIDED, that such acquisition is for the purpose of ultimate transfer to and demolition by a licensed scrap processor.

B. Any monies received by the City from the disposal of abandoned junk vehicles shall be deposited in the City General Fund.

Section 14. Fire Lanes Established--Vehicle Obstruction

and Impoundment.

A. Establishment of Fire Lanes. Fire Lanes in conformance with this code shall be established by the Building Official for the City, or his or her duly authorized representative, and in conjunction with the Fire Chief. These lanes shall be referred to as "Designated Fire Lanes" in this ordinance.

B. Definition of Fire Lanes. The area within any public right-of-way, easement or private property designated for fire trucks and other fire fighting or emergency equipment to use, travel upon and/or park.

C. Marking of Fire Lanes. All Designated Fire Lanes to be marked from this date forward, shall be clearly marked in one of the following manners:

1. Vertical curbs six (6") inches in height shall be painted yellow on the top and side, extending the length of the Designated Fire Lane. The pavement adjacent to the painted curbs shall be marked with block lettering a minimum of eighteen (18") inches in height and with a three (3") inch brush stroke reading: "NO PARKING - FIRE LANE". Lettering shall be yellow and spaced at no more than fifty (50') foot intervals, or

2. Rolled curbs or surface without curbs shall have a yellow six (6") inch wide stripe painted, extending the length of the Designated Fire Lane. The surface adjacent to the strip shall be marked with block lettering a minimum of eighteen (18") inches in height and with a minimum three (3") inch brush stroke reading: "NO PARKING - FIRE LANE". Lettering shall be in yellow and spaced at no more than fifty (50') foot intervals, or

3. Fire Lane signs which shall be as follows:

- a. Reflective in nature.
- b. Use red letters on white background.
- c. Use three (3") inch lettering, to read "No Parking, Fire Lane".
- d. A minimum of twelve (12") inches wide by eighteen (18") inches tall.
- e. Spaced no more than fifty (50') feet apart and posted on or immediately next to the curb or side of the road.
- f. Top of the sign to be not less than four (4') feet nor more than six (6') feet from the ground.
- g. Signs may be placed on a building when approved by the Building Official in coordination with the Fire Chief.
- h. When posts are required for signs, they shall be a minimum of two (2") inch galvanized steel or four (4") by four (4") inch pressure treated wood.
- i. Signs are to be placed so they face the direction of vehicular travel.

D. Obstruction of Fire Lanes Prohibited.
The obstruction of a Designated Fire Lane by a parked vehicle or any other object is prohibited and shall constitute a traffic and fire hazard as defined in State Law and the Uniform Fire Code and be an immediate hazard to life and property.

E. Alternate Materials and Methods. The Building Official, in coordination with the Fire Chief may modify any of the provisions herein, where practical difficulties may exist. The particulars of a modification shall be decided by the Building Official and shall be entered into the records of the Fire Department, local Police Agency and the Building Department.

F. Exemption to Sign Requirements/Existing Fire Lane Signs and Markings.

1. Previously existing signs posted prior to this date, will be allowed to remain until there is a need for replacement. When replaced, the new sign must then meet the requirements as set forth in this chapter.

2. Previously existing markings will be allowed to remain until there is a need for repainting. When repainted, the new markings must then meet the requirements as set forth in the chapter.

G. Maintenance. Fire lane markings shall be maintained at the expense of the property owner(s) as often as is deemed necessary to clearly identify the designated area as a Fire Lane.

H. Towing Notification. Directly adjacent to where Fire Lanes have been designated, signs shall be posted as set forth in this chapter, in a clear, conspicuous location and shall clearly state "vehicles parked in Fire Lanes may be impounded." They shall also state the name, telephone number and address of the towing company where the vehicle may be redeemed. There shall be at least one sign per designated zone.

I. Property Owner Responsibility. The owner, manager, or person in charge of any property upon which designated Fire Lanes have been established, shall be responsible for, and not allow, vehicles or other objects to park in such Fire Lanes.

J. Violation--Infraction--Penalty. Any person who fails to mark or maintain the marking of a Designated Fire Lane as prescribed in this ordinance, or who parks a vehicle in, allows the parking of a vehicle in, obstructs or allows the obstruction of a Designated Fire Lane is guilty of an infraction. The maximum penalty for failing to mark or maintain the marking of a Designated Fire Lane shall be not more than a fine of Three Hundred and Fifty (\$350) Dollars. The maximum penalty for parking a vehicle in, allowing the parking of a vehicle in, obstructing, or allowing the obstruction of a Designated Fire Lane, shall be not more than a fine of Three Hundred and Fifty (\$350) Dollars.

K. Impoundment. Any vehicle or object obstructing a Designated Fire Lane is hereby declared a traffic and fire hazard and may be immediately impounded pursuant to the applicable state law, and Uniform Fire Code, without prior notification to its owner. Also, pursuant to state law, the owner may be held responsible for all impound fees.

Section 15. Road Restrictions. That the traffic engineer can declare an emergency and thus invoke road restrictions, deemed necessary by road and/or weather conditions, which would or would be likely to damage streets, roads, alleys, or highways, if emergency road limits, speed limits, and/or vehicle restrictions were not immediately placed upon such roadway, streets, alleys, or highways.

Section 16. Speed Limits.

A. Speed Limit 30 MPH. A speed limit of 30 miles per hour is hereby established for motor vehicle traffic upon the following streets, roadways, highways and that no person shall operate a motor vehicle upon said streets, roads or highways in excess of 30 miles per hour:

1. NE 175th Street Between 131st Avenue NE and 140th Avenue NE;
2. Woodinville-Duvall Road Between 140th Avenue NE and NE 178th Street;
3. 132nd Avenue NE Between NE 175th Street and the Woodinville-Snohomish Road;
4. Woodinville-Snohomish Road Between 132nd Avenue NE and 140th Avenue NE; and
5. 140th Avenue NE Between NE 171st Street and the Woodinville-Snohomish Road.

B. Speed Limit 35 MPH. Speed limit of 35 miles per hour is hereby established for motor vehicle traffic upon the following streets, roadways, highways and that no person shall operate a motor vehicle upon said streets, roads or highways in excess of 35 miles per hour:

1. NE 143rd Street Between 132nd Avenue NE and 137th Place NE;
2. 137th Place NE Between NE 143rd Street and NE 145th Street;
3. NE 145th Street Between 137th Place NE and the Woodinville-Redmond Road (SR202);
4. 124th Avenue NE Between the South City Limits and NE 173rd Place;
5. NE 173rd Place Between 124th Avenue NE and the Woodinville-Redmond Road (SR202);
6. 131st Avenue NE Between NE 175th Street and NE 171st Street;
7. NE 171st Street Between 131st Avenue NE and 146th Place NE;
8. 146th Place NE Between NE 171st Street and NE 172nd Street;

9. NE 172nd Street Between 146th Place NE and NE 173rd Street;

10. Woodinville-Snohomish Road Between NE 190th Street and the North City Limits;

11. NE 190th Street Between the Woodinville-Snohomish Road and the Woodinville-Duvall Road;

12. NE 195th Street Between the Woodinville-Snohomish Road and NE 190th Street;

13. Woodinville-Duvall Road Between NE 190th Street and 156th Avenue NE; and

14. 156th Avenue NE Between NE 185th (the Woodinville-Duvall Road) and the North City Limits.

C. Speed Limit 40 MPH. A speed limit of 40 miles per hour is hereby established for motor vehicle traffic upon the following streets, roadways, highways and that no person shall operate a motor vehicle upon said streets, roads or highways in excess of 40 miles per hour:

1. Woodinville-Duvall Road Between NE 178th Street and NE 190th Street; and

2. NE 185th (Woodinville-Duvall Road) Between 156th Avenue NE and the East City Limits.

D. The entry terminus of each street, roadway, highway, with a speed limit in excess of 25 miles per hour shall be posted with a sign clearly indicating the established legal speed limit. Advisory signs, indicating a reduced speed zone ahead, near the exit terminus of said street, roadway, highway, shall suffice as regulatory signs. Intersecting streets may be posted, where deemed advisable by the Traffic Engineer, with a sign indicating the legal speed limit on the intersecting streets, roadway, highways. Intersections and curves may be posted with

reduced speed limits where deemed advisable by the Traffic Engineer.

Except as provided above, no other signs or markings relating to speed shall be required on the affected streets, roadways, highways, or on intersecting streets, roadways, highways, for the purpose of conformance and enforcement.

Section 17. Parking. That on-street parking shall be prohibited at the following locations:

1. NE 194th Street: Between the hours of 7 a.m. and 3 p.m. Monday - Friday, except holidays; On the north and south sides: From 131st Ave. NE to 164 feet east of 131st Ave. NE;
2. NE 195th Street: On the north side: From 1,240 feet west of 136th Ave. NE to 136th Ave. NE; On the south side: From 641 feet west of 136th Ave. NE to 136th Ave. NE; Between the hours of 7 a.m. and 3 p.m., Monday - Friday, except holidays; On the south side: from 130th Place NE to 433 feet east of 131st Avenue NE.
3. NE 196th Place: Between the hours of 7 a.m. and 3 p.m., Monday - Friday, except holidays; On the north and south sides: From 130th Pl. NE to 131st Pl. NE;
4. NE 197th Place: Between the hours of 7 a.m. and 3 p.m., Monday - Friday, except holidays; On the north and south sides: From 130th Ave. NE to 131st Pl. NE;
5. NE 200th Street: 2 hour limit for vehicles and/or trailers in excess of 5 tons; On the north and south sides: From the Woodinville-Snohomish Road to 144th Ave. NE;
6. 130th Place NE: Between the hours 7 a.m. and 3 p.m., Monday - Friday, except holidays; On the east and west sides: From NE 196th Pl. to NE 197th Pl;
7. 131st Ave. NE: Between the hours of 7 a.m. and 3 p.m., Monday - Friday, except

holidays; On the east and west sides: From NE 193rd Pl. to NE 195th Street;

8. 131st Pl. NE: Between the hours of 7 a.m. and 3 p.m., Monday - Friday, except holidays; On the east and west sides: From NE 196th Pl. to 110 feet north of NE 197th Pl;

9. 132nd Avenue NE: On the west side: From 175th Street to the Woodinville-Snohomish Highway.

10. 136th Ave. NE: On the east side: From NE 195th Street to 1500 feet north of NE 195th Street; On the west side: 155 feet north of and 130 feet south of the east driveway entrance to Woodinville High School;

11. 144th Ave. NE: On the east and west sides: From 350 feet south of NE 200th Street to NE 200th Street; 2 hour limit for vehicles and/or trailers in excess of 5 tons; On the east and west sides: From NE North Woodinville Way to 350 feet south of NE 200th Street;

12. 168th Avenue NE: On the west side: From 1060 feet south of NE 195th Street to NE 195th Street;

13. Woodinville-Snohomish Road (139th Ave. NE): On the east side: From 585 feet south of NE 200th Street to NE 200th Street.

Section 18. Avoidance of Intersection. It is unlawful for any person operating a motor vehicle on the highways of the city to turn such vehicle either to the right or to the left upon approaching or leaving intersections and to proceed across any private property for the purpose of avoiding the intersection or any traffic control device controlling the intersection, unless so directed by lawful authority. The offense of avoidance of an intersection shall be considered an infraction, punishable by a fine of not more than two hundred and fifty dollars (\$250.00).

Section 19. Driving or Parking on Private Property Prohibited. No person shall drive, park or leave any vehicle upon the private property of another without his written consent and the owner and/or operator of any vehicle including two-wheeled vehicles, shall be found guilty of a misdemeanor in the event of violation of this section and inability to produce written verification thereof. This provision shall not apply to owners and/or operators of any vehicle who may utilize the driveway portion of another person's property for convenience purposes such as turning said motor vehicle around. Where business premises provide off-street parking for its patrons or customers the owners or operator of said premises shall be deemed to have consented to the temporary parking of motor vehicles upon said premises in areas designated for said parking.

Section 20. Overnight Parking Prohibited in Residential Areas.

A. It is unlawful to park, or otherwise leave, overnight, between the hours of 12:01 a.m., and 6:00 a.m., on any street or highway in the City of Woodinville within or abutting an area classified as residential (R-1 through R-48 zoning codes) by the official zoning ordinance, the following types of trailers and/or vehicles:

1. All types of trailers exceeding 80 inches in width designed to be drawn by a motor vehicle except recreation trailers;
2. Buses and trucks used for business purposes in whole or in part, excluding pickup or panel trucks of less than one ton rated capacity.

B. It is not necessary that restricted parking or other traffic signs be erected for the purpose of enforcing this section.

C. Any violation of this section shall be an infraction with a fine of not more than two hundred fifty dollars (\$250.00).

Section 21. Penalties and Procedure on Arrest--General Penalty. Unless another penalty is expressly provided every person convicted of a violation of any section of this ordinance shall be guilty of an infraction and punished by a fine of not more than two hundred fifty dollars (\$250.00).

Section 22. Disposition of Traffic Fines and Forfeitures. The City's portion of any fines and forfeitures collected upon conviction or upon the forfeiture of any bail of any person charged with a violation of any provisions of this ordinance shall be paid into the general fund of the City.

Section 23. Adoption Includes Amendments to the Law. Whenever a reference is made in this code to any statute or section of the Washington Administrative Code and the Revised Code of Washington, or any portion thereof, the reference shall apply to all amendments, corrections and additions heretofore, or hereafter made.

Section 24. Areas of Conflict Repealed. Ordinance No. 71, Ordinance No. 88 and all ordinances and parts of ordinances in conflict with this ordinance are hereby expressly repealed.

Section 25. Savings Clause. The repeal of Ordinance No. 71, of Ordinance No. 88 and all ordinances and parts of ordinances in conflict with this ordinance as provided, shall not affect the

prosecution for any violation of any provision of said ordinances prior to the effective date of this ordinance.

Section 26. Copies of Statutes Adopted. All state statutes comprising the Model Traffic Ordinance, WAC Chapter 308-330, as adopted and modified by this ordinance is adopted by this ordinance, and all state statutes incorporated in the City's traffic ordinance and by this ordinance are attached hereto as Exhibit A and incorporated herein by this reference as if set forth in full. The statutes so attached are in the form in which they were adopted by this ordinance.

Section 27. Filing. Incident to the adoption of the MTO by reference, by this chapter, one copy of the text of the adopted MTO and of other adopted statutes shall be filed as required by RCW 35A.12.140 for use and examination by the public. The City Clerk shall authenticate the statutes adopted by reference herein by signing the adopting ordinance and recording the adopting ordinance and statutes adopted by reference in full in the official ordinance book of the City of Woodinville.

Section 28. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or 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 29. Effective Date. This ordinance or a summary thereof consisting of the title shall take effect and be in full

force five (5) days after publication, or July 1, 1994, whichever is later.

PASSED by the City Council of the City of Woodinville this 20th day of June, 1994.

APPROVED:


MAYOR, LUCY DEYOUNG

ATTEST/AUTHENTICATED:


CITY CLERK/TREASURER, JAMES KATICA

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY 

FILED WITH THE CITY CLERK: 6/16/94
PASSED BY THE CITY COUNCIL: 6/20/94
PUBLISHED: 6/27/94
EFFECTIVE DATE: 7/2/94
ORDINANCE NO. 93