



ORDINANCE NO. 28383

1 AN ORDINANCE relating to regulation of residential parking; amending
2 Chapter 11.05 of the Tacoma Municipal Code by amending
3 Sections 11.05.235, 11.05,236, and 11.05.237 thereof, to authorize the City
4 Manager to establish a Residential Parking Program; authorize the
5 establishment of fees for residential parking permits; establish penalties;
6 and provide for severability.

7 WHEREAS many neighborhoods are experiencing increased competition for
8 limited on-street parking spaces, and

9 WHEREAS the growing demand for parking is attributable to several factors,
10 such as increases in vehicle ownership, residential occupancy, and employment
11 and commercial/retail activity, and

12 WHEREAS, in 2014, City staff partnered with the Parking Technical Advisory
13 Group, consisting of volunteer citizens and business owners, to assess the City's
14 Residential Parking Program ("Program"), and concluded that the existing Program
15 warranted changes in areas such as program sustainability and inconsistent
16 enforcement efforts, and

17 WHEREAS the Public Works Department has proposed changes to
18 Chapter 11.05 of the Tacoma Municipal Code ("TMC"), to revise the existing
19 Program by establishing Residential Parking Zones ("RPZ") which will provide
20 parking priority for residents and their guests while maximizing use of the public
21 rights-of-way, and

22 WHEREAS eligibility requirements for each RPZ are subject to residential
23 zoning classifications, non-residential parking demand, and a minimum number of
24 block faces, and
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1 WHEREAS the revised Program is not intended to guarantee residents a
2 parking space in front of their homes, and

3 WHEREAS a request is required to establish an RPZ, and an official petition
4 must be signed by the majority (60 percent) of residents in the zone affected by the
5 change, and

6 WHEREAS, in time, the Program is expected to generate sufficient funding
7 through permit fees to sustain the program, and

8 WHEREAS, to enhance customer service, the Public Works Department
9 intends to enforce the Program using a license plate recognition system during the
10 hours of 8:00 AM to 6:00 PM, and

11 WHEREAS the Program promotes equity by providing that households with
12 limited annual income may be eligible to receive the first permit at no cost; Now,
13 Therefore,

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15 **BE IT ORDAINED BY THE CITY OF TACOMA:**

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17 Section 1. That Chapter 11.05 of the Tacoma Municipal Code is hereby
18 amended by amending Sections 11.05.235, 11.05.236, and 11.05.237 thereof to
19 read as set forth in the attached Exhibit "A."

20 Section 2. If any section, subsection, sentence, clause, or phrase of this
21 ordinance is for any reason held to be invalid or unconstitutional by a decision of
22 any court of competent jurisdiction, such decision shall not affect the validity of the
23 remaining portions of this ordinance. The City Council hereby declares that it would
24 have passed this ordinance and each and every section, subsection, sentence,
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1 clause, or phrase not declared invalid or unconstitutional without regard to whether
2 any portion of the ordinance would be subsequently declared invalid or
3 unconstitutional.
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5 Passed _____
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7 _____
8 Mayor

9 Attest:
10 _____
11 City Clerk

12 Approved as to form:
13 _____
14 Chief Deputy City Attorney

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EXHIBIT "A"

Chapter 11.05
MODEL TRAFFIC ORDINANCE

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Sections:

- 11.05.010 Model Traffic Ordinance adopted.
11.05.020 Sections not adopted.
11.05.030 Statutes not adopted.
11.05.035 Repealed.
11.05.040 Amendment of WAC 308-330-555.
11.05.050 Additional statutes adopted.
11.05.060 Scope and construction of terms.
11.05.070 Curb defined.
11.05.080 Driveway defined.
11.05.090 Driveway return defined.
11.05.100 Fire line defined.
11.05.110 Fire zone defined.
11.05.120 Leaving minors unattended.
11.05.130 Driving while eating or drinking.
11.05.131 Automotive Sound Systems – Excessive Noise Prohibition.
11.05.135 Unlawful to park or stand unlicensed vehicle.
11.05.136 Presumption and reference to illegal parking.
11.05.140 Taxicabs – Prohibited parking areas.
11.05.150 One-way streets designated.
11.05.160 Construction work – Special permit required.
11.05.170 Illegal parking – Exceeding parking time limit.
11.05.180 Illegal parking – Removal of mark.
11.05.190 Illegal parking – Move vehicle to avoid time limit.
11.05.200 Parking of commercial vehicles in residential neighborhood prohibited.
11.05.210 Delivery and construction vehicles – Emergency repairs.
11.05.220 Parking of commercial trailers prohibited.
11.05.225 Parking prohibited within two feet of a mailbox.
11.05.230 Parking, extended period.
11.05.231 Human habitation of vehicles.
11.05.235 Residential pParking zZones – authority.
11.05.236 Residential pParking zZones – violation.
11.05.237 Residential pParking zonesProgram – abuse-revocation of privileges.

11.05.235 Residential pParking zZones – authority.

A. Establishment of Residential Parking Program. The City Manager, or designee, is delegated the authority and is authorized to establish and maintain a "Residential Parking Program" ("Program"), consistent with this section, to establish residential parking zones as authorized herein, to prioritize parking in residential areas in which residential parking zones have been established, to manage availability of on-street parking supply, to issue permits authorizing parking within restricted zones, to establish rules and regulations to implement the program, to provide for enforcement, and to provide for recovery of the costs of administration of the Program. The Program shall establish the procedural requirements and criteria applicable to establishment of a "Residential Parking Zone" and any permits or other authorizations to park in an established Residential Parking Zone. The Program may provide that in any Residential Parking Zone, the City may issue permits or other means of identification, maintain lists of vehicles used by residents, or adopt any other reasonable means of distinguishing vehicles that may validly be parked in any Residential Parking Zone from other vehicles. The



1 establishment of Residential Parking Zones shall not limit parking of vehicles displaying a card or decal pursuant to RCW 46.19.030, as it exists or as hereinafter amended. Residential Parking Zones shall be appropriately signed and/or marked.

2 B. Parking Zone Areas. The City Manager, or designee, ~~may, at its discretion,~~ upon receipt of an application meeting Program requirements, may recommend that the City Council establish a ~~restricted~~ Residential
3 ~~Parking~~ ~~z~~Zone in an area where any of the following instances occur:

4 ~~A~~1. On-street parking is reserved for the exclusive use of residents in a prescribed vicinity, their visitors, and service vehicles serving such residences.

5 ~~B~~2. On-street parking is reserved during certain posted hours for such exclusive use and available at all other times without restrictions.

6 ~~C~~3. Time limits are established for on-street parking which apply to all vehicles except vehicles owned or used by such residents, their visitors, or service vehicles serving such residences.

7 C. Administration and Enforcement. The City Public Works Department, Parking Services, shall implement and administer the Program and adopted rules and regulations. Parking Services shall enforce the Program during the hours of 8:00 AM to 6:00 PM. Parking Services shall maintain and administer a guide for residents to petition the City for consideration of a Residential Parking Zone.

8 In any restricted parking zone, the City may issue permits or other means of identification, maintain lists of vehicles used by residents, or adopt any other reasonable means of distinguishing vehicles that may validly be parked in any restricted parking zone from other vehicles. The establishment of restricted parking zones shall not limit parking of vehicles displaying a card or decal pursuant to RCW 46.19.030, as it exists or as hereinafter amended. Restricted parking zones shall be appropriately signed and/or marked.

9 D. Fees.

10 1. It is the intent of the City Council to ensure that fees established as provided herein reasonably provide for the recovery of the general and administrative costs of the Program, and that the fees do not exceed the reasonable estimated cost for providing the services for which the fees are charged. The term "costs" shall mean all reasonable expenses, including, without limitation, employee wages, fringe benefits, administrative overhead, costs of equipment, costs of equipment operation, costs of materials, costs of transportation, costs of material disposal, costs of contracted labor, and litigation costs associated with enforcement, that are incurred by the City as a direct result of implementation, operation, and enforcement of the Program. The City Manager, or designee, is authorized to establish and adjust a fee schedule and due dates for residential parking permits and Residential Parking Zone applications in a manner consistent with this section and Program requirements. The fee schedule will be subject to review every two years and adjustment in conjunction with the City's biennial budget process.

15 2. Residential parking permit fees shall be paid annually for each parking permit issued or renewed. Residential Parking Zone application fees shall be paid at the time of submittal of the application; provided that, fees for parking permits with a term less than 12 months may be prorated based upon the number of months remaining in the term at the time the permit is issued.

18 3. The Program may provide that a household with limited annual income may be eligible to receive the first permit per address at no cost.

19 **11.05.236 Residential Parking Zones – violation.**

20 No person shall stop, stand, or park a vehicle in an established and posted or marked Residential Parking Zone unless: ~~violation of the posted or marked restrictions or when~~

21 A. a current and valid permit or other authorization issued by the City ~~is and~~ required as a condition for parking ~~unless the same is displayed on the vehicle for which the permit was issued, in a conspicuous location, and as otherwise required by applicable law, rule or regulation;~~ or

22 B. a card or decal issued pursuant to RCW 46.19.030, as it exists or as hereinafter amended, is displayed in a prominent place on the vehicle.

23 Violation of this section shall constitute a parking violation and such act shall be subject to a monetary penalty of not less than \$30.00.



11.05.237 Residential ~~p~~Parking ~~zones~~Program – ~~abuse~~ revocation of privileges.

1 No person ~~shall, for any valuable consideration, other than City Officials, offer or agree to~~ is authorized ~~or to~~
2 permit any person to park a vehicle in any ~~r~~Residential ~~p~~Parking ~~z~~Zone. No person shall ~~for any valuable~~
3 ~~consideration~~ transfer or authorize the use of any permit or other identification issued by the City authorizing a
4 vehicle to park in any ~~r~~Residential ~~p~~Parking ~~z~~Zone.

5 Any person to whom a permit or other authorization is granted to park in a ~~r~~Residential ~~p~~Parking ~~z~~Zone shall
6 be strictly liable for compliance with its terms and conditions and complying with all applicable ordinances,
7 rules, and regulations. In any of the following instances, such permit or other authorization issued shall be
8 revoked if any person to whom such permit is issued or authorization granted:

- 9 A. offers or agrees to authorize or permit any person to park a vehicle in any restricted parking zone for any
10 monetary consideration; or
- 11 B. transfers for money the use of any permit or other identification issued by the City authorizing a vehicle to
12 park in any restricted parking zone; or
- 13 C. allows any person under their control to perform the acts contained in subparagraph A or B above; or
- 14 D. allows a permit or other authorization issued to them to be so used.

15 No new residential parking permit will be issued or other authorization granted to such person ~~for a period of~~
16 ~~one year~~ found to be in violation of this section.

17 Violation of this section shall be a civil infraction and any person found in violation hereof shall be subject to a
18 fine of \$250.00, not including statutory assessments.

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