



ORDINANCE NO. 28974

1 AN ORDINANCE relating to traffic; amending Chapter 11.05 of the Municipal
2 Code, relating to the Model Traffic Ordinance, by amending various
3 sections to better align with current business practices; and adding a
4 new Section 11.05.246, entitled “Obstruct bike lane or path” and a new
5 Section 11.05.255, entitled “Permit Parking Only Zones - violation”, to
6 add parking management tools to enhance safety and utilization of the
7 right-of-way.

8 WHEREAS Public Works through their Parking Services group has been
9 working to identify areas of the Tacoma Municipal Code (“TMC”) that need
10 updating to align those provisions with current business practices, modernize
11 the application of the parking system laws, and address areas of developing
12 and emerging need in the parking services context, and amending outdated
13 Revised Code of Washington (“RCW”) references as they relate to automated
14 enforcement, and

15 WHEREAS the proposed amendments are as follows: 1) add a new
16 section, Section 11.05.246, entitled “Obstruct bike lane or path,” to prohibit the
17 obstruction of designated bike lanes and to provide an enforcement option for
18 violations, which will address the emergent and continuing need for
19 enforcement and seeks to redress impacts to bicycle accessibility in designated
20 pathways; 2) add a new section, Section 11.05.255, entitled “Permit Parking
21 Only Zones – violation,” which identifies the prohibited and allowable parking
22 behaviors in permit parking only zones and provides the penalty for violations;
23 3) amend Section 11.05.250 to allow for the creation and administration of
24 permit parking only zones, to provide administrative authority and flexibility to
25 specified City personnel, and to provide for corollary enforcement options when
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end users do not appropriately comply with such zone use restrictions; 4)
1 amend Section 11.05.605 to reflect the new additions, Sections 11.05.246 and
2 11.05.255; and 5) amend Sections 11.05.707 and 11.05.708 to modernize the
3 language therein to account for the developing ability of end-users of the City's
4 Parking System to pay for parking through authorized online or digital
5 applications and to permit enforcement options where users do not
6 appropriately comply with such payment requirements, and
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8 WHEREAS the recommended updates to the TMC will specify how
9 parkers can electronically pay to park, and the ramifications for failing to
10 appropriately do so where the end user does not otherwise utilize the pay and
11 display physical payment option, and
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13 WHEREAS the recommended updates will further provide authority for
14 the development and administration of permit parking only zones throughout
15 the City that will help mitigate impacts of parking stressors, contribute to the
16 vitality of the City's business corridors, and ensure those attempting to
17 patronize and visit businesses and places of interest within the City have
18 access to parking to do so, and
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20 WHEREAS the current City policy for its parking system is to maximize
21 the use of the right-of-way while encouraging utilization of parking to all users,
22 manage the parking supply by using the 85 percent rule with the intent of
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accommodating existing and new economic growth, and mitigate any impacts
1 on the adjacent neighborhoods, and

2 WHEREAS since the COVID-19 pandemic, parking behaviors have
3 shifted dramatically in certain areas and priority users in downtown and
4 business districts remain the customer, client, and visitor, but there are still
5 pockets of lower performing blocks that can benefit from an extended stay
6 permit, and

7 WHEREAS the proposed amendments would allow the City to create
8 new tools that will proactively allocate appropriate roadway space to account
9 for business patronage, visitors, and corresponding parking turnover, and
10 would further allow staff to create permit parking only zones to better align with
11 the strategy of maximizing use of the right-of-way in areas that may have an
12 underlying need for parking resources and where the City has historically
13 implemented no parking treatments, and also provide parking enforcement with
14 the ability to redress the vehicular obstruction of bicycle lanes or paths as the
15 TMC currently lacks a specific and appropriate tool for this purpose, and

16 WHEREAS the proposed amendments will support Parking Services
17 efforts to continue to provide vital services to the ongoing functionality of the
18 City's roadways and corridors; Now, Therefore,



BE IT ORDAINED BY THE CITY OF TACOMA:

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Section 1. That the City Council hereby adopts the Recitals of this Ordinance as its formal legislative findings.

Section 2. That Chapter 11.05 is hereby amended, by amending various sections, and adding a new Section 11.05.246, entitled “Obstruct bike lane or path,” and a new Section 11.05.255, entitled “Permit Parking Only Zones – violation,” as set forth in the attached Exhibit “A.”

Section 3. That the City Clerk, in consultation with the City Attorney, is authorized to make necessary corrections to this ordinance, including, but not limited to, the correction of scrivener’s/clerical errors, references, ordinance numbering, section/subsection numbers, and any references thereto.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



EXHIBIT "A"

CHAPTER 11.05
MODEL TRAFFIC ORDINANCE

Sections:

11.05.010 Model Traffic Ordinance adopted.

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11.05.246 Obstruct bike lane or path.

11.05.250 City Traffic Engineer regulates and designates on-street parking restrictions.

11.05.255 Permit Parking Only Zones – violation.

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11.05.246 Obstruct Bike lane or path– violation.

No person shall stop, stand, or park a vehicle on or adjacent to a trail, path, lane, or other way which has been designated for the use of bicycles in such a manner as to obstruct or restrict the use of any portion thereof. This section does not apply to emergency vehicles when in service or maintenance vehicles engaged in authorized maintenance work. Violation of this section is a parking infraction subject to a penalty of not less than \$30.

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11.05.250 City Traffic Engineer regulates and designates on-street parking restrictions.

The City Traffic Engineer, or designee, has the authority to establish on-street parking restrictions to regulate the flow of traffic and/or parking. Such restrictions include, without limitation, Loading Zones, One-Hour Parking, Two-Hour Parking, No Parking Anytime, Disabled Parking, and similar designations. This includes the authority to establish, expand, and dissolve permit parking only zones and the authority to create the rules and regulations related to permit application, acquisition, award, denial, and revocation. No such parking restrictions shall apply to law enforcement or other emergency vehicles when in service.

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11.05.255 Permit Parking Only Zones – violation.

No person shall stop, stand, or park a vehicle in an established and posted or marked permit parking only zone unless:

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

B. the vehicle is not displaying a physical permit but has been otherwise authorized to park in such zone through the City's permit application process and the vehicle's license plate number has been listed or recorded as an authorized vehicle in the City's records maintained for such purposes; or,

~~C~~. 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.

Violation of this section shall constitute a parking infraction subject to a monetary penalty of not less than \$30.00.



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11.05.605 Parking penalties.

The following tabular list of penalties shall be provided for each violation of the Model Traffic Ordinance sections under RCW 46.61 and WAC 308.330:

| TMC Reference | Description | Penalty |
|---------------------------|---|----------------------|
| 11.05.135 | Expired Vehicle License Under 2 Months - Parked | \$86 |
| 11.05.135 | Expired Vehicle License Over 2 Months - Parked | \$171 |
| 11.05.135 | No Month/Year License Tab - Parked | \$86 |
| 11.05.135 | Altered/Illegible License Plate(s) - Parked | \$171 |
| 11.05.135 | Missing License Plate(s) - Parked | \$86 |
| 11.05.140 | Taxicabs - Prohibited parking areas | \$25 |
| 11.05.160 | Construction - Special Permit Required | \$50 |
| 11.05.170 | Overtime Parking | \$25 |
| 11.05.190 | Move Vehicle to Avoid Time Limit | \$50 |
| 11.05.230 | Parking for Extended Periods | \$35 |
| 11.05.236 | Residential Zone - Parking Restricted | \$30 |
| 11.05.245 | Parked Within 2' of Another Vehicle | \$30 |
| 11.05.246 | Obstruct Bike lane or path | \$30 |
| 11.05.255 | Permit Parking Only Zones | \$30 |
| 11.05.390 | No Parking Anytime | \$35 |

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11.05.707 Parking payment device violations.

Each violation of sections A through ~~G~~E shall be punishable by a penalty in an amount of not less than \$25.00.

A. No person shall stop, stand, or park, or permit a vehicle within his control to be parked in any parking meter space while the parking meter for such space displays the words "Violation," "Expired," or the international symbol for "No Parking," or otherwise indicates that the meter is out of order; provided that this section does not apply to a vehicle properly displaying an unexpired valid proof of payment receipt issued by a parking pay station.

B. No person shall stop, stand or permit a vehicle within his control to be parked in any parking space controlled by a "pay and display" parking pay station without displaying on the vehicle an unexpired proof of payment receipt issued by a parking pay station.

C. No person shall stop, stand or permit a vehicle within his control to be parked in any parking space controlled by a "pay by space" parking pay station beyond the amount of time purchased for that space.

D. It is unlawful to park or permit to be parked any vehicle in a space controlled by a "pay-by-space" parking pay station without payment properly recorded as described by the instructions posted on the parking payment device.

E. The prohibitions in this section shall not apply to the act of parking or to the necessary time required to activate the time on the parking meter or to obtain a parking pay station receipt, or as indicated by signposting, to the parking of a vehicle in a restricted parking zone.



~~F. The prohibitions in this section shall not apply on free parking days.~~

1 F. No person shall stop, stand or permit a vehicle within such person's control to be parked in any
2 parking space controlled by a "pay by plate" parking pay station beyond the amount of time purchased
3 for that space.

4 G. In parking locations where mobile applications or other digital platforms are authorized for use by
5 the City to pay for parking using such authorized method, and a person elects to use such alternative in
6 lieu of complying with the otherwise applicable pay and display parking requirements, no person shall
7 stop, stand, or permit a vehicle within his or her control to be parked in any such location without
8 complying with the payment requirements of the mobile application or other digital platform.

9 ~~HF. The prohibitions in this section shall not apply on free parking days.~~

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11 **11.05.708 Improper parking receipt display.**

12 It is unlawful to park or permit to be parked any vehicle in a space controlled by a "pay and display"
13 parking pay station without properly displaying proof of payment as described in this section, or without
14 complying with the requirements of an authorized mobile or digital parking payment platform
15 authorized by the City for parking purposes. For parallel parking on one- and two-way streets, proper
16 display of proof of payment requires affixing the receipt dispensed by the parking pay station inside the
17 vehicle to the front seat's side window nearest the curb in such a manner that the expiration time and
18 date are readily visible from the exterior. For front-and rear-end angle parking, proper display of proof
19 of payment means affixing the receipt to the interior of the side window next to the driver's seat of the
20 vehicle in such a manner that the expiration time and date are readily visible from the exterior. For
21 motorcycles, receipts shall be affixed on the headlight cover. No more than one receipt shall be
22 displayed. For authorized mobile or digital payments no display of proof of payment is required. Failure
23 to comply with this section shall be punishable by a penalty in an amount of not less than \$15.00.

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