CITY OF KIRKLAND
Department of Finance & Administration
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MEMORANDUM

To: David Ramsay, City Manager

From: Judge Michael Lambo
Tracey Dunlap, Director of Finance and Administration

Date: November 20, 2009

Subject: Parking Fine Increase

RECOMMENDATION:

Council approve the ordinance amending Kirkland Municipal Code 12.45 to increase the penalty amount from $25 to $35 unless otherwise specified on the penalty schedule.

BACKGROUND DISCUSSION:

At the August 4 budget study session, the City Council expressed interest in increasing the parking fines by $10. An updated comparison of the fees charged in other jurisdictions follows.

Parking Enforcement Fine Comparison

City	Parking Fine*	Note
Bothell	20.00	
Everett	20.00	Progressive up to $50, depending on number of violation
Federal Way	20.00	Looking at an increase
Lake forest Park	20.00	Looking at an increase
Auburn	25.00	Up to $40, depending on number and type of violation
Bellevue	25.00	
Kent	25.00	
Kirkland	**25.00**	
Issaquah	30.00	
Lynnwood	30.00	
Mercer Island	35.00	
Renton	35.00	
Seattle	38.00	
Tukwila	42.00	
Redmond	45.00	
Average Fine	**29.29**	

*Fines are the base amount issued for the first infraction

Based on 2008 activity, this change is estimated to increase revenues from parking fines by approximately $100,000.

The attached ordinance also includes several housekeeping revisions including:

- Updates references to traffic infractions to civil infractions
- Removes KMC section related to parking meter hoods
- Updates prohibited parking areas
- Updates permit parking only areas
- Updates overtime parking time restrictions
- Deletes overtime parking penalties and adopts RCW 46.61.570

Council Meeting: 12/01/2009
Agenda: Other Business
Item #: 8. h. (1).

ORDINANCE NO. 4217

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO PARKING FINES AND AMENDING CHAPTER 12.45 OF THE KIRKLAND MUNICIPAL CODE.

The City Council of the City of Kirkland do ordain as follows:

Section 1. Section 12.45.010 of the Kirkland Municipal Code is hereby amended to read as follows:

12.45.010 Definitions.

For the purpose of this chapter:

(1) "Municipal permit or garage parking" is parking or standing of motor vehicles on property owned, leased or operated by the city requiring the obtaining of permits, depositing of currency in a coin-box, or compliance with pavement designations for the privilege to park at that location and is subject to restrictions as enacted by the city.

(2) "Operator" means every person who is in actual physical control of a vehicle as herein defined, upon a public street or highway of the city.

(3) "Overnight parking" means the parking of a vehicle in one spot continuously for a period exceeding six hours at any time during the hours from ten p.m. of the day designated to eight a.m. of the following day.

~~(4) "Parking meter" means a coin-operated timing device placed or erected adjacent to a parking space, which after deposit of specified coinage and activation of the timer, where required, measures the period of time that occupancy of such parking space is allowed.~~

(~~5~~4) "Parking payment device" means any device used to aid in management and control of the parking of vehicles on city streets or other rights-of-way, including ~~parking meters and~~ pay stations.

(~~6~~5) "Parking pay station" means any electronic device~~, except a parking meter,~~ placed or erected adjacent to a parking space which, after deposit of money or use of a credit or other payment card, dispenses a proof of payment receipt to be displayed on the vehicle.

(~~7~~6) "Person" means every natural person, firm, partnership, corporation, association or organization.

~~(8) "Service parking meter hood" means a device to cover a parking meter while the parking space is being utilized for service parking.~~

(~~9~~7) "Street" or "public street" includes all public ways, streets, highways and off-street parking facilities owned or maintained by the city.

(~~10~~8) "To park (or stand) a vehicle." There is a prima facie presumption that the registered owner of a violator vehicle was the person who parked such vehicle.

(~~11~~9) "Vehicle" means every device capable of being moved upon a public highway and in, upon, or by which any person, or property, shall or may be transported or drawn upon any public highway excepting devices moved by human power.

Section 2. Section 12.45.030 of the Kirkland Municipal Code is hereby amended to read as follows:

12.45.030 Penalty schedule.

The court of competent jurisdiction for the city shall establish a schedule for monetary penalties for violations of this chapter which are ~~traffic~~ civil infractions. The schedule shall incorporate any penalty amount which has been specified in this chapter. If no other penalty amount for a ~~traffic~~ civil infraction under this chapter is specified on the penalty schedule or in this chapter, then the amount of the penalty shall be ~~twenty-five~~ thirty-five dollars.

Section 3. Section 12.45.040 of the Kirkland Municipal Code is hereby amended to read as follows:

12.45.040 Failure to respond—Unlawful.

It is unlawful for a person who has been issued a ~~traffic~~ civil infraction relating to parking, standing, stopping, or pedestrian infractions, defined by city ordinance, to fail to respond in the manner directed on the notice of infraction. Unless otherwise specified by state law or city ordinance, the penalty for such failure to respond shall be ~~twenty-five~~ thirty-five dollars. This penalty is in addition to penalties imposed for the underlying infraction.

Section 4. Section 12.45.110 of the Kirkland Municipal Code is hereby amended to read as follows:

12.45.110 Illegal use—Parking payment devices.

It is a ~~traffic~~ civil infraction for any person to tamper with or open any parking payment device, deposit or cause to be deposited in any parking payment device, any slug, button, or any other device or substance as substitution for legal tender of the United States or city of Kirkland parking tokens, or counterfeit or alter any parking pay station receipt.

Section 5. Section 12.45.120 of the Kirkland Municipal Code is hereby amended to read as follows:

12.45.120 Illegal use—Parking permits.

It is a ~~traffic~~ civil infraction to display upon any vehicle a parking permit at a time or place in a manner not consistent with the terms of such permit, and in addition to any other penalty prescribed by the provisions of this chapter, such unlawful display shall be sufficient cause for revocation of such permit.

Section 6. Section 12.45.130 of the Kirkland Municipal Code is hereby deleted.

Section 7. Section 12.45.140 of the Kirkland Municipal Code is hereby amended to read as follows:

12.45.140 Erasing chalk marks.

(a) It is a ~~traffic~~ civil infraction for any person to park a vehicle or permit a vehicle to remain parked on the streets knowing that time marks had been erased from such vehicle within the preceding ten hours. A registered owner and/or last operator of a vehicle shall be presumed to know when and whether time marks had been erased from such vehicle.

(b) For the purpose of this section, the phrase "time marks had been erased" means that a city officer, agent or employee had placed chalk marks or other reference indicators of the time at which a vehicle was parked on the tires or other portion of a vehicle and, because of their meaning in parking enforcement, such marks were erased, removed or obscured, or an attempt was made to erase, remove or obscure them. There shall be a prima facie presumption that time marks which are missing were erased because of their meaning in parking enforcement.

Section 8. Section 12.45.160 of the Kirkland Municipal Code is hereby amended to read as follows:

12.45.160 No parking for certain purposes.

It is a ~~traffic~~ civil infraction to park a vehicle upon any roadway, public right-of-way, publicly owned and operated parking facility, or other public property for the principal purpose of:

(1) Displaying such vehicle for sale or for advertising services for vehicles;

(2) Greasing or repairing such vehicle except repairs necessitated by an emergency;

(3) Displaying advertising without a city permit;

(4) Displaying or selling merchandise from such vehicle without a city permit.

In addition to other remedies which the city may pursue, a motor vehicle which is in violation of this section for the second time within one week, after an interval of at least four hours, may be impounded according to the procedure set forth in Section 12.40.020.

Section 9. Section 12.45.200 of the Kirkland Municipal Code is hereby amended to read as follows:

12.45.200 Parking in alleys.

It is a ~~traffic~~ civil infraction to park a vehicle within an alley in such a manner or under such conditions as to leave available less than eight feet of the width of the roadway for the free movement of vehicular traffic, and to stop, stand, or park a vehicle within an alley in such position as to block the driveway entrance to any abutting property.

Any motor vehicle parked or standing in violation of this section may be impounded immediately in the manner provided for in Section 12.40.020.

Section 10. Section 12.45.210 of the Kirkland Municipal Code is hereby amended to read as follows:

12.45.210 Parking and storage of trailers, truck tractors and large vehicles prohibited.

(a) It is a ~~traffic~~ civil infraction for any person to park or store a trailer upon any street, highway, off-street public parking facility, or way open to the public within the city, except as provided in this subsection.

(1) For the purpose of this subsection, the word “trailer” includes boat trailer, camping trailer, house trailer, utility trailer, or any other vehicle or conveyance designed to be connected to or drawn by a motor vehicle or dray animal;

(2) The traffic engineer is authorized to designate by proper signs off-street parking facilities adjacent to public parks, recreational areas, and boat launching sites where recreational trailers may be parked.

(b) It is a ~~traffic~~ civil infraction for any person to park or store a truck tractor or a vehicle of twenty-five thousand pounds gross weight or more upon any street, highway, off-street public parking facility, or way open to the public except as provided in this subsection.

(1) For the purpose of this subsection, the words “truck tractor” include any vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn;

(2) The planning director is authorized to designate areas which do not include or abut residential uses where vehicles regulated by this subsection may be parked or stored. A map indicating any such designated areas will be kept on file with the police department and will be available for public inspection.

(c) A vehicle, trailer, or truck tractor which is in violation of this section may be impounded, according to the procedure set forth in Section 12.40.020, if the impoundment occurs at least twenty-four hours after tagging with notification of intent to impound for violation of this section.

Section 11. Section 12.45.220 of the Kirkland Municipal Code is hereby amended to read as follows:

12.45.220 Parking prohibited on certain streets at certain times.

It is a ~~traffic~~ civil infraction to park or stand a motor vehicle in violation of the following parking prohibitions:

Prohibited Parking Areas

~~(a) No Parking At Any Time (in effect at all times):~~

~~(1) South side of Northeast 85th Street between Sixth Street and 120th Avenue Northeast;~~

~~(2) North side of Northeast 85th Street between 122nd Avenue Northeast and Sixth Street;~~

(~~b~~a) On streets or in a designated municipal permit or garage parking area where signs or pavement marking prohibit parking or standing. Violations of this subsection include, but are not limited to, parking or standing a motor vehicle where:

(1) Curb is red, which shall mean no parking at any time;

(2) Curb is yellow, which shall mean no parking due to use such as fire lane or delivery lane;

(3) Bus stop is designated. A bus stop may be designated by red and yellow curb paint or by a sign. If a bus stop is designated only by a sign, then parking is prohibited within seventy-five feet of such sign.

(~~c~~b) In a no parking area designated per Section 12.45.020.

Furthermore, a motor vehicle left standing or parked in violation of this section constitutes an immediate safety hazard to the users of the public right-of-way and the general public. Such vehicle may be impounded and removed from the area under the supervision and authority of any city police officer.

Section 12. Section 12.45.230 of the Kirkland Municipal Code is hereby amended to read as follows:

12.45.230 Restricted parking.

It is a ~~traffic~~ civil infraction to park or stand a motor vehicle in a street zone where a sign or pavement markings restrict parking, in violation of the applicable restrictions, which include the following:

May be referred to as the following categories:	**Restriction**
(a)	No parking—7:00 a.m. to 9:00 a.m. (except on Saturdays, Sundays and legal holidays)
(b)	No overnight parking
(c)	No overnight parking on Sunday, Tuesday or Thursday
(d)	No overnight parking on Monday, Wednesday or Friday
(e)	Loading zone only—No parking allowed between the hours of 9:00 a.m. and 8:00 p.m., except that bona fide delivery vehicles may be allowed to stand in this zone for such time as may be reasonably necessary for the making of delivery or pickup of goods at a destination within eighty feet of that portion of the street occupied by the delivery vehicle
(f)	No parking permitted except that vehicles with boat trailer attached may stand for a period not to exceed

twenty minutes for the purpose of rigging and securing boat to trailer

(g) No parking—8:00 a.m. to 2:00 p.m. (except on Saturdays, Sundays and legal holidays)

(h) No parking—10:00 p.m. to 6:00 a.m.

(i) No parking—8:00 a.m. to 2:00 p.m. on school days, except by city of Kirkland permit, on both sides of the specified portion of the following streets: 111th Avenue NE between NE 128th Street and NE 132nd Street; NE 131st Street between 110th Avenue NE and 111th Avenue NE; 110th Avenue NE between NE 128th Street and NE 131st Street; NE 128th Street between 110th Avenue NE and 112th Place NE; and NE 128th Street west of 110th Avenue NE to a line which is the southerly extension of the western boundary of the power line easement which lies west of and parallel to 110th Avenue NE

(j) No parking at any time, except by city of Kirkland permit, on both sides of Lake Avenue West, beginning immediately northwest of 115 Lake Avenue West and continuing just past 295 Lake Avenue West

In addition to the other remedies which the city may pursue, a motor vehicle which is in violation of this section for the second time within one week after an interval of at least four hours may be impounded according to the procedure set forth in Section 12.40.020.

Section 13. Section 12.45.240 of the Kirkland Municipal Code is hereby amended to read as follows:

12.45.240 ~~Off-street~~ Permit parking only ~~areas~~.

It is a ~~traffic~~ civil infraction to park or stand a motor vehicle as follows:

(a) In a portion of a designated municipal garage or off-street parking area which is not marked as a parking space;

(b) In a parking space in a municipal garage or off-street parking area which requires a permit unless a parking permit allowing for such parking is displayed in a conspicuous place able to be seen from outside the vehicle.

In addition to other remedies which the city may pursue, a motor vehicle which is in violation of this section for the second time within one week, after an interval of at least four hours, may be impounded according to the procedure set forth in Section 12.40.020.

Section 14. Section 12.45.250 of the Kirkland Municipal Code is hereby amended to read as follows:

12.45.250 Downtown employee parking prohibited.

(a) It is a ~~traffic~~ civil infraction for an employee to park a vehicle within the hereinafter defined area where employee parking is

prohibited from the hours of eleven a.m. to five a.m. the following day, except as authorized by the city manager or designee pursuant to written policies which shall be consistently applied.

(1) Subject to the foregoing authority of the city manager or designee and subject to the prohibition of subsection (d) of this section, employees may request a permit which allows them to park within the hereinafter defined prohibited parking area on their days off, which permit must match the license plate of the vehicle on which it is displayed and be visibly displayed in a window of the vehicle but shall only be used on such days off.

(2) In addition to any other fines incurred under this section, displaying this permit while the employee is at their place of employment or is at the premises within the central business district as to which they are an employer or an owner, whether the employee is working or not, will result in the imposition of a one-hundred-dollar fine; second and all subsequent violations within a consecutive twelve-month period will result in the imposition of a two-hundred-dollar fine.

(b) For purposes of this section and Section 12.45.260, “central business district” means the combination of areas which the city of Kirkland Zoning Code designates as CBD-1, CBD-2, CBD-3 or CBD-8.

(c) For purposes of this section and Section 12.45.260, “employee” includes being: (1) engaged for wages, credit or other consideration, or as a volunteer, for a business or nonprofit entity within the central business district; or (2) an employer of persons who work at a location within the central business district; or (3) an owner of a business premises within the central business district.

(d) The prohibition of this section shall apply whenever the employee is at their place of employment or is at the premises within the central business district as to which they are an employer or an owner between the hours of eleven a.m. and five a.m. the following day.

(e) The area where employee parking is prohibited includes any portion of the following:

(1) Lake Street parking lot;

(2) Marina Park parking lot;

(3) Central Way from its western end (the 10 block) easterly to its intersection with Third Street;

(4) Lake Street from its northern end southerly to its intersection with Fifth Avenue South;

(5) Kirkland Avenue from its western end (the 10 block) easterly through its 400 block to the point where Kirkland Way branches off from Kirkland Avenue;

(6) Main Street in its entirety;

(7) Park Lane in its entirety;

(8) First Street between Central Way and Fourth Avenue;

(9) Third Street between Central Way and Kirkland Avenue;

(10) State Street between Kirkland Avenue and Second Avenue South and any other portion of State Street where parking is restricted to either two hours or four hours;

(11) Second Avenue South, from Lake Street to Second Street South;

(12) Lake Avenue West in its entirety;

(13) CBD-1 and CBD-2. Employee parking is prohibited along all public alleys, streets, or other public parking spaces within the area which the city of Kirkland Zoning Code designates as CBD-1 or CBD-2;

(14) The upper level of the parking garage located at the corner of Kirkland Avenue and Third Street.

(f) For imposition of the penalties provided in this section, there is a prima facie presumption that the registered owner of the violator vehicle at the time of the violation was the person who parked such vehicle. In addition, there is also a prima facie presumption that the employee who has been reported to the city as having control of a certain vehicle is the person who parked such vehicle in violation of this section.

(g) For any violation of this section, the following penalties shall be imposed:

(1) First violation within any twelve consecutive months: ~~twenty-five~~ thirty-five dollars;

(2) Second violation within any twelve consecutive months: fifty dollars;

(3) Third violation within any twelve consecutive months: seventy-five dollars;

(4) Fourth violation and each succeeding violation within any twelve consecutive months: one hundred twenty-five dollars.

Section 15. Section 12.45.260 of the Kirkland Municipal Code is hereby amended to read as follows:

12.45.260 Reporting of employee vehicles.

(a) Every employer or owner with premises located within the central business district shall provide to the city their own and their employees' names and vehicle license numbers of vehicles owned, operated, or controlled by each employee, employer or owner who comes to such premises.

(b) The information required by this section shall be sworn to and submitted at the same time as registration and application for a new business license occurs under Chapter 7.02 and updated within thrity days of hiring/termination of an employee, and each year thereafter at the same time as the business license is renewed in the manner prescribed and on forms provided by the city. Those partially exempt from the provisions of Chapter 7.02 shall report this information at the same time as required to file an application form as required in Chapter 7.02 and updated within thirty days of new hire/termination of an employee and annually thereafter as requested by the city.

(c) It is a ~~traffic~~ civil infraction for any person to be in violation of the reporting requirements of this section. For any violation of this section, penalties shall be imposed as provided in Section 12.45.250.

Section 16. Section 12.45.300 of the Kirkland Municipal Code is hereby amended to read as follows:

12.45.300 Time restrictions.

It is a ~~traffic~~ civil infraction called "overtime parking" for a person to park a vehicle or permit a vehicle under his or her control to be or remain parked on the street (including all public ways and off-street parking facilities owned or maintained by the city) in violation of the following:

(a) Parking time restrictions including zones in which parking is restricted to: thirty minutes; one hour; two hours; three hours; four hours; or six hours.

~~(b) In any space upon a street alongside of or next to a parking meter in any of the following circumstances; provided, this subsection shall not apply to the act of parking or time necessary to activate the time on the parking meter:~~

~~(1) Unless a coin or coins of United States currency of the appropriate denomination or city of Kirkland parking meter token, as indicated in the legend on the meter, shall have been deposited therein, or shall have been previously deposited therein for an unexpired interval of time, and the meter has been placed in operation; or~~

~~(2) While the parking meter for such spaces displays the words "Violation" or "Expired"; or~~

~~(3) For a consecutive period of time longer than that limited period of time for which parking is lawfully permitted, as indicated on the legend on the parking meter, irrespective of the number of amounts of the coins deposited in such meter.~~

(~~c~~b) In any space regulated by a parking pay station in any of the following circumstances; provided, this subsection shall not apply to the act of parking or time necessary to obtain a proof of payment receipt from the parking pay station:

(1) Unless an unexpired proof of payment receipt is properly displayed, in accordance with the directions on the receipt, in such a manner that the expiration time and date are readily visible from the exterior. For motorcycles, receipts shall be affixed where clearly visible.

(2) For a consecutive period of time longer than that limited period of time for which parking is lawfully permitted, as indicated on the legend on the parking pay station, irrespective of the amount paid.

~~(d) In any municipal off-street parking facility space where payment into a coin-box is required:~~

~~(1) Unless the required amount of currency or tokens have been deposited in the coin-box as provided for such parking; or~~

~~(2) For a consecutive period of time longer than that limited period of time for which parking is lawfully permitted as in such space, irrespective of the currency deposited in the coin-box.~~

Section 17. Section 12.45.320 of the Kirkland Municipal Code is hereby deleted and replaced with a new Section 12.45.320 to read as follows:

12.45.320 Stopping, standing, or parking prohibited in specified places -- Reserving portion of highway prohibited.

(1) Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a police officer or official traffic control device, no person shall:

(a) Stop, stand, or park a vehicle:

(i) On the roadway side of any vehicle stopped or parked at the edge or curb of a street;

(ii) On a sidewalk or street planting strip;

(iii) Within an intersection;

(iv) On a crosswalk;

(v) Between a safety zone and the adjacent curb or within thirty feet of points on the curb immediately opposite the ends of a safety zone, unless official signs or markings indicate a different no-parking area opposite the ends of a safety zone;

(vi) Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic;

(vii) Upon any bridge or other elevated structure upon a highway or within a highway tunnel;

(viii) On any railroad tracks;

(ix) In the area between roadways of a divided highway including crossovers; or

(x) At any place where official signs prohibit stopping.

(b) Stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger or passengers:

(i) In front of a public or private driveway or within five feet of the end of the curb radius leading thereto;

(ii) Within fifteen feet of a fire hydrant;

(iii) Within twenty feet of a crosswalk;

(iv) Within thirty feet upon the approach to any flashing signal, stop sign, yield sign, or traffic control signal located at the side of a roadway;

(v) Within twenty feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within seventy-five feet of said entrance when properly signposted; or

(vi) At any place where official signs prohibit standing.

(c) Park a vehicle, whether occupied or not, except temporarily for the purpose of and while actually engaged in loading or unloading property or passengers:

(i) Within fifty feet of the nearest rail of a railroad crossing; or

(ii) At any place where official signs prohibit parking.

(2) Parking or standing shall be permitted in the manner provided by law at all other places except a time limit may be imposed or parking restricted at other places but such limitation and restriction shall be by city ordinance or county resolution or order of the

secretary of transportation upon highways under their respective jurisdictions.

(3) No person shall move a vehicle not lawfully under his or her control into any such prohibited area or away from a curb such a distance as is unlawful.

(4) It shall be unlawful for any person to reserve or attempt to reserve any portion of a highway for the purpose of stopping, standing, or parking to the exclusion of any other like person, nor shall any person be granted such right.

(5) Unless otherwise specified by state law or city ordinance, the penalty for prohibited stopping, standing or parking in specified places shall be forty-five dollars.

Section 18. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance, or the application of the provision to other persons or circumstances is not affected.

Section 19. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication pursuant to Section 1.08.017, Kirkland Municipal Code in the summary form attached to the original of this ordinance and by this reference approved by the City Council.

Passed by majority vote of the Kirkland City Council in open meeting this _____ day of _____, 2009.

Signed in authentication thereof this _____ day of _____, 2009.

_____
MAYOR

Attest:

_____
City Clerk

Approved as to Form:

_____
City Attorney

Council Meeting: 12/01/2009
Agenda: Other Business
Item #: 8. h. (1).

PUBLICATION SUMMARY
OF ORDINANCE NO. 4217

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO PARKING FINES AND AMENDING CHAPTER 12.45 OF THE KIRKLAND MUNICIPAL CODE.

SECTION 1. Deletes the definitions relating to parking meters and parking meter hoods.

SECTIONS 2-3. Amends the the penalty fee and amends the reference to traffic infraction to civil infraction.

SECTIONS 4-5. Amends the reference to traffic infraction to civil infraction.

SECTION 6. Deletes Section 12.45.130 of the Kirkland Municipal Code.

SECTIONS 7-10. Amends the reference to traffic infraction to civil infraction.

SECTION 11. Amends the reference to traffic infraction to civil infraction and amends prohibited parking areas.

SECTIONS 12-13. Amends the reference to traffic infraction to civil infraction.

SECTION 14. Amends the reference to traffic infraction to civil infraction and increase the first violation penalty to thirty-five dollars.

SECTION 15. Amends the reference to traffic infraction to civil infraction.

SECTION 16. Changes the reference to traffic infraction to civil infraction and amends parking time restrictions.

SECTION 17. Deletes Section 12.45.320 of the Kirkland Municipal Code and replaces it with a new Section 12.45.320 relating to stopping, standing, or parking prohibited in specified places.

SECTION 18. Provides a severability clause for the ordinance.

SECTION 19. Authorizes publication of the ordinance by summary, which summary is approved by the City Council pursuant to Section 1.08.017 Kirkland Municipal Code and establishes the effective date as five days after publication of summary.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the _____ day of _____, 2009.

I certify that the foregoing is a summary of Ordinance _____ approved by the Kirkland City Council for summary publication.

_____
City Clerk