

ORDINANCE O-4946

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO VEHICLE
PARKING AND IMPOUNDMENT AND AMENDING CHAPTERS 12.40 AND
12.45 OF THE KIRKLAND MUNICIPAL CODE.

1 WHEREAS, the City of Kirkland, through Section 12.45.210 of the Kirkland Municipal
2 Code (KMC), explicitly prohibits the parking or storage of trailers, truck tractors, and other large
3 vehicles on any street, highway, off-street public parking facility, or public right-of-way within
4 the city, subject to certain enumerated exceptions; and

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6 WHEREAS, the current restrictions on large vehicle parking do not explicitly extend to
7 the parking of recreational vehicles (RVs), which can similarly impair driver and pedestrian
8 visibility, narrow the roadways, displace standard vehicle parking, and restrict the free flow of
9 traffic; and

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11 WHEREAS, there are circumstances when the City needs tools to address RVs parked
12 in the public right-of-way; and

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14 WHEREAS, separately, chapter 12.40 of the Kirkland Municipal Code (KMC) creates
15 procedures for impoundment of abandoned vehicles at the direction of the Kirkland Police
16 Department; and

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18 WHEREAS, state law contains specific procedures for addressing abandoned vehicles
19 in rights-of-way, on other public property, and on private property, but Kirkland has only
20 explicitly incorporated those procedures related to rights-of-way and private property; and

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22 WHEREAS, the City's code and policies reflect its commitment to communication,
23 compassion, and collaboration in resolving community complaints and obstacles; and

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25 WHEREAS, there are occasions where the City needs tools to address vehicles
26 abandoned in City parks and parking lots; and

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28 WHEREAS, various other miscellaneous amendments to chapters 12.40 and 12.45
29 KMC will ensure clarity and consistency with state law; and

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31 WHEREAS, the City Council finds that these amendments are necessary for the public
32 safety, health, and welfare and will support the City's goals relating to community safety,
33 recreational services, and dependable infrastructure.

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35 NOW, THEREFORE, the City Council of the City of Kirkland does ordain as follows:

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37 Section 1. Section 12.40.010 of the Kirkland Municipal Code (KMC), and the
38 corresponding portions of Ordinance No. O-2975 § 1 (1986), is amended as follows, with the
39 new text shown in underline and deletions shown in ~~strike through~~; all other provisions of these

sections remain unchanged and in full force, and these rules for identifying changes apply throughout this ordinance:

12.40.010 Definitions.

For the purpose of this chapter:

(1) "Abandoned vehicle" means any vehicle or hulk left on public property or within the right-of-way of any public street, highway, alley, or way open to the public for a period of twenty-four hours.

(2) "Automobile hulk" or "hulk" or "junk vehicle" means a motor vehicle or remnant or remains thereof which is apparently inoperable and is extensively damaged or missing vital parts or mechanisms.

(3) "Registered tow truck operator" or "operator" means any person who engages in the impounding, transporting, disposal or storage of unauthorized or abandoned vehicles and who is properly registered or licensed pursuant to RCW Chapter 46.55.

(4) "Unauthorized vehicle" means a vehicle that is subject to impoundment at the direction of the city after being left unattended in one of the following locations for the indicated period of time:

Subject to removal after:

- | | |
|---|----------------------------------|
| (a) Constituting a traffic hazard (see RCW 46.55.113) | Immediately |
| (b) Abandoned and tagged (see RCW 46.55.085) (for instance) | 24 hours after attachment of tag |
| (c) Coming within a provision of Chapter 42.44 <u>12.45 or 12.48 KMC that which</u> authorizes impoundment | Immediately |

Section 2. KMC 12.40.020, and the corresponding portions of Ordinance No. O-2975 § 1 (1986), is amended as follows:

12.40.020 Procedure for impoundment.

(a) At the time an unauthorized vehicle is tagged as abandoned pursuant to RCW 46.55.085, the police department shall attempt to contact the registered owner of the vehicle to provide notice that the vehicle is subject to removal and impound if it remains.

(b) An unauthorized vehicle may be impounded by a registered tow truck operator at the direction of a police officer, parking enforcement person, or other public official authorized by the chief of police. The City may decide to postpone or halt the impound process to facilitate the owner's relocation or connection to services, consistent with Kirkland Police Department policy.

(c) Removal and storage of a vehicle impounded under this section shall be at the registered and legal owners' expense as provided in RCW Title 46. Within twenty-four hours after an unauthorized vehicle is impounded, the ~~police department tow truck operator~~ shall send notification by first class mail to the last known registered and legal owners of the vehicle, in accordance with Chapter 46.55 RCW, unless the vehicle is redeemed prior to the mailing of the notice. The notification shall include the name, address, and phone number of the impounding tow firm and the location and time of impound. Further, the notification will inform any owner of an opportunity for a hearing to contest the basis of the impoundment which shall contain a certificate of mailing and which shall be accompanied by a form to be directed to the Kirkland municipal court for requesting a hearing.

(d) Unless otherwise specified, any impoundment pursuant to this code or other ordinances of the city shall follow the procedure set forth in this section and adhere to City policy.

Section 3. KMC 12.40.030, and the corresponding portions of Ordinance No. O-2975 § 1 (1986), is amended as follows:

12.40.030 Impoundment for license violations.

A vehicle which is being operated by a person committing a driver's license violation for which immediate impoundment is authorized (see ~~RCW 46.20.435~~ RCW 46.55.113) may be impounded according to the procedure set forth in Section 12.40.020; provided, that if possible, the notification described therein will be immediately served upon the driver.

Section 4. KMC 12.45.210, and the corresponding section of Ordinance No. O-3534 § 1 (1986), is amended as follows:

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

(a) It is a civil infraction for any person to park or store a trailer or recreational vehicle 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) For the purpose of this subsection, the phrase "recreational vehicle" means any vehicle primarily designed for recreational camping or travel use that exceeds seven feet in width.

(23) 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 or vehicles may be parked.

(b) It is a 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, including any recreational 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 5. 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 6. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication as required by law, in the summary form attached to the original of this ordinance.

Passed by majority vote of the Kirkland City Council in open meeting this _____ day of _____, 2026.

Signed in authentication thereof this _____ day of _____, 2026.

Kelli Curtis, Mayor

Attest:

Anastasiya Warhol, City Clerk

Approved as to Form:

Darcey Eilers, City Attorney

PUBLICATION SUMMARY
OF ORDINANCE NO. O-4946

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO VEHICLE
PARKING AND IMPOUNDMENT AND AMENDING CHAPTERS 12.40 AND
12.45 OF THE KIRKLAND MUNICIPAL CODE.

1 SECTION 1. Amends KMC 12.40.010 related to definitions for abandoned and
2 unauthorized vehicles.

3
4 SECTION 2. Amends KMC 12.40.020 related to the procedure for impoundment of
5 abandoned and unauthorized vehicles.

6
7 SECTION 3. Amends KMC 12.40.030 related to impoundment for license violations.

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9 SECTION 4. Amends KMC 12.45.210 related to parking and storage of trailers, truck
10 tractors, and large vehicles to address parking and storage of recreational vehicles.

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12 SECTION 5. Provides a severability clause for the ordinance.

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14 SECTION 6. Authorizes publication of the ordinance by summary and establishes the
15 effective date as five days after publication of summary.

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17 The full text of this Ordinance will be mailed without charge to any person upon request
18 made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City
19 Council at its meeting on the _____ day of _____, 2026.

20
21 I certify that the foregoing is a summary of Ordinance O-4946 approved by the Kirkland
22 City Council for summary publication.

Anastasiya Warhol, City Clerk