

Title 10

VEHICLES AND TRAFFIC

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Chapter 10.04

GENERAL PROVISIONS

Sections:

- 10.04.010 Short title.
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- 10.04.040 Official time standard.
- 10.04.050 Penalties and procedures on arrest.
- 10.04.060 Traffic infraction defined--Penalties.

10.04.010 Short title. The ordinance codified in this title shall be known and cited as the *Steilacoom Vehicles and Traffic Code*. (Ord.1140 §1(part), 1994).

10.04.020 Arterial highways designated. Those streets and parts of streets described below are declared to be arterial highways for the purpose of this title:

- (1) Chambers Creek Road;
- (2) Lafayette Street from Union Avenue to Chambers Creek Road;
- (3) Main Street;
- (4) Military Road;
- (5) Rainier Avenue;
- (6) Rigney Road;
- (7) Roe Street;
- (8) Steilacoom Boulevard;
- (9) Union Avenue. (Ord. 1140 §1(part), 1994).

10.04.030 Council authority--Posting and marking.

- (a) The Steilacoom Town Council shall designate the following by resolution:
 - (1) Stop intersections;

- (2) Yield intersections;
- (3) Parking limitations;
- (4) Speed limits;
- (5) The Town Council shall determine those intersections at which operators of vehicles shall not make a right, left, or U turn. The making of such turns may be prohibited between certain hours of any day and permitted at other hours, in which event, the same shall be plainly indicated on the signs, or they may be removed when such turns are permitted.

(b) The Public Works Director, pursuant to Council resolution, is authorized to:

- (1) Mark traffic lanes upon the roadway of any street or highway where a regular alignment of traffic is necessary. Where such traffic lanes have been marked, it is unlawful for the operator of any vehicle to fail or refuse to keep such vehicle within the boundaries of any such lane except when lawfully passing another vehicle or preparatory to making a lawful turning movement.

- (2) Post speed limits established by the Town Council.

- (3) To designate and maintain, by appropriate devices, marks, or lines upon the surface of the roadway, crosswalks, at intersections where in his opinion there is particular danger to pedestrians crossing the roadway, and at such other places as he may deem necessary;

- (4) To mark safety zones of such kind and character and at such places as the Town Council may deem necessary for the protection of pedestrians.

- (5) To place markers, buttons, or signs within or adjacent to intersections indicating the course to be traveled by vehicles turning at such intersections. No operator of a vehicle shall disobey the directions of such indications. (Ord. 1140 §1(part), 1994).

10.04.040 Official time standard. Whenever certain hours are named in this title, they mean standard time or daylight saving time as may be in current use in the Town. (Ord. 1140 §1(part), 1994).

10.04.050 Penalties and procedures on arrest. Unless another penalty is expressly provided by town ordinance (including penalty provisions of state statutes adopted by Chapter 10.08), every person convicted of a traffic offense or misdemeanor pursuant to this title shall be punished by a fine of not more than five hundred dollars; provided, however, that every person convicted of a traffic offense or misdemeanor involving an accident which results in serious injury or the death of any person shall be subject to punishment by a fine of not more than five hundred dollars, imprisonment for not to exceed ninety days, or both such fine and imprisonment. (Ord. 1140 §1(part), 1994).

10.04.060 Traffic infraction defined--Penalties.

(a) "Traffic infraction" means the failure to perform any act required or the performance of any act prohibited by traffic ordinances of the Town, collectively codified in this title, except traffic offenses.

(b) Penalties. Every person found to have committed a traffic infraction shall be assessed a monetary penalty. The penalty for each infraction shall be:

- (1) As to any infraction the penalty for which is established by the Justice Court Traffic Infraction Rules promulgated by the Washington State Supreme Court, the penalty designated by the rules;

- (2) As to any infraction of SMC 10.12.050, two hundred fifty dollars;

- (3) As to any infraction of ordinances prohibiting the parking, stopping or standing of vehicles at certain places or under certain circumstances, or restricting the period of time during which a vehicle can be parked, the penalty is:

- (A) If responded to within fifteen days after the notice of infraction is issued, thirty-five (\$35.00) dollars.

(B) If responded to later than fifteen days after the notice of infraction is issued, forty-five (\$45.00) dollars. (Ord. 1440 §1, 2008; Ord. 1140 §1(part), 1994).

Chapter 10.08

MODEL TRAFFIC ORDINANCE

Sections:

10.08.010 Adoption of RCW Chapter 46.90 by reference.

10.08.020 Adoption of Model Traffic Ordinance and Chapter 308-330 WAC by reference.

10.08.030 Copy filing.

10.08.040 Impoundment of vehicles.

10.08.010 Adoption of RCW Chapter 46.90 by reference. The Washington Model Traffic Ordinance, RCW Chapter 46.90, as it now exists or as it is hereafter amended, is adopted by reference as and for the Traffic Code of the Town of Steilacoom as if set forth in full herein. The Model Traffic Ordinance as adopted herein shall remain effective through June 30, 1994. (Ord. 1140 §1(part), 1994).

10.08.020 Adoption of Model Traffic Ordinance and Chapter 308-330 WAC by reference. Effective 12:01 a.m., July 1, 1994, the Washington Model Traffic Ordinance and all accompanying rules as set out in Chapter 308-330 WAC, as they now exist or as they are hereafter amended, are adopted by reference, as and for the traffic ordinance of the Town of Steilacoom as if set forth in full herein. It is the intent of the Council in adopting said statutes by reference that the addition of, repeal of, amendment of, and renumbering of sections by the legislature and/or the Department of Licensing shall be deemed to amend this chapter of the SMC and that it shall not be necessary for the Council to take any further action with respect to such addition, repeal, amendment or renumbering. (Ord. 1140 §1(part), 1994).

10.08.030 Copy filing. Incident to the adoption of the Model Traffic Ordinance by reference, copies of the text of the adopted RCW Chapter 46.90 and the MTO and accompanying rules of Chapter 308-330 WAC shall be filed with the Town Clerk as required by RCW 35.21.180. (Ord. 1140 §1(part), 1994).

10.08.040 Impoundment of vehicles.

(a) Whenever the driver of a vehicle is arrested for a violation of RCW 46.61.502 or 46.61.504 or of RCW 46.20.342 or 46.20.420, the vehicle is subject to impoundment, pursuant to this ordinance at the direction of a Public Safety Officer. In addition, a Public Safety Officer may take custody of a vehicle and provide for its prompt removal to safety under any of the following circumstances:

(1) Whenever a Public Safety Officer finds a vehicle standing upon the roadway in violation of any of the provisions of RCW 46.61.650, the officer may provide for the removal of the vehicle or require the driver or other person in charge of the vehicle to move the vehicle to a position off the roadway;

(2) Whenever a Public Safety Officer finds a vehicle unattended upon a highway where the vehicle constitutes an obstruction to traffic or jeopardizes public safety.

(3) Whenever a Public Safety Officer finds an unattended vehicle at the scene of an accident or when the driver of a vehicle involved in an accident is physically or mentally incapable of deciding upon steps to be taken to protect his or her property.

(4) Whenever the driver of a vehicle is arrested and taken into custody by a police officer;

(5) Whenever a Public Safety Officer discovers a vehicle that the officer determines to be a stolen vehicle;

(6) Whenever a vehicle without a special license plate, card or decal indicating that the vehicle is being used to transport a disabled person under RCW 46.16.381 is parked in a stall or space clearly and conspicuously marked under RCW 46.61.581 which space is provided on private property without charge or on public property;

(7) Upon determining that a person is operating a motor vehicle without a valid driver's license in violation of RCW 46.20.005 or with a license that has been expired for ninety days or more.

(b) Nothing in this section may derogate from the powers of police officers under the common law. For the purposes of this section, a place of safety may include the business location of a registered Town truck operator. (Ord. 1238 §1, 1998).

Chapter 10.12

PROHIBITED OR RESTRICTED ACTIONS

Sections:

10.12.010 Use of coasters, roller skates and similar devices.

10.12.020 Tune-up or racing engine on streets.

10.12.030 Driving on beach or in park.

10.12.040 Compression brakes prohibited.

10.12.050 Bicycle parking restrictions.

10.12.060 Intoxicated pedestrians.

10.12.070 Trains blocking streets prohibited.

10.12.010 Use of coasters, roller skates and similar devices. No person upon roller skates, or riding in or by means of any coaster, toy vehicle, or similar device, shall go upon any roadway except while crossing a street on a crosswalk and when so crossing, such person shall be granted all of the rights and shall be subject to all of the duties applicable to pedestrians. (Ord. 1140 §1(part), 1994).

10.12.020 Tune-up or racing engine on streets. It is unlawful for any person to "tune-up" or "race" the engine of any motor vehicle on any street of the Town. The object of this provision is to prevent loud or distressing noises. (Ord. 1140 §1(part), 1994).

10.12.030 Driving on beach or in park. It is unlawful for any person to operate a motor driven vehicle of any nature upon any public beach or within any park in the Town. Vehicles authorized to be thereon by the Town are excepted. (Ord. 1140 §1(part), 1994).

10.12.040 Compression brakes prohibited. It is unlawful for any person to use brakes activated or operated by the compression of a motor vehicle engine. (Ord. 1140 §1(part), 1994).

10.12.050 Bicycle parking restrictions. No person shall park a bicycle upon a street other than upon the roadway against the curb or upon the sidewalk in a rack to support the bicycle or against a building or at the curb, in such manner as to afford the least obstruction to pedestrian traffic. (Ord. 1140 §1(part), 1994).

10.12.060 Intoxicated pedestrians. No pedestrians shall walk or be upon any portion of a street open to moving traffic while under the influence of or affected by intoxicating liquor or drug. (Ord. 1140 §1(part), 1994).

10.12.070 Trains blocking streets prohibited. It is unlawful for the directing officer or the operator of any railroad train to direct the operation of or to operate the same in such a manner as to prevent the use of any street for purposes of travel for a period of time longer than five minutes except that this provision shall not apply to trains or cars in motion other than engaged in switching. (Ord. 1140 §1(part), 1994).

Chapter 10.16

STOPPING, STANDING AND PARKING

Sections:

10.16.010 Chapter application.

10.16.020 Regulations not exclusive.

10.16.030 Parking regulated.

10.16.050 Seventy-two hour limitation.

10.16.060 Parking permits.

10.16.070 Back-in angle parking permit for loading or unloading.

10.16.080 Parking prohibited on narrow streets.

10.16.090 Parking adjacent to schools.

10.16.100 Parking for certain purposes prohibited.

10.16.110 Stopping, standing or parking in alleys.

10.16.120 Stopping, standing or parking near hazardous or congested places.

10.16.150 Public carrier stands.

10.16.160 Bus regulations.

10.16.170 Parking prohibited in bicycle lanes.

10.16.010 Chapter application. The provisions of this chapter prohibiting the standing or parking of a vehicle shall apply at all times or at those times herein specified or as indicated on official signs except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic control device. (Ord. 1140 §1(part), 1994).

10.16.020 Regulations not exclusive. The provisions of this chapter imposing a time limit on parking shall not relieve any person from the duty to observe other and more restrictive provisions prohibiting or limiting the stopping, standing or parking of vehicles in specified places or at specified times. (Ord. 1140 §1(part), 1994).

10.16.030 Parking regulated.

(a) The Director of Public Works is authorized to place signs prohibiting or regulating parking pursuant to Council resolution.

(b) When signs are erected giving notice thereof, no person shall park a vehicle:

(1) At any time on streets designated as having prohibited parking;

(2) At any other time than the hours posted on streets designated as having limited parking.

(c) When signs are erected giving notice thereof, no person shall park a vehicle in a Town of Steilacoom parking facility without the appropriate parking permit or without having paid the applicable parking fee. (Ord.1472 §1, 2011: Ord. 1140 §1(part), 1994).

10.16.050 Seventy-two hour limitation. No person shall park any vehicle on any street or highway for a period of time longer than seventy-two hours at any one time. (Ord. 1140 §1(part), 1994).

10.16.060 Parking permits.

(a) On application therefor, by the occupant of any residence adjacent to streets and portions of streets upon which parking is restricted by this chapter, which residence lacks adequate on-site parking facilities and space, the Director of Public Safety shall issue not more than two permits authorizing the parking of motor vehicles for unlimited periods within the restricted areas.

(b) Each permit issued pursuant to this section shall bear the vehicle license number of the holder of the permit. When affixed to a motor vehicle in such a manner as to be clearly visible from the exterior, the permit shall constitute authority for parking the vehicle for unlimited periods along portions of streets adjacent to the permittee's residence, and on which parking is otherwise restricted by this chapter or by Council resolution.

(c) It is unlawful:

- (1) For any person to represent that he is entitled to a permit when he is not so entitled;
- (2) For any permit holder to transfer a permit to another person or allow its use by another person;
- (3) For any permit holder to fail to surrender the permit when no longer the occupant of a residence adjacent to a street or portion thereof along which parking is restricted by this chapter or by Council resolution; and
- (4) For any person not entitled to a permit to display the same for purposes of parking any motor vehicle in excess of time periods imposed by this chapter and/or Council resolution. (Ord. 1140 §1(part), 1994).

10.16.070 Back-in angle parking permit for loading or unloading. The Town Council is authorized to issue special permits to permit the backing of a vehicle to the curb for the purpose of loading or unloading merchandise or materials subject to the terms and conditions of such permit. Such permits may be issued either to the owner or lessee of real property or to the owner of the vehicle and shall grant to such person the privilege as therein stated and authorized herein, and it is unlawful for any permittee or other person to violate any of the special terms or conditions of any such permit, provided, however, that no permit issued hereunder shall be exclusive. (Ord. 1140 §1(part), 1994).

10.16.080 Parking prohibited on narrow streets.

(a) The Town Council shall cause to be erected signs indicating no parking upon both sides of a street when the width of the improved roadway does not exceed twenty feet, or upon one side of a street as indicated by such signs when the width of the improved roadway is between twenty and twenty-eight feet.

(b) When official signs prohibiting parking are erected upon narrow streets as authorized herein, no person shall park a vehicle upon any such street in violation of any such sign.

(c) The Public Safety Director or other peace officer is authorized to remove and impound all vehicles illegally parked until the fine for illegal parking, if any, is paid. (Ord. 1140 §1(part), 1994).

10.16.090 Parking adjacent to schools. The Town Council shall cause to be erected signs indicating no parking upon either or both sides of any street adjacent to any school property when such parking would, in their opinion, interfere with traffic or create a hazardous situation. (Ord. 1140 §1(part), 1994).

10.16.100 Parking for certain purposes prohibited. No person shall park a vehicle upon any roadway for the principal purpose of:

(1) Displaying such motor vehicle or other object for sale, or for advertising the sale thereof;

(2) Greasing or repairing a motor vehicle, camper, trailer boat or other object; except that emergency parking for repairs upon a motor vehicle not requiring over six hours total time shall be permitted;

(3) Parking or storage of a motor vehicle which is temporarily or permanently inoperative for any reason whatsoever, including lack of proper license, and excepting only parking for emergency repairs as authorized in subsection (2) of this section;

(4) Parking or storage at any time or for any reason of a boat, boat trailer, house trailer, travel trailer, mobile home, camper, or any other vehicle or object incapable of self-locomotion;

(5) Parking or storage of any motorcycle, motor vehicle or motor home capable of self-locomotion for a continuous period of time in excess of twenty hours;

(6) Storage of building materials, sand, gravel, sawdust, beauty bark, rocks or other materials of any kind whatsoever for a period in excess of that reasonably necessary for its removal from the street and onto private property. Any period in excess of forty-eight hours shall be presumed to be unreasonable;

(7) Storage of rubbish of any kind for any period of time, except during authorized-authorized cleanup campaign. (Ord. 1140 §1(part), 1994).

10.16.110 Stopping, standing or parking in alleys. No person shall park a vehicle within an alley in such a manner or under such conditions as to leave available fewer than eight feet of the width of the roadway for the free movement of vehicular traffic, and no person shall stop, stand or park a vehicle within an alley in such position as to block the driveway entrance to any abutting property. (Ord. 1140 §1(part), 1994).

10.16.120 Stopping, standing or parking near hazardous or congested places.

(a) The Town Council shall determine and designate by proper signs, places not exceeding one hundred feet in length in which the stopping, standing, or parking of vehicles would create an especially hazardous condition or would cause unusual delay in traffic.

(b) When official signs are erected at hazardous or congested places as authorized herein, no person shall stop, stand, or park a vehicle in any such designated place. (Ord. 1140 §1(part), 1994).

10.16.150 Public carrier stands. The Town Council shall establish bus stops, bus stands, and stands for other passenger common-carrier motor vehicles on such public street in such places and in such number as the Council shall determine to be of the greatest benefit and convenience to the public, and every such bus stop, bus stand, or other stand shall be designated by appropriate signs. (Ord. 1140 §1(part), 1994).

10.16.160 Bus regulations.

(a) The driver of a bus shall not stand or park such vehicle upon any street at any place other than a bus stand so designated as provided in this chapter.

(b) The driver of a bus shall not stop such vehicle upon any street at any place for the purpose of loading or unloading passengers or their baggage other than a bus stop, bus stand

or passenger loading zone so designated as provided in this chapter except in case of an emergency.

(c) The driver of a bus shall enter a bus stop, bus stand or passenger loading zone on a public street in such a manner that the bus when stopped to load or unload passengers or baggage shall be in a position with the right front wheel of such vehicle not further than eighteen inches from the curb and the bus approximately parallel to the curb so not to impede unduly the movement of other vehicular traffic. (Ord. 1140 §1(part), 1994).

10.16.170 Parking prohibited in bicycle lanes.

(a) The Town Council shall cause to be erected signs indicating no parking in designated bicycle lanes.

(b) When official signs prohibiting parking are erected along bicycle lanes as authorized herein, no person shall park a vehicle upon such street in violation of any such sign.

(c) The Public Safety Director or other peace officer is authorized to remove and impound, all vehicles illegally parked until the fine for illegal parking, if any, is paid. (Ord. 1313 §1, 2002).

Chapter 10.20

ROAD RESTRICTIONS

Sections:

10.20.010 Emergency road restrictions.

10.20.020 Truck route--Prohibited streets.

10.20.030 Truck route--Exception.

10.20.040 Vehicles with a gross license weight of ten thousand pounds or more prohibited.

10.20.050 Truck route.

10.20.060 Signs.

10.20.070 Origin, destination and weight determination authorized.

10.20.080 Violation—Penalty.

10.20.010 Emergency road restrictions. The Mayor of the Town shall be empowered to impose emergency road restrictions as to weight and load of vehicles and speed of vehicular traffic whenever weather conditions or other extraordinary conditions create a hazard to traffic upon the roads, endanger the road beds or surfacing or at any other time when the health, welfare or safety of the citizens of the Town might be endangered if such restrictions are not so ordered. (Ord. 1140 §1(part), 1994).

10.20.020 Truck route--Prohibited streets. Except as provided by SMC 10.20.030, no person shall operate a motor truck upon, over or across the following portions of streets:

(1) Wilkes Street, from its intersection with Rainier Street to its intersection with Lafayette Street;

(2) Balch Street, from its intersection with Rainier Street to its intersection with Lafayette Street;

(3) Frederick Street, from its intersection with Rainier to its intersection with Lafayette Street. (Ord. 1140 §1(part), 1994).

10.20.030 Truck route—Exceptions. Trucks over ten thousand pounds gross license weight desiring to load or unload within the Town shall be permitted to travel on Steilacoom

streets to their destinations or from their points of origin, provided they restrict travel upon Town streets, other than the truck route, to a minimum. This chapter shall not prohibit:

- (1) Emergency Vehicles. The operation of emergency vehicles upon any street in the Town;
- (2) Public Utilities. The operation of trucks owned or operated by the Town, or vehicles owned by other public utilities bearing an exempt licenses status from the state, or any contractor or materialman, while engaged in the repair, maintenance or construction of streets, street improvements, or street utilities within the Town;
- (3) Detoured Trucks. The operation of trucks upon any officially established detour in any case where such truck could lawfully be operated upon the street for which such detour is established. Detoured trucks using streets other than the established truck route must have preapproval in writing of the Public Works Director or designee.
- (4) Public Transportation and school buses.
- (5) Vehicles accessing the Pierce County and McNeil Island ferry terminal. (Ord. 1333 §1, 2003: Ord. 1306 §1, 2001: Ord. 1300 §1, 2001: Ord. 1140 §1(part), 1994).

10.20.040 Vehicles with a gross license weight of ten thousand pounds or more prohibited. All through travel by motor trucks, with or without trailers, having a gross license weight of ten thousand pounds or more is prohibited on all streets or alleys within the Town with the exception of the streets indicated in SMC 10.20.050 and the vehicle exceptions as indicated in SMC 10.20.030. (Ord. 1300 §2, 2001: Ord. 1140 §1(part), 1994).

10.20.050 Truck route. There is established as a truck route, for use by vehicles over gross license weight of ten thousand pounds, the following portions of streets:

- (1) Union Avenue from Cormorant Drive to Rainier Street;
- (2) Rainier Street, from Union Avenue to Puyallup Street;
- (3) Puyallup Street, from Rainier Street to Steilacoom Boulevard;
- (4) Steilacoom Boulevard from Puyallup Street to Farwest Drive. (Ord. 1300 §3, 2001).

10.20.060 Signs. The Director of Public Works or designee shall post signs as appropriate within the Town to give notice of the restrictions. The signs will contain, at a minimum, the following language: NO THROUGH TRAFFIC OF VEHICLES ABOVE 10,000 LBS (GVW) – VIOLATORS SUBJECT TO FINE. (Ord. 1300 §4, 2001).

10.20.070 Origin, destination and weight determination authorized. Any Steilacoom Public Safety Officer shall have the authority to stop any truck to determine its point of origin and destination and its weight by causing the same to be driven to a public or private scale to be weighed. (Ord. 1300 §5, 2001).

10.20.080 Violation—Penalty. Every violation of this chapter is a traffic infraction punishable by a fine in the amount of \$350.00. (Ord. 1300 §6, 2001).

Chapter 10.24

PARADES, RUNS AND SPECIAL EVENTS

Sections:

- 10.24.010 Definitions.**
- 10.24.020 Permit required.**
- 10.24.030 Permit application--Contents.**
- 10.24.032 Permit timelines.**

- 10.24.035 Permit fees.**
- 10.24.040 Conditional approval.**
- 10.24.050 Permit issuance--Revocation.**
- 10.24.060 Conduct of event.**
- 10.24.065 Event exceeds expectations.**
- 10.24.070 Violations.**
- 10.24.080 Appeals.**

10.24.010 Definitions. As used in this chapter, the following terms shall have the following meanings:

(1) "Parade" means a march or procession participated in by twenty or more persons, or involving the use of ten or more vehicles, upon any public street, sidewalk or alley of the Town, except:

- (A) Funeral processions;
- (B) Wedding processions.

(2) "Run" means an activity participated in by five or more persons contending in a race, whether competitively or otherwise, and whether as pedestrians or cyclists, upon any public street, sidewalk or alley of the Town.

(3) "Special event" means an organized event participated in by five or more persons, occurring wholly or in part on public streets, sidewalks, parking areas or other public property, involving activities or creating risks which require attendance of public safety personnel to protect persons or property or require any other Town personnel to coordinate the event. (Ord. 1277 §1, 2000: Ord. 1140 §1(part), 1994).

10.24.020 Permit required. No person shall participate in or sponsor any parade, run or special event subject to the provisions of this chapter except pursuant to a permit duly issued pursuant to this chapter. (Ord. 1140 §1(part), 1994).

10.24.030 Permit application--Contents. The sponsor of a special event as defined in SMC 10.24.010 shall file an application for a permit to the Town Administrator or designee on a form prescribed by the Town Administrator. The application shall describe in detail the event's date, time, location, route and anticipated needs, participation and Town support. The application shall be reviewed by the Town Administrator and by the Directors of public safety, parks and community services, finance and public works or their designees. Following such review, the Administrator shall notify the applicant of the application's denial or conditional approval. The application may be denied on grounds that the event will conflict with other authorized uses of the public ways involved, or that public safety may be jeopardized by the event. If applications conflict, events sponsored by or participated in by governmental agencies shall be given precedence. (Ord. 1277 §2, 2000: Ord. 1140 §1(part), 1994).

10.24.032 Permit timelines. The permit process shall include set timelines and due dates by which specified items are to be submitted and/or reviewed. The due dates for milestones in the process are no later than:

- 45 days prior to event - Submission of permit application to Town Administrator
- 30 days prior to event - Following staff review, Town Administrator notifies applicant of permit denial or conditional approval.
- 10 days prior to event - Applicant has submitted all required paperwork and fees; permit is issued. (Ord. 1277 §3, 2000).

10.24.035 Permit fees. If an applicant for a special event permit fails to timely submit a permit application no fewer than forty-five (45) days prior to the event, a permit processing fee

as provided for in the Town's adopted facility use fee schedule. Additionally, failure to timely submit an application may result in disqualification to conduct the event. Parades exclusively participated in by armed forces personnel of the United States are exempt from permit fees. (Ord. 1277 §4, 2000: Ord. 1140 §1(part), 1994).

10.24.040 Conditional approval.

(a) If an application is conditionally approved, conditions which must be fulfilled before issuance of a permit shall at a minimum include:

- (1) Delivery of any fee prescribed by Town facility use policies as adopted by the Council;
- (2) Delivery of fees to reimburse the Town for anticipated costs;
- (3) Delivery of a policy of liability insurance in which the Town is designated as an insured or additional insured party, relating to the event and providing for combined single limits per occurrence of not less than \$1,000,000.00;
- (4) Delivery of a written agreement by the sponsor to defend, indemnify and hold harmless the Town, its officers, agents and employees, from any and all claims, actions or proceedings which may be filed against the Town or which may be commenced against any of its officers, agents or employees arising in whole or in part from activities for which the permit is issued.
- (5) Delivery of a written agreement to abide by all Town facilities use policies as adopted by Chapter 2.28 of this code and all sign regulations as adopted by Chapter 18.24 of this code.

(b) All fees, documents and paperwork required by (a) of this section must be paid in full not later than ten (10) business days prior to the date of the event. Failure to do so will result in automatic denial of the permit. (Ord. 1277 §5, 2000: Ord. 1140 §1(part), 1994).

10.24.050 Permit issuance--Revocation. Upon fulfillment of all conditions of application approval, the Administrator shall issue a permit describing in detail the identity of the event's sponsor, the date, time, location and route of the event, and such limitations or conditions as the Town Administrator deems appropriate. Prior to the event's completion the permit may be revoked by the Town Administrator on grounds of error in its issuance or on grounds that the event is promoted or conducted in violation of the terms or limitations of the permit. (Ord. 1277 §6, 2000: Ord. 1140 §1(part), 1994).

10.24.060 Conduct of event. The sponsor, and all persons participating in a parade, run or special event shall comply with the specifications, terms and limitations of the permit including, without limitation, those respecting time, location, route, provision of traffic control and litter control services, and compliance with orders of law enforcement personnel monitoring the event. (Ord. 1277 §7, 2000: Ord. 1140 §1(part), 1994).

10.24.065 Event exceeds expectations. If the event activity exceeds what was described in the initial application and the Town incurs additional costs, the event sponsor will be required to pay, within thirty days of billing by the Town, all additional costs incurred by the Town related to the event as calculated by the Town. Failure to pay these costs in a timely manner will result in the addition of a 10% penalty to the amount due. (Ord. 1277 §8, 2000).

10.24.070 Violations.

(a) Any person who sponsors, promotes or participates in a parade, run or special event for which a permit issued pursuant to this chapter is not in full force and effect commits a class III civil violation.

(b) Any person who willfully interferes with or obstructs the conduct of a parade, run or special event conducted pursuant to a permit duly issued and in effect commits a Class II civil violation.

(c) Any person who willfully and/or improperly completes the special event permit application form, including but not limited to conducting an event significantly different in size, scope or duration, commits a class III civil violation.

(d) Except for violations above identified, any person who commits an act prohibited by this chapter or any permit issued pursuant to this chapter, or who fails to perform an act required by this chapter or any permit issued pursuant to this chapter, commits a Class III civil violation. (Ord. 1277 § 9, 2000: Ord. 1140 §1(part), 1994).

10.24.080 Appeals. Any person aggrieved by the determination of the Town Administrator in denying an application for a permit, imposing conditions on approval of an application of a permit, or revoking a permit, may appeal such determination to the Town Council. (Ord. 1140 §1(part), 1994).

Chapter 10.28

SKATEBOARDS

Sections:

10.28.010 Applicability.

10.28.020 Obedience to traffic control devices.

10.28.030 Operation of skateboards.

10.28.040 Operation of skateboard after dark.

10.28.050 Riding on sidewalks prohibited in business district.

10.28.060 Clinging to motor vehicles.

10.28.070 Violation--Penalty.

10.28.010 Applicability.

(a) The parent of any child and the guardian of any ward shall not authorize or knowingly permit any such child or ward to violate any of the provisions of this chapter.

(b) These regulations applicable to skateboards shall apply whenever a skateboard is operated upon any street, sidewalk or upon any public path set aside for the exclusive use of vehicles, subject to those exceptions stated herein. (Ord. 1140 §1(part), 1994).

10.28.020 Obedience to traffic control devices.

(a) Any person operating a skateboard shall obey the instructions of official traffic control signals, signs and other control devices applicable to vehicles, unless otherwise directed by a public safety officer.

(b) Whenever authorized signs are erected indicating that no right or left or U turn is permitted, no person operating a skateboard shall disobey the direction of any such sign, except where such person dismounts from the skateboard to make any such turn, in which event such person shall then obey the regulations applicable to pedestrians. (Ord. 1140 §1(part), 1994).

10.28.030 Operation of skateboards. No person while riding upon a skateboard shall go upon any roadway or sidewalk in such a manner as to endanger the safety of the skateboard rider or pedestrians. No person riding a skateboard shall restrict the flow of vehicle traffic in any manner whatsoever. When operating a skateboard upon any street, a skateboard rider shall

ride with the flow of traffic and ride as close to the edge of the paved road as possible. (Ord. 1140 §1(part), 1994).

10.28.040 Operation of skateboard after dark. No person shall operate a skateboard upon a street or sidewalk during the hours between a half hour after sunset and half hour before sunrise without wearing a reflective device on both the front and back of the skateboard rider. (Ord. 1140 §1(part), 1994).

10.28.050 Riding on sidewalks prohibited in business district.

(a) No person shall ride a skateboard upon a sidewalk within a business district.

(b) The Director of Public Works is authorized, pursuant to Council resolution, to erect signs on any sidewalk or roadway prohibiting the riding of skateboards thereon by any person, any when such signs are in place, no person shall disobey them.

(c) Whenever any person is riding a skateboard upon a sidewalk, such person shall yield the right of way to any pedestrian and shall give audible signal before overtaking and passing such pedestrian so as not to endanger the safety of the pedestrian. (Ord. 1140 §1(part), 1994).

10.28.060 Clinging to motor vehicles. Any person riding upon any skateboard shall not attach the same or himself to any moving vehicle upon any roadway. (Ord. 1140 §1(part), 1994).

10.28.070 Violation--Penalty. Every person convicted of a violation of any provision of this chapter shall be guilty of a misdemeanor, and pay a fine of twenty-five dollars (\$25.00) for each separate violation. (Ord. 1140 §1(part), 1994).

Chapter 10.30

MOTORIZED FOOT SCOOTERS AND SIMILAR DEVICES

Sections:

10.30.010 Motorized foot scooter defined.

10.30.020 Duty to obey traffic-control devices and rules of the road.

10.30.030 Certain uses prohibited.

10.30.040 Prohibited areas.

10.30.050 Requirements for operating motorized foot scooters.

10.30.060 Violations – Penalty – Liability.

10.30.010 Motorized foot scooter defined. “Motorized foot scooter” is defined as a device with no more than two ten-inch or smaller diameter wheels that has handlebars, is designed to be stood or sat upon by the operator, and is powered by an internal combustion engine or electric motor that is capable of propelling the device with or without human propulsion. (Ord. 1364 §1(part), 2004).

10.30.020 Duty to obey traffic-control devices and rules of the road.

(a) Any person operating a motorized foot scooter or similar device shall obey all rules of the road applicable to vehicle or pedestrian traffic, as well as the instructions of official traffic-control signals, signs and other control devices applicable to vehicles, unless otherwise directed by a public safety officer.

(b) Additionally, it shall be unlawful to operate a motorized foot scooter or similar device other than as close as practicable to the right-hand curb or right edge of the roadway.

(c) When preparing for a left turn, the operator shall stop and dismount as close as practicable to the right-hand curb or right edge of the roadway and complete the turn by crossing the roadway on foot, subject to the restrictions placed on pedestrians in Chapter 46.61 RCW. (Ord. 1364 §1(part), 2004).

10.30.030 Certain use prohibited.

(a) No motorized foot scooter, or similar device shall be ridden or operated in a negligent or unsafe manner but shall be operated with reasonable regard for the safety of the operator and other persons. For the purposes hereof, "to operate in a negligent manner" means the operation of a motorized foot scooter, or similar device in such a manner as to endanger or be likely to endanger any person or property. Examples of operating in a negligent manner include, but are not limited to, failure to obey all traffic control devices, failure to yield right-of-way to pedestrians and/or vehicular traffic.

(b) No motorized foot scooter, or similar device shall be operated in a manner that violates the Town's noise ordinances, including, but not limited to:

(1) The frequent, repetitive or continuous sounding of any horn or siren attached to a motor vehicle, except as warning of danger or as specifically permitted or required by law;

(2) The creation of frequent, repetitive or continuous sounds in connection with the starting, operation, repair, rebuilding or testing of any motor vehicle, motorcycle, off-highway vehicle or internal combustion engine within a residential district, so as to unreasonably disturb or interfere with the peace, comfort and repose of owners or possessors of real property,

(3) The squealing, screeching or other such sounds from motor vehicle tires or other such sounds from motor vehicle tires in contact with the ground or other roadway surface because of rapid acceleration, braking or excessive speed around corners or because of such other reason; provided, that sounds which result from actions which are necessary to avoid danger are exempt.

(c) No motorized foot scooter, or similar device, shall be operated between the hours of 30 minutes before sunset to 30 minutes after sunrise.

(d) No motorized foot scooter, or similar device, shall be operated with any passengers in addition to the operator.

(e) No motorized foot scooter, or similar device shall be operated without the operator wearing a properly fitted and fastened helmet, than meets or exceeds safety standards adopted by Standard A-90.4 set by the American National Standards Institute (ANSI). (Ord. 1364 §1(part), 2004).

10.30.040 Prohibited areas. It is unlawful for any person to operate or ride upon a motorized foot scooter or similar device in any of the following areas:

(1) Upon any alley, sidewalk, park or publicly-owned parking lot in the Town of Steilacoom.

(2) Sidewalks.

(3) Streets with a maximum speed limit above 25 miles per hour.

(Ord. 1364 §1(part), 2004).

10.30.040 Requirements for operating motorized foot scooters.

(a) Minimum Age. No motorized foot scooter shall be operated on streets or other public areas not otherwise prohibited by this chapter to motorized foot scooters unless the operator is at least sixteen years of age. No operator's license is required from the Department of Licensing to operate a motorized foot scooter.

(b) Required Equipment. The following equipment shall be required whenever a motorized foot scooter is operated on streets or other public property within the Town:

- (1) Reflectors Required. Pursuant to RCW 46.04(9), a motorized foot scooter must be affixed with visible reflectors of a type approved by the Washington State Patrol.
 - (2) No motorized foot scooter, or similar device, shall be operated without a muffler, as required by RCW 46.61.710.
 - (3) Handlebars must not exceed the height of the shoulders of the rider.
 - (4) Scooter must have a working brake that will enable the operator to make a braked wheel skid on dry, level, clean pavement.
 - (5) Any other equipment required by state or local law.
- (Ord. 1364 §1(part), 2004).

10.54.060 Violation – Penalty – Liability.

- (a) Violation of the provisions of this chapter is a Class III Civil Violation subject to the penalties in accordance with SMC 9.04.090.
- (b) The parents or guardians of minor children under the age of 18 shall be liable for the payment of any penalties imposed under this chapter. (Ord. 1364 §1(part), 2004).

CHAPTER 10.32

BICYCLE SAFETY AND HELMETS

Sections:

- 10.32.010 Purpose and policy declared.**
- 10.32.020 Definitions.**
- 10.32.030 Bicycle helmet required.**
- 10.32.040 Bicycle races and events--Bicycle helmet required.**
- 10.32.050 Bicycle rental, lease or loan--Bicycle helmet required.**
- 10.32.060 Helmet sales--Safety standards.**
- 10.32.070 Enforcement and penalties.**

10.32.010 Purpose and policy declared.

- (a) This chapter is enacted as an exercise of the police power of the Town of Steilacoom to protect and preserve the public health, safety and welfare.
- (b) It is the express purpose of this chapter to provide for and to promote the health, safety and welfare of the general public, and not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this chapter.
- (c) The implementation or enforcement of this chapter shall be discretionary and not mandatory.
- (d) Nothing contained in this chapter is intended to be, or shall be, construed to create or to form the basis for liability on the part of the Town of Steilacoom or its officers, for any injury or damage resulting from the failure of any person to comply with this chapter. (Ord. 1163 §1(part), 1995).

10.32.020 Definitions. As used in this chapter, the following terms shall have the meanings indicated, unless the context clearly requires otherwise.

- (1) "Bicycle" means every device propelled solely by human power upon which a person or person may ride, having two tandem wheels either of which is sixteen inches or more in diameter, or three wheels, any of which is more than twenty inches in diameter, and within this chapter, shall include any attached trailers, side cars and/or other device being towed by a bicycle.

(2) "Guardian" means a parent, legal guardian, adult with custody, or temporary guardian, who maintains responsibility, whether voluntary or otherwise, for the safety and welfare of a person under the age of 16 years.

(3) "Helmet" means a head covering designed for safety that meets safety standards adopted by Standard Z-90 set by the American National Standards Institute (ANSI), or the Snell Foundation, or such subsequently nationally-recognized standard for bicycle helmet performance as the Town Council may adopt.

(4) "Public Area" means public roadways, bicycle paths, parks, or any right-of-way, publicly owned facility, or publicly owned property within the corporate limits of the Town of Steilacoom. (Ord. 1163 §1(part), 1995).

10.32.030 Bicycle helmet required.

(a) Any person riding a bicycle, in or upon any public area within the corporate limits of the Town of Steilacoom shall wear a helmet, and shall have either the neck or chin strap of the helmet fastened securely while the bicycle is in motion.

(b) A parent or guardian is responsible for requiring that a child under the age of 16 years complies with the provisions of subsection (a) of this section while upon a bicycle in motion, or while bicycling or riding as a passenger in an approved seat apparatus in any authorized area.

(c) Failure of a parent or guardian to require a child under the age of 16 to comply with subsection (a) of this section may result in a citation being issued to said parent or guardian for a class III civil infraction. (Ord. 1163 §1(part), 1995)

10.32.040 Bicycle races and events--Bicycle helmet required.

(a) Any person or organization managing a bicycle race, an organized event involving bicycling, or a bicycle tour, which will take place in whole or in part in any public area, shall notify participants of the requirement to wear a helmet during the event, race, or tour, and such persons and organizations may reject participants who fail to comply with provisions of this chapter.

(b) The person or organization managing a bicycle race, an organized event involving bicycling, or a bicycle tour, shall include the helmet requirement in any promotional brochure and on registration materials.

(c) Failure of a person or organization managing any such event, race or tour to notify and require participants to wear a helmet during the event, race or tour may result in the issuance of a citation for a class III civil infraction to said person or organization. (Ord. 1163 §1(part), 1995).

10.32.050 Bicycle rental, lease or loan--Bicycle helmet required.

(a) Any person engaging in the business of renting, leasing, or loaning (i.e., "test ride") any bicycle for use in any area shall offer to the person(s) renting, leasing or using such bicycle(s), a helmet and further shall notify such persons of the requirement under this chapter to wear a helmet. Such persons or organizations engaged in the business of renting, leasing or loaning bicycles shall not be required to assess whether or not a helmet provided by the person renting, leasing, or using the bicycle, meets the standards set pursuant to this chapter.

(b) The rental, lease or loan documents, (contract, agreement, brochure, or receipt) of any person engaging in the business of renting or loaning any bicycle in the Town of Steilacoom must advise the person renting, leasing or using the bicycle of the helmet requirement of this chapter.

(c) It is an affirmative defense to violation of this section for a person wearing an unapproved helmet that the helmet was furnished in conjunction with his or her rental, lease, or use of a bicycle by an person or organization engaged in the business of renting, leasing, or loaning bicycles, and that the helmet was fastened while bicycling. (Ord. 1163 §1(part), 1995)

10.32.060 Helmet sales--Safety standards.

(a) No person shall sell or offer for sale a helmet that does not meet or exceed the safety standards set forth in this chapter.

(b) It is a defense that the sale or offer for sale was an isolated sale of used merchandise made by an individual who was not engaged in the business of selling or repairing recreational equipment such as a seller at a garage or rummage sale. (Ord. 1163 §1(part), 1995).

10.32.070 Enforcement and penalties.

(a) Any person or organization violating any of the provisions of this chapter shall have committed a Class III civil infraction and shall be liable for monetary penalties as set forth in Chapter 7.80, RCW, not to exceed \$25.00 exclusive of statutory assessments.

(b) Any duly commissioned law enforcement officer having law enforcement authority at the place where a violation of this chapter occurs is authorized to enforce the provisions of this chapter

(c) Each occurrence of a child under 16 violating the requirements of this chapter shall represent a separate violation.

(d) Each rental, lease or use and event, tour, or race participant in violation of the requirements of this chapter shall constitute a separate violation.

(e) The first time a person has been issued a notice of infraction for violation of this chapter, if such person appears in person before the court and supplies the court with proof that between the date of the notice of infraction and the appearance date in court, the person purchased a helmet that meets the requirements of this chapter, the court shall dismiss the notice of infraction, without costs.

(f) The court may waive, reduce, or suspend the penalty and dismiss the notice of violation as a warning for an individual who has not received a notice of violation of this chapter within one year after the first court appearance for a violation, and provided proof that he/she has acquired a helmet.

(g) Whenever a monetary penalty is imposed by a court under this section, it is payable within 15 days. If the person is unable to pay at the time the penalty is imposed, the court may grant an extension of the period in which the penalty may be paid.

(h) The court may waive, reduce or suspend the monetary penalty prescribed herein, and may impose such conditions on any waiver, reduction or suspension as it deems just. If the court determines that a person has insufficient funds to pay the monetary penalty, the court may order performance of a number of hours of community service in lieu of a monetary penalty, at the rate of the then state minimum wage per hour. (Ord. 1163 §1(part), 1995).

Chapter 10.36

BOAT LAUNCH PARKING

Sections:

- 10.36.010 Parking within certain town parking facility--Exceptions.**
- 10.36.020 Fee schedule.**
- 10.36.030 Deposit of fees.**
- 10.36.060 Parking without paying a fee.**
- 10.36.070 Violation--Penalty.**

10.36.010 Parking--within certain town parking facility--Exceptions. No person shall park any vehicle within or upon the Town parking facility located on the property hereafter described except:

(1) A boat trailer for which a facility fee has been paid pursuant to this chapter. The diagram attached to Ordinance No. 1146 entitled "Exhibit A" shall serve to designate the spaces marked and authorized for boat trailer parking only. For enforcement purposes, "weekend only" as referred to in Exhibit A shall mean 6:00 p.m. Friday until 12:00 a.m. Monday; or

(2) A vehicle parked in compliance with the terms of this chapter.

(A) The property to which this restriction applies is the municipal parking facility generally located in the vicinity of the boat launch underpass, and legally described as the portion of Chambers Street lying north of Commercial Street together with the south 55 feet of lots 7 and 8, block 14 and the west 40 feet of lot 8, block 14, Balch's part of Steilacoom.

(B) Any person who parks a vehicle in violation of this section shall be subject to penalties imposed by SMC 10.64.250. (Ord. 1146 §1, 1994).

10.36.020 Fee schedule. Fees for use of the boat launch ramp and underpass beneath the Burlington Northern tracks in the vicinity of the terminus of Union Avenue, and the related off-street parking maintained by the Town and described in SMC 10.64.200(2a) shall be established by resolution of the Steilacoom Town Council. (Ord. 1182 §1, 1995; Ord. 1146 §2(part), 1994; Ord. 875 §1, 1983).

10.36.030 Deposit of fees. Each user shall deposit the amount fixed by the fee schedule in the receptacle provided therefor. (Ord. 1338 §7, 2003; Ord. 1146 §2(part), 1994; Ord. 875 §2, 1983).

10.36.060 Parking without paying a fee. The parking or storage of any boat trailer or motor vehicle in the Town parking lot serving the boat launch area, or the parking of a motor vehicle only in a parking space specifically designated for the parking of vehicles and boat trailers only, per SMC 10.64.200 without advance payment of the fee prescribed in this chapter, constitutes an infraction of this chapter. (Ord. 1146 §2(part), 1994; Ord. 875 §5, 1983).

10.36.070 Violation--Penalty. Any person committing an infraction of this chapter may be assessed a monetary penalty for each such infraction in an amount not to exceed thirty-five dollars. Additionally, any person committing an infraction of this chapter may have the vehicle(s) involved in the commitment of the infraction impounded by the Town, or the Town's designated agent, at the expense of the vehicle owner(s). (Ord. 1146 §2(part), 1994; Ord. 875 §6, 1983).

Chapter 10.40

COMMERCIAL VEHICLES

Sections:

10.40.010 State statutes adopted.

10.40.020 Washington Administrative Code sections adopted.

10.40.010 State statutes adopted. The following state statutes as they now exist or are hereafter amended are adopted by reference as if set forth in full herein:

RCW 46.44 Commercial Vehicle Laws
RCW 46.48.175 Hazardous Material Regulations
RCW 81.80.050 Motor Carrier Authority
RCW 82.38 Special Fuel Licenses and Permits

(Ord. 1164 §1(part), 1995).

10.40.020 Washington Administrative Code sections adopted. The following provisions of the Washington Administrative Code as they now exist or are hereafter amended are adopted by reference as if set forth in full herein:

WAC 204 Motor Carrier Regulations

WAC 446 Motor Carrier Regulations

WAC 468 Motor Carrier Regulations

WAC 480-12 Adopts Code of Federal Regulations: Dealing with Motor Carrier Safety and Federal Hazardous Material Regulations

(Ord. 1164 §1(part), 1995).

Chapter 10.45

UNMANNED AERIAL SYSTEMS

Sections:

10.45.010 Definitions.

10.45.020 Restrictions.

10.45.030 Violation – Penalty.

10.45.040 UAS Impound Authorized.

10.45.010 Definitions. As used in this section, the following definitions shall apply, unless the context clearly indicates or requires a different meaning.

Unmanned Aerial System. A pilotless aircraft and associated elements, including communication links and components that control the pilotless aircraft from the ground.

10.45.020 Restrictions. During the month of June 2015, no person shall launch or operate any Unmanned Aerial System, including those classified by the FAA as model aircraft, within the corporate limits of the Town of Steilacoom, without prior written FAA authorization, and written permission from the Town's administration based on the FAA authorization.

10.45.030 Violation - Penalty. Any person who violates the provisions of this Ordinance is guilty of a misdemeanor, and upon conviction shall be imprisoned for up to ninety (90) days and be subject to a fine of not more than \$1,000.00.

10.45.040 UAS Impound Authorized. In addition to the penalty specified in Section 10.45.030, any UAS operated in violation of this chapter may be impounded in the interest of public safety. The owner of the UAS may appeal any impound to the Steilacoom Municipal Court. (Ord. 1527, 2015).

