

City of Stanwood  
ORDINANCE NO. 1297

**AN ORDINANCE OF THE CITY OF STANWOOD, WASHINGTON ADDING A  
NEW CHAPTER 10.47 OF THE STANWOOD MUNICIPAL CODE RELATING  
TO PERMIT PARKING**

THE CITY COUNCIL OF THE CITY OF STANWOOD DO ORDAIN AS FOLLOWS:

Section 1, SMC Title 10 is hereby amended by adding a new Chapter 10.47 which shall read as follows:

**Chapter 10.47  
PERMIT PARKING**

Sections:

- 10.47.010 Authority.
- 10.47.020 Parking permits.
- 10.47.030 Parking restrictions.
- 10.47.040 Enforcement.
- 10.47.050 Inconsistent Provisions

**10.47.010 Authority.**

A. General. The City has authority to restrict parking or impose time limits on parking, consistent with SMC Title 10, SMC 10.46.030, and SMC 10.36.035 and through the exercise of its police powers.

B. Authority of City Staff.

1. City Clerk. The City Clerk or his or her designee shall have the authority to administer this chapter, including: making determinations regarding issuance and revocation of parking permits to qualified residents; to issue all permits; and to set and collect all permit fees.

2. Police Chief. The Police Chief or his or her designee shall have the authority to enforce violations of this chapter.

**10.47.020 Parking permits.**

A. Permits Required. A valid Restricted Parking Zone Permit must be obtained from the City and prominently displayed, as directed by the City, on any vehicle parked on any City street with posted restrictions requiring such permit. Such parking permit does not guarantee a parking space, does not authorize parking for more than 72 consecutive hours in any one location and does not exempt the permit holder from observing zones where parking is prohibited at all or specified times for safety reasons or for reasons other than those related to the parking permit, including but not limited to permanent or temporary no parking zones, loading zones, fire zones, and disabled parking areas.

## B. Permit Types.

1. Lincoln Estates and 76 Drive NW Restricted Parking Zone. A Stanwood resident, whose home address is within the boundaries of the Restricted Parking Zone as defined in SMC 10.47.030, may apply for a Restricted Parking Permit.

2. Guest Vehicle Parking Permits. A Stanwood resident whose home address is within the boundaries of a Restricted Parking Zone, as established in SMC 10.47.030, may apply for guest parking permits subject to the procedures and conditions set forth in subsections C, D, E, and F of this section and as provided in SMC 10.47.030(A)(1)(i-v). Guest Parking permits are good for 15 days from issuance and may only be used for the applicant address location. Guest parking permits cannot be transferred or used for any other reason.

C. Application. The application for permits referenced in SMC 10.47.020(B) shall be submitted on a form provided by the City Clerk and the resident shall provide the information requested and sign it, attesting to the accuracy of the information provided and acknowledging the terms and conditions of permit privileges.

## D. Fees.

1. Annual Fee. The City is authorized to charge an annual fee in connection with the issuance of parking permits. The amount of the fee shall be set by the director of finance or designee. Said fee shall reasonably reflect the actual costs of administration of this chapter.

2. Reissuance Fee. An additional permit fee may be assessed for each permit requested to be reissued for any reason.

3. Nonrefundable. All permit fees are nonrefundable.

## E. Permit Eligibility, Issuance, Expiration and Renewal.

1. Eligibility. Only a resident of the restricted parking zone may apply for a permit. The applicant must provide the following when applying for a permit:

- A. a registration certificate for a vehicle to be parked in the restricted parking area. Said registration certificate must show the name of the applicant and the applicants address within the restricted parking zone. or
- b. A lease agreement, rental agreement or current utility bill establishing applicants residency in the restricted parking zone or
- c. Picture identification, such as a driver's license.

2. Issuance. A Restricted Parking Zone permit will be issued only for a specific address and is nontransferable to any vehicle or any individual who is not a resident of the address for which the permit was issued within the Restricted Parking Zone; provided, a guest vehicle parking permit is transferable as provided in SMC 10.47.030(A)(1)(ii).

3. Reissuance. An eligible resident of the Restricted Parking Zone may request reissuance of a permit in the event an issued permit has been lost, damaged, or

stolen. The resident may be required to sign a declaration regarding the circumstances leading to the re-issuance request and stating that, when possible, the original permit has been removed or otherwise destroyed.

4. Expiration and Renewal. Any permit issued shall be valid for one calendar year or as otherwise established by the City Clerk or upon termination of a Restricted Parking Zone residency, whichever occurs first. Permits for eligible residents may be renewed annually or as otherwise established by the City Clerk. Permit fees will not be pro-rated.

**F. Permit Revocation and Civil Penalty for Unauthorized Use.**

1. Revocation. Permit privileges may be revoked for any of the following reasons:

- a. Any material misrepresentation on a permit application;
- b. Any unauthorized transfer of a permit to any unauthorized vehicle or to any individual who is not an eligible resident of the Restricted Parking Zone;
- c. Any other unauthorized use of a permit.

**10.47.025 Display of Parking Permit**

Restricted Parking Zone Permits and Guest Permits are designed to be hung from the rear view mirror. Permits must be hung over the rear view mirror with the face of the permit visible through the windshield. The permit may also be displayed by placing on the vehicle dashboard with the face of the permit visible through the windshield. Permits must be placed so as to be legible from the outside of the vehicle.

**10.47.030 Parking restrictions.**

Parking of vehicles on the specified portions of the following city streets shall be prohibited or restricted as posted. It is a violation of this chapter to park in the following areas contrary to the restrictions and prohibitions below:

A. Establishment of Restricted Parking Zone. All streets described in subsection (A)(2) of this section, are hereby established as a restricted parking zone where parking shall be restricted except by permits issued to zone residents, as set forth in SMC 10.47.020.

1. Guest Vehicle Parking Permit.

- i. A resident within the Restricted Parking Zone may apply for a temporary vehicle parking permit in conjunction with a Restricted Parking Zone permit.
- ii. Guest vehicle parking permits are transferable among vehicles of guests of residents of the Restricted Parking Zone and must be displayed as required by the City, however temporary permits can only be used within 15 days of issuance.
- iii. A valid guest vehicle parking permit, displayed as required by the City, confers on the vehicle bearing it the same parking privileges and restrictions as a Restricted Parking Zone permit.

iv. The application, permit issuance, expiration and renewal, revocation and penalty apply to guest vehicle parking permits.

v. Service Vehicles.

(a) A service vehicle is a vehicle not owned by a Restricted Parking Zone resident, with conspicuous identification of the service it provides permanently affixed to the vehicle, that is used for the purpose of providing short-term repair, construction, landscaping services, delivery, utility, refuse, health commodities, life support or emergency service for a residence within the restricted zone. Personal vehicles used by domestic employees, such as housekeepers or child care providers, are not considered service vehicles.

(b) Personal vehicles used by domestic employees, such as housekeepers or child care providers, must park on private property or use a residence guest vehicle parking permit.

2. Restricted Parking.

Parking on the following specified City streets or portions thereof is restricted to noncommercial vehicles of zone residents displaying a valid Stanwood Restricted Parking Zone permit, and other vehicles displaying parking permits as allowed by subsection (A)(1) of this section, Monday through Friday between the hours of 7 am and 5 pm:

a. Restricted Parking Zone:

- i. 76<sup>th</sup> Drive NW between 272<sup>nd</sup> St and 276<sup>th</sup> St
- ii. 273<sup>rd</sup> St NW from 76<sup>th</sup> Drive NW to 78<sup>th</sup> Ave NW
- iii. 78<sup>th</sup> Ave NW from 273<sup>rd</sup> St NW to 276<sup>th</sup> St NW

B. Exceptions.

1. Disabled Privileges. The establishment of the parking restrictions in this section shall not limit parking of vehicles as authorized by RCW 46.16.381 providing special parking privileges for disabled persons.

2. Holidays. The parking restrictions established in this section shall not apply on the following holidays: New Year's Day, Martin Luther King, Jr. Day, Presidents' Day, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day, The Day after Thanksgiving, and Christmas Day.

**10.47.040 Enforcement.**

A. Civil Infraction. Any violation of this chapter shall be considered a civil infraction and shall be filed in and subject to the rules of Snohomish County District Court pursuant to the Stanwood Traffic Violations Bureau.

B. Civil Penalty. The City Council shall, by resolution, set monetary penalties for:

1. Parking violations in permit-restricted areas; and
2. Any unauthorized transfer of a permit to any unauthorized vehicle or to any individual who is not eligible for a Restricted Parking Zone permit, or for any other unauthorized use of a permit or violation of this chapter.
3. Failure to pay the fine or penalty shall be reported to the Washington Department of Licensing to enable them to withhold renewal of the vehicle's license until the outstanding fines and penalties have been paid. (Ord. 986, 1998).

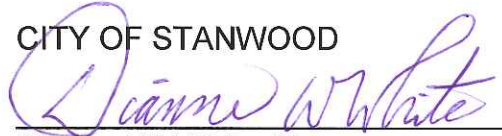
10.47.050. Inconsistent Provisions..

Notwithstanding the provisions of SMC 10.46.005, only to the extent the provisions of SMC Chapter 10.46 are inconsistent with the provisions of this ordinance , the ordinance codified in this chapter shall supersede the provisions of SMC Chapter 10.46.

Section 2. Severability. If any section, sentence, clause, or phrase of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, clause, or phrase of this ordinance.

Passed and approved this 28th day of July, 2011.

CITY OF STANWOOD




Dianne W. White, Mayor

ATTEST:



Melissa A. Collins, City Clerk

APPROVED AS TO FORM:



Grant K. Weed, City Attorney