

**CITY OF STANWOOD
Stanwood, Washington**

ORDINANCE 1497

**AN ORDINANCE OF THE CITY OF STANWOOD, WASHINGTON
RELATING TO CERTAIN CHAPTERS WITHIN TITLE 10
ENTITLED "VEHICLES AND TRAFFIC" AND PROVIDING FOR
SEVERABILITY**

WHEREAS, there are certain laws related to vehicles and traffic set forth in the Revised Code of Washington that have not been adopted by reference by the City; and

WHEREAS, City desires to update certain sections of Title 10 entitled "Vehicles and Traffic" to provide clarity, consistency, and to ensure that any future changes to the provisions adopted by reference in state law are automatically updated by the City;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF STANWOOD DO HEREBY ORDAIN AS FOLLOWS:

Section 1. Chapter 10.08 entitled "Statures Designated" is hereby amended to read as follows:

(1) The following state traffic statutes, including all future additions, amendments and repeals therefor, are hereby adopted by this reference, as if set forth in full.

(a) RCW

46.12.101

(2) & (5) Transfer of ownership, how perfected.

(b) RCW

46.16.010 Licenses and plates required Exceptions.

46.16.065 Small trailer license fee Conditions.

46.16.135 Monthly tonnage license – Penalty.

46.16.140 Over licensed capacity.

46.16.145 Over licensed capacity – 2nd offense.

46.16.145 Over Licensed capacity – 3rd offense.

46.16.170 Improper gross weight signs/no signs.

46.16.240 Attachment of plates to vehicles violations enumerated.

46.16.260 License registration certificate/ maximum gross weight license – Signature required – Carried in vehicle – Penalty – Inspection – Exceptions.

46.16.381 License plates, cards, and decals for certain disabled persons – Qualifications – Transfer of vehicle – Fees – Rules – Violations, penalties and defense.

46.16.505 Campers – License and plates – Application – Fees.

(c) RCW

46.20 Possession of suspended/ cancelled/revoked license.

46.20.041 Physically or mentally disabled persons – Procedure – Restrictions – Violations – Penalty.

46.20.055 Instruction permits end temporary licenses.

46.20.075 Intermediate license

46.20.190 License to be in immediate possession and displayed on demand.

46.20.205 Failure to notify DOL of new address in required time.

46.20.343 Unlawful to allow unauthorized minor child or ward to drive.

46.20.344 Unlawful to allow unauthorized person to drive.

46.20.500 Special endorsement for motorcycle operator's license – Moped exception.

(d) RCW

46.30.020 No vehicle insurance.

46.30.040.1 No insurance ID card.

(e) RCW

46.32.060 Moving defective vehicle unlawful (authority to impound).

(f) RCW

46.37.010 Scope en effect of regulations – General penalty.

46.37.020 When lighted lamps and signaling devices are required.

46.37.070 Stop lamps and turn signals required.

46.37.090

A and B Additional equipment required on certain vehicles.

46.37.100 Equipment violation/lamps wrong color.

46.37.110 Reflectors/clearance/marker lamps not mounted properly.

46.37.140 Lamps, reflectors, and flags on projecting load.

46.37.180 Spot lamps and auxiliary lamps.

46.37.190 Red lights on emergency vehicles, school buses, private carrier buses – Colored lights and sirens on emergency and law enforcement vehicles – Driver's duty to yield and atop.

46.37.230 Use of multiple-beam road lighting equipment.

46.37.340 Defective braking equipment.

46.37.351 Brakes on commercial equipment required.

46.37.360 Improper maintenance of brakes

46.37.369 Defective equipment/wheels/ front suspension.

46.37.375 Defective steering.

46.37.380 No horn or warning device.

46.37.390 Mufflers, prevention of noise – Smoke and air contaminants – Standards – Definitions.

46.37.400 Equipment violation/mirrors.

46.37.410 Equipment violation/wipers/ windshield obstruction.

46.37.420 Restrictions as to tire equipment.

46.37.425 Authority of state commission on equipment with reference to tires – Rules and regulations – Penalty.

46.37.430 Illegally tinted windows.

46.37.440 Fail to carry flares/warning devices.

46.37.450 Fail to display warning devices (disabled vehicles).

46.37.465 Improper fuel system safety requirements.

46.37.480 Television viewers and earphones.

46.37.490 Safety load chains end devices required.

46.37.500 Splash guards required.

46.37.513 Bumpers required.

46.37.517 Sharp protrusions/body hardware.

46.37.522 Motorcycles and motor-driven cycles – When head lamps and tail lamps to be lighted.

46.37.530 Motorcycle helmet requirement.

46.37.535 Motorcycle helmet requirement.

(g) RCW

46.44.010 Exceeding legal width.

46.44.020 Exceeding legal height.

46.44.030 Exceeding legal length.

46.44.034 Maximum length front/rear protrusions.

46.44.036 Combinations of units/exceeds limits.

46.44.037 Unlawful combination of units.

46.44.038 Permit required to exceed width/ height/length restrictions.

46.44.041 Exceeding maximum gross weight/axle.

46.44.041A Exceeding maximum gross weight/axle 2nd violation.

46.44.041A Exceeding maximum gross weight/axle 3rd violation.

46.44.042 Maximum gross weight/tire factor.

46.44.041A Maximum gross weight/tire factor 2nd violation.

46.44.042b Maximum gross weight/tire factor 3rd violation.

46.44.047 Log truck exceeding legal weight/log tolerance.

46.44.050 Wheelbase under minimum length.

46.44.060 Excess load limit/passenger vehicle.

46.44.070 Drawbar requirements – Trailer whipping or weaving – Towing flag.

46.44.080 Violation of emergency road restrictions/road closure.

46.44.090 Special permit violations/ oversize/overweight.

46.44.091 Exceeding gross weight special permit.

46.44.095 Violation of additional tonnage permits.
46.44.100 Failure to weigh where required by law.
46.44.105 Refusal to submit to weighing.
46.44.105a Over legal load.
46.44.105b Over legal load – 2nd violation.
46.44.105c Over legal load – 3rd violation.
46.44.105d Violation of any posted limitation on highway or section of highway.

(h) RCW

46.52.030 Accident reports.
46.52.088 Reports – False information.

(i) RCW

46.61.050 Obedience to and required traffic-control devices.
46.61.060 Pedestrian control signals.
46.61.080 Interference with official traffic-control devices or railroad signs or signals.
46.61.100 Drive on right side of roadway Exceptions
46.61.110 Overtaking a vehicle on the left.
46.61.115 When overtaking on the right is permitted.
46.61.120 Limitations on overtaking on the left.
46.61.125 Further limitations on driving to left of center of roadway.
46.61.135 One-way roadways and rotary traffic island.
46.61.140 Driving on roadways laned for traffic.
46.61.145 Following too closely.
46.61.150 Driving on divided highways.
46.61.160 Restrictions on limited access highways.
46.61.180 Vehicle approaching intersection.
46.61.190 Vehicle entering stop or yield intersection.

46.61.195 Arterial highways designated – Stopping or entering.

46.61.205 Vehicle entering highway from private road or driveway.

46.61.210 Operation of vehicles on approach of authorized emergency vehicles.

46.61.235 Pedestrians' right of way in crosswalks.

46.61.250 Pedestrians on roadways.

46.61.255 Hitchhiking (in restricted area) limited access highway.

46.61.266 Pedestrians under the influence of alcohol or drugs.

46.61.290 Required position and method of turning at intersection.

46.61.295“U” turns.

46.61.300 Starting parked vehicle.

46.61.305 Turning, stopping, moving right or left – Signals required – Improper use prohibited.

46.61.310 Signals by hand and arm or signal lamps.

46.61.340 Failure to stop at railroad on approach of train.

46.61.365 Emerging from alley, driveway, or building.

46.61.370 Overtaking and passing school bus.

46.61.385 School patrol – Appointment – Authority – Finance – Insurance.

46.61.400 Basic rule and maximum limits.

46.61.425 Minimum speed regulation – Passing slow moving vehicle.

46.61.519 Alcoholic beverages – Drinking or open container in vehicle on highway – Exceptions.

46.61.5195 Disguising alcoholic beverage container.

46.61.560 Parking on roadway.

46.61.570 Stopping, standing, or parking prohibited in specified places – Reserving portion of highway prohibited.

46.61.600 Failure to secure parked vehicle (runaway).

46.61.605 Illegal backing.

46.61.610 Riding on motorcycles.

- 46.61.611 Riding on motorcycles – Maximum height or handlebars.
- 46.61.612 Riding on motorcycles – Both feet not to be on same side.
- 46.61.615 Obstructions to driver’s view or driving mechanism.
- 46.61.625 Riding in trailers.
- 46.61.635 Following or parking within 500 feet of fire apparatus on emergency.
- 46.61.640 Crossing fire hose.
- 46.61.645 Throwing or depositing glass, etc., on highway prohibited – Removal.
- 46.61.655 Permitting escape of load materials.
- 46.61.660 Carrying persons or animals on outside part of vehicle.
- 46.61.670 Driving with wheels off roadway.
- 46.61.672 Using a personal electronic device while driving
- 46.61.673 Dangerously distracted driving
- 46.61.725 Clinging to vehicles.
- 46.61.687 Child passenger restraint required – Conditions – Penalty for violation – Dismissal – Noncompliance not negligence.
- 46.61.688 Safety belts – Use required – Penalties – Exemptions.
 - (j) RCW 46.70 Motorcycle helmet requirement.
 - (k) RCW 46.90.545 Bicycles – Obedience to traffic-control devices.

(2) Failure to perform any act required or the performance of any act prohibited in this section is designated as a traffic infraction and shall be punished by a monetary penalty of not more than \$250.00.

Section 2. Stanwood Municipal Code chapter 10.08.040 entitled “Adoption of state traffic statute – Criminal offenses” is hereby amended to read as follows:

10.08.040 Adoption of state traffic statute – Criminal offenses.

The following state traffic statute, including all future additions, amendments and repeals thereof are hereby adopted by reference, as if set forth in full:

RCW

- 46.61.525 Operating motor vehicle in a negligent manner – Penalty – Exception.

Section 3. Stanwood Municipal Code chapter 10.08.080 entitled “Adoption of state statutes regulating disposition of traffic infractions” is hereby amended to read as follows:

10.08.080 Adoption of state statutes regulating disposition of traffic infractions.

The following state statutes regulating the disposition of traffic infractions, including all future additions, amendments and repeals thereof are hereby adopted by reference, as if set forth in full:

- (1) RCW 46.63.030 – Notice of traffic infraction – Issuance.
- (2) RCW 46.63.060 – Notice of traffic infraction – Determination final unless contested – Form. (Effective until July 1, 1984).
- (3) RCW 46.63.060 – Notice of traffic infraction – Determination final unless contested – Form. (Effective July 1, 1984).
- (4) RCW 46.63.070 – Response to notice of traffic infraction – Contesting determination – Hearing – Failure to respond or appear. (Effective July 1, 1984).
- (5) RCW 46.63.070 – Response to notice of traffic infraction – Contesting determination – Hearing – Failure to respond or appear. (Effective July 1, 1984).

Section 4. Stanwood Municipal Code chapter 10.46.090 entitled “Storage, display and overtime parking” is hereby amended to read as follows:

10.46.90 Storage, display and overtime parking.

A. Time Restriction—No Repark. The parking or storage of any vehicle, trailer, camper, motor home or over-sized vehicle in the same parking location on a street in excess of seventy-two consecutive hours without movement shall be unlawful. If any time after the initial seventy-two consecutive hour period the vehicle is still parked in the same location on the street in violation of the seventy-two consecutive hours parking restriction and is then re-parked on the street within the same block for any period of time up to twenty-four hours, it shall be considered to be parked in the same location within the street and therefore still in violation of the seventy-two consecutive hours parking restriction.

B. No person shall use the city street, right-of- way, alley or parking area:


- (1) For the purpose of storage, display, sale or abandonment of any type vehicle, including farm vehicles;
- (2) In violation of any posted sign or painted curb;
- (3) To place, or allow to remain, any object or equipment.

Section 5. Severability. If any clause, sentence, paragraph, section or part of this Ordinance of Plan adopted herein, or their application to any person or circumstance is held to be invalid or unconstitutional by a court of competent jurisdiction, such order or judgment shall not affect the validity or constitutionality of the remainder of any part of this Ordinance or Plan. To this end, provisions of each clause, sentence, paragraph, section or part of this Ordinance and Plan are declared severable.

Section 6. Effective Date. This Ordinance shall take effect from and after five (5) days after its passage and publication as required by law.

ADOPTED by the City Council and APPROVED by the Mayor this 8th day of April 2021.

CITY OF STANWOOD


Elizabeth Callaghan (Apr 9, 2021 05:32 PDT)
Elizabeth Callaghan, Mayor

ATTEST:

By: Sara Robinson
Sara Robinson, City Clerk

APPROVED AS TO FORM:

Brett Vinson
Brett Vinson (Apr 9, 2021 07:12 PDT)
Brett Vinson, City Attorney

Date of Publication: April 13, 2021

Effective Date: April 20, 2021