

# Ordinance No. 00140

[\(Council Minutes 97/10/20\)](#)

## ORDINANCE NO. 140

AN ORDINANCE of the City Council of the City of Lakewood, Washington, amending section 10.16.030 of the Lakewood Municipal Code relating to oversized vehicles on residential streets

WHEREAS, the current language of Section 10.16.030 of the Lakewood Municipal Code provides a prohibition on oversized vehicles being parked on residential streets at night; and,

WHEREAS, in connection with the enforcement efforts of this section, the City has received a number of complaints regarding oversized vehicles (meeting the definition in regard, though not commercial vehicles), being parked on residential streets for certain periods of time, including but not limited to overnight stays; and,

WHEREAS, in connection with those concerns and citizen complaints, the oversized vehicles parked in residential zones, whether commercial vehicles or not, pose problems because of the limitations on visibility as well as interference with other parking needs in the residential neighborhoods; and,

WHEREAS, another concern expressed was that the current \$35.00 penalty for the violation has not been effective in deterring the problems intended to be addressed by the section, so that a larger penalty may need to be imposed to achieve the intended goal of reducing such oversized vehicles being parked on residential streets.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON, DO ORDAIN as Follows:

Section 1. That Section 10.16.030 of the Lakewood Municipal Code be, and the same hereby is, amended to read as follows:

### **10.16.030 No Oversize or Commercial Vehicles on Residential Streets at Night.**

No person shall park any ~~commercial~~ vehicle which is more than eighty (80) inches ~~wide overall in width~~ or any other commercial vehicle ~~other larger~~ than a 3/4 ton pick-up ~~or smaller or a passenger automobile~~ on any street, or alley or public right-of-way in residentially zoned areas ~~any residential neighborhood in the City~~ between the hours of eight p.m. and six a.m. For the purposes hereof, a residential neighborhood shall mean an area where the majority of property in the vicinity is used for residential purposes and/or open space uses and is zoned for residential purposes or open space uses; Provided that it shall be a defense to a violation of this section that the vehicle was parked directly adjacent to and on the same side of the street as property on which a commercial business, other than a Home Occupation, is located; and it shall be a defense to a violation of this section that during the entire time that the vehicle was parked in the residential neighborhood the operator of the vehicle was actively engaged in making a delivery or providing services to residents in the immediate vicinity of where the vehicle was parked. The penalty for parking in violation of this section shall be ~~thirty-five dollars (\$35.00)~~ a fine of up to \$250, with a minimum fine of \$100 per violation, in addition to other costs and assessments provided by law. A violation of this section shall be considered an infraction and shall be processed in accordance with the state statutes regarding infractions. Each twenty-four hour period during which a violation occurs constitutes a separate infraction. (Ord. 35 ' 3, 1996.)

Section 2. Severability. If any portion of this Ordinance or its application to any person or circumstances is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances shall not be affected.

Section 3. Effective Date. That this Ordinance shall be in full force and effect five (5) days after publication of the Ordinance Summary.

ADOPTED by the City Council this 20th day of October, 1997.

CITY OF LAKEWOOD

---

Bill Harrison, Mayor

Attest:

---

Alice M. Bush, CMC, City Clerk

Approved as to Form:

---

Daniel B. Heid, City Attorney

'3, 1996.)

Section 2. Severability. If any portion of this Ordinance or its application to any person or circumstances is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances shall not be affected.

Section 3. Effective Date. That this Ordinance shall be in full force and effect five (5) days after publication of the Ordinance Summary.

ADOPTED by the City Council this 20th day of October, 1997.

CITY OF LAKEWOOD

---

Bill Harrison, Mayor

Attest:

---

Alice M. Bush, CMC, City Clerk

Approved as to Form:

---

Daniel B. Heid, City Attorney

.....