

Ordinance No. 00076

[Council Minutes 96/05/20](#)

ORDINANCE NO. 76

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AN ORDINANCE of the City Council of the City of Lakewood, Washington, creating and establishing a new Chapter 10.24 of the Lakewood Municipal Code relating to traffic congestion areas and cruising

WHEREAS, in connection with the City=s responsibilities for maintaining control of its rights-of-way and insuring their use for appropriate traffic, the City would reasonably be interested in avoiding and controlling inappropriate uses of rights-of-way which impact and prevent use by the general public for the intended purposes of rights-of-way; and
WHEREAS, one of the areas of concern involving use of City rights-of-way is cruising in traffic congestion areas; and

WHEREAS, in order to control and address the impacts of cruising in those areas, it is appropriate for the City to put into place regulations which identify traffic congestion areas and which establish requirements for use of vehicles in traffic congestion areas so as to prevent addition to or compounding of that congestion.

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

Section 1. That a new Chapter 10.24 of the Lakewood Municipal Code be, and the same hereby is, established and created to read as follows:

Chapter 10.24

TRAFFIC CONGESTION AREAS B CRUISING Sections:

10.24.010 Definitions.

10.24.020 Designation of Traffic Congestion Areas.

10.24.030 Traffic Congestion Areas B Posting of Signs.

10.24.040 Traffic Congestion Areas Designation B Duration.10.24.050 Traffic Congestion Areas

B Duration.10.24.050 Traffic Congestion Areas B Violation.

10.24.060 Exemptions.

10.24.070 Violation B Penalty.

10.24.010 Definitions.

ACruising@ is the repeated passage of a motor vehicle on or across a portion of a street or way open to the public.

Cruising@ is the repeated passage of a motor vehicle on or across a portion of a street or way open to the public. ATraffic congestion area@ is any portion of a street or way open to the public affected by traffic congestion caused in whole or part by cruising and declared to be a Atraffic congestion area@ by the City Manager or designee.

10.24.020 Designation of Traffic Congestion Areas.

The City Manager or designee shall declare all or a portion of a street or way open to the public to be a
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10.24.020 Designation of Traffic Congestion Areas.

The City Manager or designee shall declare all or a portion of a street or way open to the public to be a ATraffic congestion area@ when, in her or her discretion:

Cruising has slowed average vehicular speed to less than one-half of the posted speed limit; or

B. Cruising interferes with the ingress and egress of any vehicle being driven into and out of any location (e.g., parking lot) within a designated traffic congestion area; or

C. Cruising interferes with buses or taxi cabs in areas containing public transit routes or stops.

D. Cruising is likely to delay emergency vehicles from responding to locations within the designated traffic congestion area.

10.24.030 Traffic Congestion Areas B Posting of Signs.

When a street or way open to the public is designated a traffic congestion area pursuant to this Chapter, the City Manager or designee shall post along the street or way so designated, in a conspicuous position, signs identifying the street or way open to the public as a traffic congestion area.

The signs shall be placed so as to reasonably notify passing drivers that a motor vehicle passing through a designated traffic congestion area more than two (2) times in the same direction within a two (2) hour period is a violation of law.

Signs identifying an area as a traffic congestion area shall be at least three (3) feet by three (3) feet and shall state: ANOTICE
B THIS IS A TRAFFIC CONGESTION AREA. THE DRIVER OF ANY VEHICLE PASSING THROUGH THIS AREA IN THE
SAME DIRECTION MORE THAN TWO (2) TIMES IN ANY TWO (2) HOUR PERIOD SHALL BE GUILTY OF A
MISDEMEANOR AND SUBJECT TO A PENALTY OF \$250.00.@

The lettering of the phrase contained on the signs erected pursuant to this Chapter shall be two and a half (2 2) inches in

height and two (2) inches in width and shall be of a reflective material so as to be visible in the evening hours.

10.24.040 Traffic Congestion Areas Designation A NOTICE B THIS IS A TRAFFIC CONGESTION AREA. THE DRIVER OF ANY VEHICLE PASSING THROUGH THIS AREA IN THE SAME DIRECTION MORE THAN TWO (2) TIMES IN ANY TWO (2) HOUR PERIOD SHALL BE GUILTY OF A MISDEMEANOR AND SUBJECT TO A PENALTY OF \$250.00. @The lettering of the phrase contained on the signs erected pursuant to this Chapter shall be two and a half (2 2) inches in height and two (2) inches in width and shall be of a reflective material so as to be visible in the evening hours.

10.24.040 Traffic Congestion Areas Designation B Duration. The designation of a street or a way open to the public as a traffic congestion area shall remain in effect for a period of four (4) hours in any given twenty-four (24) hour period, and may be extended for an additional four (4) hour period by the City Manager or designee when, in the discretion of the City Manager or designee, such an extension will serve the public's health and/or safety interests.

10.24.050 Traffic Congestion Areas B Violation.

Except as provided for in Section 10.24.060 of this Chapter, it shall be unlawful for any person to drive or permit a motor vehicle under his or her control to pass more than two (2) times in the same direction within any two (2) hour period on a street or way open to the public and designated as a traffic congestion area in accordance with this Chapter.

10.24.060 Exemptions.

This Chapter shall not apply to:

Any publicly-owned vehicle of any city, county, public district, state, or federal agency; or

B. Any vehicle licensed for the purpose of public transportation, including but not limited to, buses and taxi cabs; or

C. Any emergency vehicle, including but not limited to police cars, fire engines, ambulances, or tow trucks; or

D. Any vehicle being driven within a designated traffic congestion area for necessary commercial or medical reasons; or

E. Any person who can demonstrate that he or she lives within a designated traffic congestion area.

10.24.070 Violation B Penalty.

Violation of this Chapter shall be a misdemeanor subject to a maximum penalty of two hundred and fifty dollars (\$250.00).

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 day of , 1996.

CITY OF LAKEWOOD

Bill Harrison, Mayor

Attest:

Alice M. Bush, CMC, City Clerk

Approved as to Form:

Daniel B. Heid, City Attorney

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