

Ordinance No. 4036

An Ordinance Amending AMC Chapter 9.24 Regarding Street and Sidewalk Obstructions

Whereas it is the intent of the City Council to ensure that municipal rights of way, including streets, alleys, and sidewalks can be effectively and safely used for vehicular and pedestrian transportation and short-term parking;

Whereas obstruction of streets and alleys is distinguishable from obstruction of sidewalks;

Whereas obstruction of sidewalks is of particular concern for people who may not have vehicles and elderly and other people with mobility challenges;

Now, therefore, the City Council of the City of Anacortes does ordain as follows:

Section 1. AMC 9.24.010, Obstructing streets, alleys, or sidewalks, is amended to read as follows:

9.24.010 Obstructing streets, or alleys, or sidewalks.

A. ~~A person is guilty of obstructing streets, sidewalks or alleys if he (1) places or allows to remain on any sidewalk or alley any object or objects, including a vehicle, which obstructs free and public travel upon said alley or sidewalk, except that goods, wares and merchandise may be placed on the sidewalk in front of any commercial building by the occupant thereof, not to exceed thirty inches from the property line; (2) It is unlawful to~~ leaves any object except a vehicle licensed under RCW Title 46, on a street or alley in such a manner as to interfere with or obstruct free and public travel thereon. Vehicles licensed under RCW Title 46 are regulated by parking ~~ordinances~~ regulations in AMC Chapter 10.12.

B. ~~Obstructing streets, alleys or sidewalks is a crime. A person who violates this Section, or the registered owner of any vehicle found in violation of this Section, may be punished by a class 2 civil infraction per Chapter 7.80 RCW, carrying a maximum penalty and default amount of \$125.00, not including statutory assessments.~~

Section 2. *New section* AMC 9.24.015, Sidewalk obstruction, is adopted to read as follows:

9.24.015 Sidewalk obstruction.

A. It is unlawful to obstruct a sidewalk by placing or allowing to remain on any sidewalk any object or objects, including a vehicle, that obstructs free and public travel upon said sidewalk, except when permitted by a sidewalk use permit issued per AMC Title 12, and except that goods, wares, and merchandise may be placed on the sidewalk in front of any commercial building by the occupant thereof within 30 inches of the property line.

B. It is unlawful to sit or lie down upon a public sidewalk, or upon a blanket, chair, stool, bollard, planter, fountain, railing or any other object placed upon a public sidewalk, between 8:00 a.m. and 8:00 p.m. in the Central Business District or Commercial zones as defined in AMC 19.40.030.

C. Exceptions. The prohibition in subsection B of this section does not apply to any person:

1. sitting or lying down due to a medical or mental health emergency while awaiting assistance;
2. who, as the result of a disability, utilizes a wheelchair, walker, or similar device to move about the public right-of-way and sits or rests on that device;
3. operating or patronizing a commercial establishment conducted on the public right-of-way pursuant to a sidewalk use permit;
4. participating in or attending a parade, festival, performance, rally, demonstration, meeting, or similar event conducted on the public right-of-way pursuant to a sidewalk use or other applicable permit;
5. sitting on a chair or bench located on the public sidewalk which is supplied by a public agency or by the abutting private property owner;
6. sitting on a public sidewalk within a bus stop zone while waiting for public or private transportation.

D. Nothing in any of the exceptions in subsection C may be construed to permit any conduct which is prohibited by AMC 9.24.030, Disorderly conduct, or AMC 9.24.050, Pedestrian interference.

E. A violation of this section is a class 3 civil infraction per Chapter 7.80 RCW, carrying a maximum penalty and default amount of \$50.00, not including statutory assessments.

F. No person may be cited under this section unless the person engages in conduct prohibited by this section after having been notified by a law enforcement officer that the conduct violates this section.

Section 3. Consistent with RCW 35A.12.130, this ordinance takes effect five days after passage and publication.

PASSED and APPROVED this 19th day of December 2022.

CITY OF ANACORTES:



Matt Miller, Mayor

Attest:



Steven D. Hoglund, City Clerk-Treasurer

Approved as to Form:



Darcy Swetnam, City Attorney

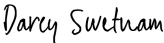
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Source Envelope:	
Document Pages: 3	Signatures: 3
Certificate Pages: 5	Initials: 0
AutoNav: Enabled	Envelope Originator:
Enveloped Stamping: Enabled	City Clerk
Time Zone: (UTC-08:00) Pacific Time (US & Canada)	PO Box 547
	904 6th St
	Anacortes, WA 98221
	cityclerk@cityofanacortes.org
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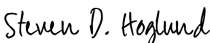
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12/20/2022 8:16:51 AM	cityclerk@cityofanacortes.org	

Signer Events

Signer Events	Signature	Timestamp
Darcy Swetnam darcys@cityofanacortes.org City Attorney Security Level: Email, Account Authentication (None)	 Signature Adoption: Pre-selected Style Using IP Address: 23.90.91.2	Sent: 12/20/2022 8:19:17 AM Viewed: 12/27/2022 8:39:02 AM Signed: 12/27/2022 8:39:09 AM

Electronic Record and Signature Disclosure:
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Steven D. Hoglund steveh@cityofanacortes.org City Clerk/Treasurer City of Anacortes Security Level: Email, Account Authentication (None)	 Signature Adoption: Pre-selected Style Using IP Address: 23.90.91.2	Sent: 12/20/2022 8:19:18 AM Resent: 12/20/2022 10:23:07 AM Viewed: 12/21/2022 7:38:33 AM Signed: 12/21/2022 8:20:23 AM
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Electronic Record and Signature Disclosure:
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Matt Miller mattm@cityofanacortes.org Mayor City of Anacortes Security Level: Email, Account Authentication (None)	 Signature Adoption: Uploaded Signature Image Using IP Address: 23.90.91.2	Sent: 12/27/2022 8:39:12 AM Viewed: 12/27/2022 10:48:49 AM Signed: 12/27/2022 2:35:17 PM
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Electronic Record and Signature Disclosure:
Not Offered via DocuSign

In Person Signer Events

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Editor Delivery Events

Status

Timestamp

Agent Delivery Events

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Timestamp

Intermediary Delivery Events

Status

Timestamp

Certified Delivery Events

Status

Timestamp

Carbon Copy Events	Status	Timestamp
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Witness Events	Signature	Timestamp
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Notary Events	Signature	Timestamp
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Envelope Summary Events	Status	Timestamps
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Certified Delivered	Security Checked	12/27/2022 10:48:49 AM
Signing Complete	Security Checked	12/27/2022 2:35:17 PM
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Payment Events	Status	Timestamps
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Electronic Record and Signature Disclosure
