

City of Anacortes
Ordinance No. 4054



An Ordinance Repealing and Replacing AMC Chapter 10.12 Regarding Parking Regulations

Whereas Chapter 10.12 in the Anacortes Municipal Code has never been comprehensively reorganized;

Whereas the City's parking code requires updates and modernization to effectively address improper use of the street and right-of-way;

Whereas the marine waterways provisions of existing AMC 10.12.230-250 are more properly organized in their own chapter;

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

Section 1. The Anacortes Municipal Code is amended as follows:

New AMC Chapter 10.80, Marine Waterways, is created.

Existing AMC Chapter 10.12.230-250 regarding marine waterways encroachment prohibitions, are recodified to AMC 10.80.020-060.

AMC Chapter 10.12, Stopping, Standing, and Parking, is re-adopted as AMC Chapter 10.12, Parking, to read as shown in Attachment A.

AMC 12.90.030 Sidewalk obstruction is amended to read as follows:

It is unlawful to obstruct a sidewalk by placing or allowing to remain on any sidewalk any object or objects, including other than a vehicle which is regulated by AMC Chapter 10.12, 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.

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

Section 3. Consistent with [RCW 35A.12.130](#), this ordinance takes effect five days after passage, approval, and publication in the manner required by law.

PASSED and APPROVED this 24th day of July 2023.

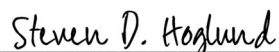
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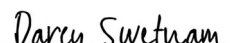
Matt Miller, Mayor

Attest:

Approved as to Form:



Steven D. Hoglund, City Clerk-Treasurer



Darcy Swetnam, City Attorney

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Chapter 10.12 Parking

Article I. General Provisions

10.12.110 Short Title

This chapter may be known and cited as the “City of Anacortes Parking Code.”

10.12.120 Applicability

This chapter applies to public streets and highways, city right-of-way, and city-owned parks and parking lots within the City of Anacortes.

10.12.130 Definitions

The following definitions apply to the terms used in this chapter:

“Alley” has the meaning found in [RCW Chapter 46.04](#).

"Bike lane" means the area within any public right-of-way specially designated for the use of bicycles and signed or marked as such, excluding travel lanes marked with sharrows.

"Fire lane" means the area within any public right-of-way, easement, or private property designated for fire trucks and/or emergency vehicles to use, place emergency equipment upon, travel upon, or park, which includes any curb painted red or any other area marked for that purpose.

“Junk vehicle” has the meaning found in [RCW 46.55.010](#).

“Landowner” includes a legal owner of private property, a person with possession or control of private property, or a public official having jurisdiction over public property.

“Motorhome” has the meaning found in [RCW Chapter 46.04](#).

“Park,” in its verb form, has the meaning found in [RCW Chapter 46.04](#).

“Passenger car” has the meaning found in [RCW Chapter 46.04](#) and includes pickup trucks.

“Registered owner” has the meaning found in [RCW Chapter 46.04](#).

"Right-of-way" means the area of real property, in which the city holds a property interest for public travel and other street and utility purposes, including that portion of the roadway ordinarily used for vehicular travel, the parking strip, the planting strip, sidewalk, and other unimproved portions.

"Stop" has the meaning found in [RCW Chapter 46.04](#).

"Street block" means the section of one side of a street that lies between two intersecting streets or between an intersecting street and the street end.

"Street segment" means a portion of a street bounded by two points.

"Street" has the meaning of "city street" found in [RCW Chapter 46.04](#).

"Trailer" has the meaning found in [RCW Chapter 46.04](#).

"Travel trailer" has the meaning found in [RCW Chapter 46.04](#).

"Vehicle" has the meaning found in [RCW Chapter 46.04](#) and includes trailers, vehicle hulks, and portable moving and storage containers.

"Vehicle hulk" means the remnant or remains of a motor vehicle which is inoperative and cannot be made mechanically operative without the addition of vital parts or mechanisms and the application of a substantial amount of labor to effect repairs.

10.12.140 Owner Liability

The registered owner of any vehicle or trailer parked contrary to the provisions of this chapter may be deemed to have allowed such vehicle or trailer to be parked in violation hereof.

10.12.150 Signage

- A. It is the responsibility of the Director of Public Works to provide signage or curb painting in accordance with the parking limits as described in this chapter, except for the general prohibitions described in AMC 10.12.310.
- B. New signage erected after August 1, 2023, must include the Anacortes Municipal Code citation (not the ordinance number) governing the parking restriction identified on the sign.

10.12.190 Severability.

If any section, subsection, sentence, clause, phrase, or word of this chapter is held invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof may not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase, or word of this chapter.

Article II. General Parking Regulations

10.12.200 Parallel Parking—Default Method

- A. Except as otherwise specified in this chapter or unless otherwise permitted by duly erected traffic control signs or markings, all parking on streets must be what is known as "parallel parking," and every vehicle stopped or parked upon a roadway where there is an adjacent curb or edge of abutting parking strip must be so stopped or parked with the right hand wheels of such vehicle parallel to and within 12 inches of the right hand curb or edge of abutting parking strip.

10.12.220 Diagonal Parking—Where Required

- A. Parking on the street segments shown in Table 10.12.220-1 must be by “diagonal parking,” with the right front wheel of the vehicles within twelve inches of the curb or edge of parking strip and at an angle of 30 degrees with said curb or edge or parking strip.

Table 10.12.220-1

Street	Segment	Side
3rd Street	Between O and Q Ave	South
5th Street	Between O and Q Ave	South
6th Street	East of O Ave	South
7th Street	Between O and Q Ave	South
8th Street	Between O and Q Ave	South
9th Street	Between O and Q Ave	South
10th Street	Between O Ave and Commercial Ave	South
11th Street	Between O Ave and Commercial Ave	South
34th Street	Between Commercial Ave and 200 ft west	South

10.12.240 Back-in Angle Parking—Where Required

Parking on the street segments shown in Table 10.12.240-1 must be by “back-in angle parking,” with the right rear wheel of the vehicles within 12 inches of the curb or edge of parking strip and at an angle of 30 to 45 degrees with said curb or edge or parking strip.

Table 10.12.240-1

Street	Segment	Side
3rd St	Between Commercial Ave and O Ave	North
4th St	Between R Ave and O Ave	North
27th St	Between Commercial Ave and the alley approximately 125 ft west of Commercial Ave	North
Commercial Ave	Between 2nd St and 3rd St	East

10.12.260 Parking Near Guemes Ferry Terminal

The Director of Public Works is authorized to erect signs regulating parking and traffic flow on 6th Street between I Avenue and K Avenue and on I Avenue north of 6th Street for the purpose of regulating and controlling traffic in the vicinity of the county ferry terminal and to provide designating holding lanes for traffic waiting to board the ferry.

Article III. Parking Limitations**10.12.310 Parking—General Prohibitions**

- A. Adoption by reference. The following provisions of the Revised Code of Washington as presently constituted or hereinafter amended are adopted by reference:
1. [RCW 46.19.050](#), regulating use of parking spaces for persons with disabilities.
 2. [RCW 46.61.570](#), prohibiting parking in specified places.
 3. [RCW 46.61.575](#), regulating motorcycle parking.
 4. [RCW 46.61.581](#), regulating parking spaces for persons with disabilities.

5. [RCW 46.08.185](#), regulating parking in electric vehicle charging spaces.
- B. It is unlawful to park in any alley.
- C. It is unlawful to park in or obstruct a fire lane.
- D. It is unlawful to park in or obstruct a bike lane.
- E. It is unlawful to park in such a manner as to obstruct a 5-ft area on either side of a street-accessed mailbox.
- F. It is unlawful to disassemble, construct, reconstruct, repair, or service vehicles of any kind upon any street, except for emergency service which may not last more than two hours and may not interfere with or impede the flow of traffic.
- G. It is unlawful to park for use as a place of abode on any portion of a street or right-of-way.
- H. It is unlawful to park on any sidewalk.
- I. It is unlawful to park in the area between a sidewalk and the curb of a street.
- J. It is unlawful to park a vehicle with information on the vehicle identifying it for sale anywhere on Commercial Avenue north of 36th Street.
- K. It is unlawful to park on the north side of the entirety of Whistle Lake Access Road and other places where marked with official signs as no-parking.

10.12.320 Parking—General Time Limit

- A. It is unlawful to park for a continuous period in excess of 72 hours on any street block.
- B. Exception. A vehicle is not limited by subsection A if the vehicle:
 1. is a passenger car;
 2. is not a junk vehicle;
 3. is operable in its current state;
 4. has a current state registration and license plate tabs; and
 5. has a registered owner corresponding to an abutting property owner or resident.

10.12.340 Parking—Oversize Vehicles

- A. It is unlawful to park an oversize vehicle for a continuous period in excess of 24 hours on any street block in a residential area, or within the Commercial Marine zone.
- B. For the purpose of this section:
 1. "Oversize vehicle" means a motorhome, travel trailer, trailer, or any other vehicle, together with any fixtures or accessories affixed thereto, that measures 8 feet or more in width, 7.5 feet or more in height, or 22 feet or more in length.
 2. "Residential area" means any street abutting any of the zones listed in AMC 19.40.030 and the following additional areas that are characterized by residential development as follows:
 - a. the LM zone between M and O avenues and bounded by 2nd and 5th streets;
 - b. the CBD zone between N and O avenues and bounded by 3rd and 5th streets;
 - c. the CBD zone between Q and R avenues and between 4th and 8th streets;
 - d. the MS zone between T and U avenues and between 3rd and 4th streets.

C. Exception. The following vehicles are not subject to the time limitation in subsection A, but continue to be subject to all other parking regulations in this chapter:

1. A vehicle that has a registered owner corresponding to an abutting property owner or resident; or
2. A vehicle that is associated with an adjacent delivery or with machinery or equipment associated with adjacent construction.

10.12.360 Parking—Limited during Business Hours

It is unlawful to park in excess of the time limits on the street segments shown in Table 10.12.360-1 between 8 am and 6 pm Monday through Saturday.

Table 10.12.360-1

Street	Segment	Side	Time Limit
2nd St	Between Commercial Ave and a point halfway between Commercial Ave and O Ave	Both	2 hours
4th St	Between Commercial Ave and a point halfway between Commercial Ave and O Ave	North	2 hours
4th St	Between Commercial Ave and a point halfway between Commercial Ave and Q Ave	South	2 hours
5th St	Between O Ave and Q Ave, except abutting property used exclusively for residential purposes	Both	2 hours
6th St	Between Commercial Ave and a point 135 feet east of the east line of Commercial Ave	North	15 minutes
6th St	Between Q Ave and O Ave, except abutting property used exclusively for residential purposes	Both	2 hours
7th St	Between O Ave and a point 100 feet east	North	30 minutes
7th St	Between Q Ave and O Ave, except abutting property used exclusively for residential purposes	Both	2 hours
8th St	Between Q Ave and O Ave, except abutting property used exclusively for residential purposes	Both	2 hours
Commercial Ave	Between 2nd St and 3rd St	West	2 hours
Commercial Ave	Between 3rd St and 12th St	Both	2 hours
Commercial Ave	Between 6th St and a point halfway between 6th St and 5th St	East	15 minutes
Commercial Ave	Between 22nd St and the alley in the block between 22nd St and 21st St	West	30 minutes

10.12.370 Parking—Limited at Other Times.

It is unlawful to park in excess of the limits on the street segments shown in Table 10.12.370-1.

Table 10.12.370-1

Street	Segment	Side	Limit
10th Street	Between Commercial Ave and a point 65 ft east of the east right-of-way line of Commercial Ave	South	2 hours
20th St	Between I Ave and J Ave	North	15 minutes Monday to Friday 7 am to 6 pm
Commercial Ave	Between 17th and 18th Street	West	2 hours
Fidalgo Bay Rd	Between Weaverling Rd to SR-20	Both	Prohibited between 10 pm and 5 am

Street	Segment	Side	Limit
Harbor View Place	Between 4804 Harbor View Place to cul-de-sac	Both	24 hours
Kingsway	Between Cay Way and Skyline Way	Both	24 hours
W Ave	2900-3000 block	East	15 minutes for active loading/unloading only

10.12.380 Parking—Prohibited by Street Segment

It is unlawful to park a vehicle, or any part thereof, along the sides and segments of streets identified in Table 10.12.380-1.

Table 10.12.380-1

Street	Segment	Side
6th Street	Between H Ave and I Ave	Both
12th Street	Between A Ave and D Ave	South
20th Street	Between Commercial Ave and Q Ave	Both
21st Street	Between Commercial and Q Ave	North
30th Street	Between east line of T Ave to the end of W Ave	Both
Beachwood Lane	Entirety	Both
Cabana Lane	Between Skyline Way and the west ROW line of the cul-de-sac at the west end of Hughes Lane	North
Commercial Ave	Between 30th and 35th Street	West
Ferry Terminal Road	Between Oakes Ave and the east end of the road	West
Ferry Terminal Road	Entirety	Both
G Ave	Between 7th and 8th Street	Both
H Ave	Between 6th Street and the alley between 6th and 7th Street	West
Harbor View Place	Between Oakes Ave and 675 ft south of Oakes Ave	Both
K Ave	Within the cul-de-sac south of 34th Street	Both
M Ave	Between 7th and 8th Street	West
Meridian Place	Entirety	Both
Oakes Ave	Between Anacopper Mine Rd and Ferry Terminal Rd	North
Oakes Ave	Between Hartford Ave and Ferry Terminal Road	South
Q Ave	Between 11th Street and 13th Street	East
Q Ave	Between 13th and 14th Street	West
Q Ave	Between 17th Street and 20th Street	Both
Q Ave	Between 20th and 22nd Street	Both
Q-R Ave	Entirety	Both
R Ave	Between 7 th and 9 th Street	Both
Skyline Way	Between Kingsway and Cabana Lane	East
St. Mary's Drive	Between Fidalgo Ave and the north edge of the parcel at 712 Saint Mary's Drive	Both
T Ave	Between 22nd Street and 24th Street	Both
West 6th Street	Within the cul-de-sac east of Kansas Ave	Both

10.12.385 Parking—Prohibited by Street Segment for Trailers

It is unlawful to park a trailer along the sides and segments of streets identified in Table 10.12.385-1.

Table 10.12.385-1

Street	Segment	Side
9th Street	Between Q Ave and R Ave	Both
10th Street	Between Commercial Ave and Q Ave	Both
11th Street	Between Commercial Ave and Q Ave	Both
13th Street	Between Commercial Ave and Q Ave	Both
30th Street	Between R Ave and T Ave	Both
Kingsway	Between Cay Way and Skyline Way	Both
Q Ave	Between 9th Street and 11th Street	Both
Q Ave	Between 14th Street and 15th Street	West
R Ave	Between 7th and 9th Street	Both

10.12.390 Parking in City Parks

- A. It is unlawful to park a vehicle in the parking lot for the ACFL or any city park, as defined in AMC 8.10.20, outside of the posted park hours specified in AMC 8.10.030.
- B. It is unlawful to park a vehicle for more than two hours in the Kiwanis Waterfront Park parking lot on the north side of 6th Street.
- C. It is unlawful to park in the Washington Park campground after a camping reservation has expired.
- D. It is unlawful to park a trailer in the Washington Park day use parking lots.
- E. It is unlawful to park in the Washington Park trailer parking lot without payment of the trailer parking fee or anywhere other than a designated parking area.
- F. On the Washington Park Loop Road, it is unlawful to park a vehicle except in a designated parking area.

10.12.395 Parking in City Parking Lots

- A. The Director of Public Works may establish time limits, hours of allowed parking, and other restrictions in city-owned parking lots.
- B. It is unlawful to park in any city-owned parking lot in a manner inconsistent with posted regulations.

Article IV. Residential Parking Areas**10.12.410 Residential Parking Areas—Established**

- A. Established.
 - 1. Residential parking areas A and B are established on the street segments shown in Table 10.12.410-1.
 - 2. The Director of Public Works must post appropriate traffic-control signs in each residential parking area to give notice of the parking restrictions imposed by this section.

Table 10.12.410-1

Area	Street	Segment	Side
A	17th Street	Between J Ave and K Ave	Both

Area	Street	Segment	Side
A	20th Street	Between H Ave and K Ave	Both
A	I Ave	Between 20th Street and 22nd Street	Both
A	J Ave	Between 18th Street and 17th Street	Both
A	J Ave	Between 20th Street and 22nd Street	Both
A	K Ave	Between 17th Street and 22nd Street	Both
B	6th Street	Between H Ave and J Ave	Both

B. Restrictions.

1. Within Residential Parking Area A, it is unlawful to park, without possessing and displaying a valid residential or guest permit as provided in this section, for a period in excess of one hour between 7 am and 3 pm on days when Anacortes High School is in session.
2. Within Residential Parking Area B, it is unlawful to park without possessing and displaying a valid residential or guest permit as provided in this section, at any time.

10.12.420 Residential Parking Areas—Permits

- A. A person who resides on a property that abuts a street within a residential parking zone may apply to the Police Department for a residential permit for the relevant Residential Parking Area for each registered and licensed vehicle owned by the applicant, up to four permits per residence. An application must be completed on a form provided by the Police Department and must contain such information as is deemed necessary to verify the residence of the applicant and to identify the vehicle for which the permit is given.
- B. The Police Department may also provide up to five guest permits per qualifying residence for exclusive use by guests of the resident.
- C. No fee is required for the issuance of residential permits or guest permits, nor for substitute or additional vehicles acquired by residents, nor for the replacement of lost or damaged residential permits. A fee of \$15 is required prior to replacement of a lost or destroyed guest permit.
- D. A residential permit must be permanently affixed to the inside of the lower left driver's side area of the front windshield.
- E. A guest permit must be hung from the rear-view mirror or displayed on the driver's side area of the front windshield.

Article V. Parking During Construction and Special Events

10.12.520 Parking in Construction Zones

It is unlawful to park in any area that has been signed as no-parking for the purpose of construction.

10.12.540 Parking Along Parade Routes or Street Fair Areas

- A. It is unlawful to park along any street that has been approved by the City as a parade route or for a street fair during the times specified in the no-parking signs posted per subsection B.
- B. No-parking signs for the event:
 1. must be posted at least 24 hours in advance of the event;
 2. must consist of at least four temporary signs on each side of every street block in which parking is prohibited;

3. must designate the time period during which parking is prohibited.
- C. Where compliance with subsection B is achieved for a relevant street block, the Police Department may impound any vehicle that is parked in violation of this section.

10.12.560 Parking During Major Events

- A. The Director of Public Works is authorized to suspend enforcement of specified elements of the parking regulations established in this chapter during major events where additional parking is required to support the event, e.g., the Anacortes Arts Festival or an extended period where the Guemes Ferry is not in service.
- B. The Director of Public Works must provide notice to the City Council of any action taken pursuant to subsection A.

Article VI. Towing and Impoundment

10.12.610 Findings

- A. A vehicle parked in violation of this chapter may be hazardous to pedestrians, bicyclists, and motorists; impede commerce; be detrimental to quiet enjoyment of residential neighborhoods.
- B. The City has a significant interest in ensuring that its streets are free of hazards and usable for the purposes they were intended.
- C. When a vehicle is used as a residence, the Washington State Homestead Act may apply.
1. Article 19, Section 1 of the Washington State Constitution provides that "The legislature shall protect by law from forced sale a certain portion of the homestead and other property of all heads of families."
 2. The Legislature has implemented that constitutional directive through the State Homestead Act, which in [RCW 6.13.070](#) provides that real or personal property used as a residence "is exempt from attachment and from execution or forced sale for the debts of the owner up to the amount specified in [RCW 6.13.030](#)."
 3. The Washington State Supreme Court, in *City of Seattle v. Long* (2021), held that the Homestead Act "automatically protects occupied personal property as a homestead from attachment, execution, or forced sale."
 4. The Court also found that "the Homestead Act is not a sword to prevent impoundment," and no attachment, execution, or forced sale occurs solely because a vehicle is impounded; the Homestead Act's protections instead apply when a city attempts to collect upon the impound debt.
 5. The Court found that sanctions that are partially or wholly punitive are limited by the Excessive Fines clause of the United States Constitution, and impound fees are at least partially punitive and therefore subject to a requirement for an ability-to-pay analysis.

10.12.620 Impoundment—Generally

- A. Per [RCW 46.55.240\(1\)](#), applicable provisions of [RCW Chapter 46.55](#) are adopted by reference, including the definitions in [RCW 46.55.010](#).
- B. A presumption that a notice required by this Article has been "securely attached and conspicuously displayed" exists when the notice is secured by placing it on the vehicle windshield, under the vehicle windshield wiper blade or otherwise securely attached.
- C. Prior to impounding a vehicle under this Chapter, a police officer must make a reasonable determination as to whether the vehicle is currently being used as a residence and make written note of the factors that led to that determination. If the vehicle is being used as a residence, the provisions of AMC 10.12.650 apply.

10.12.630 Impound After Notice.

- A. Except as provided in AMC 10.12.640-650, a vehicle may be impounded after notice of such proposed impoundment has been securely attached to and conspicuously displayed on the vehicle for a period of 24 hours prior to impoundment if such vehicle is parked or used in violation of any law, ordinance, or regulation.
- B. The notice must comply with the provisions of [RCW 46.55.085](#).

10.12.640 Impound Without Notice.

- A. Except as provided in AMC 10.12.640, the Police Department may impound any vehicle, with or without citation and without giving prior notice to the owner as required in AMC 10.12.620 when:
 - 1. the vehicle is unattended and is impeding or is likely to impede the normal flow of vehicular, pedestrian, or bicycle traffic; or
 - 2. the vehicle is illegally occupying a truck, commercial load zone, construction zone, street closed by order of the City Council, restricted parking zone, bus, loading, hooded-meter, taxi, or other similar zone where parking is limited to designated classes of vehicles or is prohibited during certain hours, on designated days, or at all times, and where such vehicle is interfering with the proper and intended use of such zones and where such zone is clearly and conspicuously marked; or
 - 3. the vehicle is parked within no parking zones specified in [RCW 46.61.570](#);
 - 4. the vehicle is parked in violation of AMC 10.12.310.B-E; or
 - 5. the vehicle is parked in violation of AMC 10.12.390.C-F; or
 - 6. the vehicle is parked on Fidalgo Bay Rd in violation of AMC 10.12.360; or
 - 7. the vehicle without a special license plate, card, or decal indicating that the vehicle is being used to transport a disabled person as defined under Chapter 46.16 RCW, as now or hereafter amended, is parked in a stall or space clearly and conspicuously marked under [RCW 46.61.581](#) when such space is on public property or provided on private property without charge; or
 - 8. the vehicle parked in violation of this chapter that has unpaid parking tickets per AMC 10.12.780;
 - 9. the vehicle is parked in such a manner as to constitute a traffic hazard; or
 - 10. the vehicle poses an immediate danger to the public safety; or
 - 11. a police officer has probable cause to believe that the vehicle is stolen; or
 - 12. a police officer has probable cause to believe that the vehicle constitutes evidence of a crime or contains evidence of a crime, if impoundment is reasonably necessary in such instance to obtain or preserve such evidence; or
 - 13. the vehicle is parked in a publicly owned or controlled parking facility, properly posted under [RCW 46.55.070](#); or
 - 14. the vehicle is parked on private, nonresidential property, properly posted under [RCW 46.55.070](#); or
 - 15. the vehicle is left unattended on residential property without consent of the property owner or agent;
 - 16. the vehicle is a junk vehicle and is parked on a street, alley, or way open to the public, or on municipal or other public property;
 - 17. the vehicle is parked in a public right-of-way or on other publicly owned or controlled property in violation of any law, ordinance, or regulation and there are four or more parking infractions issued against the vehicle for each of which a person has failed to respond, failed to appear at a requested

hearing, or failed to pay an adjudicated parking infraction for at least 45 days from the date of the filing of the notice of infraction;

18. any part of the vehicle is leaking material other than stormwater onto the street or any other part of the municipal separate storm sewer system in violation of AMC 18.30.050.

B. Nothing in this section may be construed to authorize seizure of a vehicle without a warrant where a warrant would otherwise be required.

10.12.650 Impound of Vehicle Used as a Residence

A. If a police officer who impounds a vehicle determines that the vehicle is currently being used as a residence:

1. the vehicle may be impounded pursuant to the processes described in this Article;
2. if the registered owner of the vehicle is not a resident of the vehicle, and the vehicle is not redeemed per AMC 10.12.660, the City may sell or destroy the vehicle;
3. if the registered owner of the vehicle is a resident of the vehicle, the City may impose fines for the impoundment and associated costs of storage and redemption, limited to the lesser of the actual costs or the amount the vehicle owner has the ability to reasonably pay.

10.12.660 Redemption of Impounded Vehicle—Sale at Auction

[RCW 46.55.120](#), governing redemption of impounded vehicles, is incorporated by reference.

Article VII. Enforcement and Penalties

10.12.710 Enforcement of parking regulations.

- A. The parking regulations in this chapter may be enforced by the city's police officers and the city's parking enforcement officers, who have the authority to issue a notice of parking infraction when the parking infraction is committed in the officer's presence.
- B. If any vehicle is found parked in violation of this chapter or otherwise violates the provisions of this chapter, the officer finding the vehicle must take its license plate number and may take any other information displayed on the vehicle which may identify its user, and must conspicuously affix to the vehicle a notice of parking infraction.
- C. A notice of parking infraction represents a determination that a parking violation has been committed. The determination will be final unless contested as provided in this chapter.
- D. An officer responsible for the enforcement of the parking regulations of the city is authorized to identify such parked vehicles to facilitate enforcement of this chapter. Such identification may be by electronic recording of the vehicle license plate, chalk upon the vehicle tires, or by some other convenient method, but may not be injurious to or damage the vehicle. It is unlawful for any person other than an officer, parking enforcement officer to interfere with, conceal, obliterate, or erase any such physical marks.

10.12.720 Penalties for violations of this chapter.

- A. Unless otherwise specified elsewhere in this chapter, the penalties for each type of violation of this chapter are as follows:
 1. parking in excess of time limits: \$20; unless paid by the close of business on the next business day, then \$10;
 2. parking in alley: \$25;

3. parking near Guemes Ferry Terminal (AMC 10.12.260): \$25;
 4. parking in a bike lane, over a sidewalk, or blocking mailbox: \$25;
 5. parking in other areas where prohibited at all times: \$50;
 6. parking in a residential parking zone: \$50;
 7. parking a trailer in the day use lot and parking in the trailer parking lot at Washington Park: \$50;
 8. interfering with, concealing, obliterating, or erasing marks: \$50;
 9. parking in an electric vehicle parking space: \$124;
 10. parking in disabled space: \$250 and an additional \$200 assessment pursuant to [RCW 46.19.050](#) for a total of \$450;
 11. all other parking violations: \$20.
- B. For a subsequent additional violation within one year of a preceding violation, an additional penalty applies as follows:
1. First additional violation: \$10;
 2. Second and third additional violation: \$25;
 3. Fourth through sixth violations: \$50;
 4. Seventh and additional violations: \$100.
- C. Payment of all parking infractions must be made to the municipal court and at such other locations as designated by the court. Proceeds from parking infractions must be paid into the City's general fund, except as otherwise required by state law, including for penalties and assessments related to disabled parking infractions which must be retained by the city or distributed in accordance with [RCW 46.19.050](#).

10.12.730 Responsibility for Violation—Presumptions

- A. Every person in whose name a vehicle is registered is responsible for any violation of this chapter caused by the parking of the vehicle in violation. It is not a defense that the vehicle was parked illegally by another, unless proof is presented that the vehicle had been stolen and had not been returned to the registered owner by the date of the violation.
- B. Except as provided in subsection (C), proof that the vehicle described in the notice of parking infraction was parked in violation of this chapter, together with proof that the person named in the notice of parking infraction was at the time of the violation the registered owner of the vehicle, constitutes in evidence a prima facie presumption that the registered owner of the vehicle was the person who parked or placed the vehicle at the point where, and for the time during which, the violation occurred.
- C. In the case of a registered owner transferring vehicle ownership who has complied with the provisions of state law prior to the date of the violation, proof that the vehicle described in the notice of parking infraction was parked in violation of any such provision of this chapter, together with proof that the person named in the notice of parking infraction was at the time of the violation the person to whom the vehicle's ownership had been transferred, constitutes in evidence a prima facie presumption that the person to whom ownership was transferred was the person who parked the vehicle at the point where, and for the time during which, the violation occurred. Any notice in this chapter required to be sent to the registered owner must instead be sent to the person to whom ownership has been so transferred.

10.12.740 Notice of Infraction—Form—Determination final unless contested.

- A. A notice of parking infraction represents a determination that an infraction has been committed. That determination will be final unless contested as provided in this chapter.
- B. The form for the notice of parking infraction must include substantially the following information:
 - 1. A statement that the notice represents a determination that a parking infraction has been committed and that the determination is final unless contested as provided in this chapter;
 - 2. A statement of the specific section of the parking code for which the notice was issued;
 - 3. A statement of monetary penalty established for the parking infraction;
 - 4. A statement that a parking infraction is a non-criminal offense for which imprisonment may not be imposed but that the penalty for a parking infraction may include non-renewal of the vehicle license;
 - 5. A statement of the options provided in this chapter for responding to the notice and the procedures necessary to exercise these options;
 - 6. A statement that at any hearing to contest the determination the city has the burden of proving, by a preponderance of the evidence, that the infraction was committed; and that the person may subpoena witnesses including the officer who issued the notice of infraction;
 - 7. A statement that at any hearing requested for the purpose of explaining mitigating circumstances surrounding the commission of the infraction the person will be deemed to have committed the infraction and may not subpoena witnesses;
 - 8. A statement that the person must respond to the notice as provided in this chapter or the person's vehicle license may not be renewed by the Department until any penalties imposed pursuant to this chapter have been satisfied;
 - 9. A statement that failure to appear at a hearing requested for the purpose of contesting the determination or for the purpose of explaining mitigating circumstances may result in the refusal of the Department of Licensing to renew the person's vehicle license until any penalties imposed pursuant to this chapter have been satisfied.

10.12.750 Response to notice of parking infraction—Hearing—Failure to respond or appear.

- A. A person who receives a notice of parking infraction must respond to the notice as provided in this section within 30 calendar days of the violation date on the notice.
- B. If the person determined to have committed the infraction does not contest the determination, the person must respond by completing the appropriate portion of the notice of infraction and submitting it, either by mail or in person, to the city as specified on the notice. A check or money order in the amount of the penalty prescribed for the infraction must be submitted with the response. When a response that does not contest the determination is received, an appropriate order must be entered and, when appropriate, a record of the response and order must be furnished to the Department of Licensing.
- C. If the person determined to have committed the infraction wishes to contest the determination, the person must respond by completing the portion of the notice of infraction requesting a hearing and submitting it, either by mail or in person, to the city as specified on the notice. The court must notify the person in writing of the time, place and date of the hearing, and that date must not be sooner than seven calendar days from the date of notice, except by agreement.
- D. If the person determined to have committed the infraction does not contest the determination but wishes to explain mitigating circumstances surrounding the infraction, the person must respond by completing the portion of the notice of infraction requesting a hearing for that purpose and submitting it, either by mail or

in person, to the court as specified on the notice. The court must notify the person in writing of the time, place, and date of the hearing.

- E. If any person cited with a notice of parking infraction fails to respond to the notice of parking infraction as required by this section, or fails to appear at a hearing requested as provided by this section, the court must enter an appropriate order assessing the monetary penalty prescribed for the parking infraction and any other penalty authorized by this chapter and must notify the Department of Licensing, in accordance with [RCW 46.20.270](#), of the failure to respond to the notice of infraction or to appear at a requested hearing.
- F. The Department of Licensing may not renew the vehicle registration of any person for whom the court has entered an order(s) for two or more violations until any penalties imposed pursuant to this chapter have been satisfied.

10.12.760 Failure to comply with notice of parking infraction.

- A. If no response or payment is made within 30 calendar days of the violation date on the notice of infraction, a \$25 delinquency fine will be imposed, and a delinquency notice will be mailed to the registered owner of the vehicle to which the notice was affixed.
- B. If no response or payment is made within 30 calendar days of the date of mailing of the delinquency notice, additional penalties may be assessed to the infraction, a notice may be sent to the Department of Licensing as provided in [RCW 46.20.270](#), and the city may pursue such other remedies as provided by law.

10.12.770 Collection authorized.

The city is authorized to remit any unpaid penalties or fines issued pursuant to this chapter to collection.

10.12.780 Impoundment of vehicles with unpaid infractions.

A vehicle parked in violation of this chapter that has four or more unpaid parking infractions issued against the vehicle for each of which a person has failed to respond, failed to appear at a requested hearing, or failed to pay an adjudicated parking infraction for at least forty-five days from the filing of the notice of infraction, may be impounded without notice, per AMC 10.12.640.

Certificate Of Completion

Envelope Id: 308474BE82834EEF9187B70D1F407B5F

Status: Completed

Subject: SIGNATURE REQUIRED: Approved Ordinance 4054

Source Envelope:

Document Pages: 16

Signatures: 3

Envelope Originator:

Certificate Pages: 5

Initials: 0

City Clerk

AutoNav: Enabled

PO Box 547

Envelopeld Stamping: Enabled

904 6th St

Time Zone: (UTC-08:00) Pacific Time (US & Canada)

Anacortes, WA 98221

cityclerk@cityofanacortes.org

IP Address: 23.90.91.2

Record Tracking

Status: Original

Holder: City Clerk

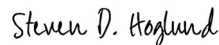
Location: DocuSign

7/25/2023 1:02:29 PM

cityclerk@cityofanacortes.org

Signer Events**Signature****Timestamp**

Steven D. Hoglund



Sent: 7/25/2023 1:04:41 PM

steveh@cityofanacortes.org

Viewed: 7/25/2023 1:59:10 PM

City Clerk/Treasurer

Signed: 7/25/2023 2:03:39 PM

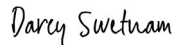
City of Anacortes

Security Level: Email, Account Authentication
(None)Signature Adoption: Pre-selected Style
Using IP Address: 23.90.91.2**Electronic Record and Signature Disclosure:**

Accepted: 1/8/2019 2:26:27 PM

ID: 9b1630a8-aa5f-4ac5-93eb-5700d104d979

Darcy Swetnam



Sent: 7/25/2023 1:04:41 PM

darcys@cityofanacortes.org

Viewed: 7/26/2023 10:43:35 AM

City Attorney

Signed: 7/26/2023 10:43:43 AM

Security Level: Email, Account Authentication
(None)Signature Adoption: Pre-selected Style
Using IP Address: 23.90.91.2**Electronic Record and Signature Disclosure:**

Accepted: 7/26/2023 10:43:35 AM

ID: 71a68981-86fc-4318-83a1-c7b0de006716

Matt Miller



Sent: 7/26/2023 10:43:44 AM

mattm@cityofanacortes.org

Viewed: 7/26/2023 3:49:23 PM

Mayor

Signed: 7/26/2023 3:53:05 PM

City of Anacortes

Security Level: Email, Account Authentication
(None)Signature Adoption: Uploaded Signature Image
Using IP Address: 23.90.91.2**Electronic Record and Signature Disclosure:**

Not Offered via DocuSign

In Person Signer Events**Signature****Timestamp****Editor Delivery Events****Status****Timestamp****Agent Delivery Events****Status****Timestamp****Intermediary Delivery Events****Status****Timestamp****Certified Delivery Events****Status****Timestamp**

Carbon Copy Events	Status	Timestamp
Witness Events	Signature	Timestamp
Notary Events	Signature	Timestamp
Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	7/25/2023 1:04:41 PM
Certified Delivered	Security Checked	7/26/2023 3:49:23 PM
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Payment Events	Status	Timestamps
Electronic Record and Signature Disclosure		