

AN ORDINANCE OF THE CITY OF KIRKLAND AMENDING KMC 12.45 ("PARKING"), IN ORDER TO PROHIBIT DOWNTOWN EMPLOYEES AND BUSINESS OWNERS FROM PARKING IN SPECIFIED AREAS.

WHEREAS, the Kirkland City Council has determined that employees and owners of businesses in the central business district often use parking spaces close to the businesses where they work, which are relatively high demand parking areas; and

WHEREAS, such parking spaces should be available to customers of the businesses during business hours; and

WHEREAS, there is a disruption of business activities and an increase in traffic congestion caused by employees and owners who frequently move their motor vehicles during working hours in order to comply with parking time limits; and

WHEREAS, employees and business owners will be able to park in nearby lower demand parking areas;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Kirkland as follows:

Section 1. KMC Chapter 12.45 is hereby amended by the addition of new Section 12.45.250 to read as follows:

12.45.250 Downtown Employee Parking Prohibited.

- (a) It is a traffic infraction for an employee to park a vehicle within the hereinafter defined area where employee parking is prohibited.
- (b) For purposes of Sections 12.45.250 through 12.45.260, the term "central business district" shall mean the combination of areas which the City of Kirkland Zoning Code designates as CBD1, CBD2, CBD3 or CBD8.
- (c) For purposes of Sections 12.45.250 through 12.45.260, the term "employee" shall include being: (1) engaged for wages, credit or other consideration, or as a volunteer, for a business or non-profit entity within the central business district; or (2) an employer of persons who work at a location within the central business district; or (3) an owner of a business premises within the central business district.
- (d) The prohibition of this Section shall apply at any time that the employee is at their place of employment or is at the premises

within the central business district as to which they are an employer or an owner.

- (e) The area where employee parking is prohibited includes any portion of the following:
- (1) Lake Street parking lot;
 - (2) Marina Park parking lot;
 - (3) Central Way from its western end (the 10 block) easterly to its intersection with Third Street;
 - (4) Lake Street from its northern end southerly to its intersection with Second Avenue South;
 - (5) Kirkland Avenue from its western end (the 10 block) easterly through its 400 block to the point where Kirkland Way branches off from Kirkland Avenue;
 - (6) Main Street in its entirety;
 - (7) Park Lane in its entirety;
 - (8) First Street between Central Way and Fourth Avenue;
 - (9) Third Street between Central Way and Kirkland Avenue;
 - (10) State Street between Kirkland Avenue and First Avenue South and any other portion of State Street where parking is restricted to either two hours or four hours;
 - (11) Lake Avenue West in its entirety; or
 - (12) CBD1 and CBD2 - Employee parking is prohibited along all public alleys, streets, or other public parking spaces within the area which the City of Kirkland Zoning Code designates as CBD1 or CBD2.
- (f) For imposition of the penalties provided in this Section, there is a prima facie presumption that the registered owner of the violator vehicle at the time of the violation was the person who parked such vehicle. In addition, there is also a prima facie presumption that the employee who has been reported to the City as having control of a certain vehicle is the person who parked such vehicle in violation of this Section.
- (g) For any violation of this Section, the following penalties shall be imposed:
- (1) First violation within any 36 consecutive months: \$25.00;
 - (2) Second violation within any 36 consecutive months: \$35.00;
 - (3) Third violation within any 36 consecutive months: \$45.00;
 - (4) Fourth violation within any 36 consecutive months: \$55.00;
 - (5) Fifth violation and each succeeding violation within any 36 consecutive months: \$105.00.

Section 2. Chapter 12.45 is hereby amended by the addition of a new Section 12.45.260 to read as follows:

12.45.260 Reporting of Employee Vehicles.

- (a) Every employer or owner with premises located within the central business district shall provide to the City their own and their employees' names and residence addresses and vehicle license numbers of vehicles owned, operated, or controlled by each employee, employer or owner who comes to such premises.
- (b) The information required by this Section shall be sworn to and submitted by July 10, 1998 and within 7 days after April 1st and September 1st of each year in the manner prescribed and on forms provided by the City.
- (c) It is a traffic infraction for any person to be in violation of the reporting requirements of this Section. For any violation of this Section, penalties shall be imposed as provided in Section 12.45.250.

Section 3. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance, or the application of the provision to other persons or circumstances is not affected.


Section 4. This Ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication, as required by law.

Passed by majority vote of the Kirkland City Council in regular, open meeting this 19th day of May, 1998.


Signed in authentication thereof this 19th day of May, 1998.


MAYOR

Attest:


Deputy City Clerk

Approved as to Form:


City Attorney
ord/cbdpark