

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO EMPLOYEE PARKING IN DOWNTOWN KIRKLAND AND AMENDING CHAPTER 12.45.

The City Council of the City of Kirkland do ordain as follows:

Section 1. Section 12.45.250 of the Kirkland Municipal Code is hereby amended 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 from the hours of eleven a.m. to five a.m. the following day, except as authorized by the city manager or designee pursuant to written policies which shall be consistently applied.

(1) Subject to the foregoing authority of the city manager or designee and subject to the prohibition of subsection (d) of this section, employees may request a permit which allows them to park within the hereinafter defined prohibited parking area on their days off, which permit must be visibly displayed in a window of the vehicle but shall only be used on such days off.

(i) In addition to any other fines incurred under this section, displaying this permit while 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, whether the employee is working or not, will result in the imposition of a one-hundred-dollar fine; a second violation will result in the imposition of a two-hundred-dollar fine and suspension of the permit.

(b) For purposes of this section and Section 12.45.260, "central business district" means the combination of areas which the city of Kirkland Zoning Code designates as CBD-1, CBD-2, CBD-3 or CBD-8.

(c) For purposes of this section and Section 12.45.260, "employee" includes being: (1) engaged for wages, credit or other consideration, or as a volunteer, for a business or nonprofit 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 whenever 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 between the hours of eleven a.m. and five a.m. the following day.

(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.
- (13) The upper level of the parking garage located at the corner of Kirkland Avenue and 3rd Street

(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.

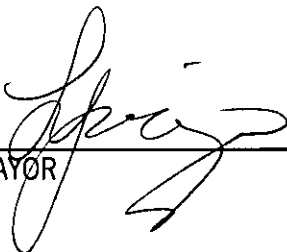
(g) For any violation of this section, the following penalties shall be imposed:

- (1) First violation within any thirty-six consecutive months: twenty-five dollars;
- (2) Second violation within any thirty-six consecutive months: thirty-five dollars;
- (3) Third violation within any thirty-six consecutive months: forty-five dollars;
- (4) Fourth violation within any thirty-six consecutive months: fifty-five dollars;
- (5) Fifth violation and each succeeding violation within any thirty-six consecutive months: one hundred five dollars.


Section 2. 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 open meeting
this 17th day of September, 2002.


Signed in authentication thereof this 17th day of
September, 2002.


MAYOR

Attest:


Deputy City Clerk

Approved as to Form:


City Attorney
Ord\ Downtown Parking Revisions