



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

March 26, 2002

Ordinance 14310

Proposed No. 2001-0597.2

Sponsors Pelz and Hague

1 AN ORDINANCE of King County making it unlawful to
2 abandon a wrecked, dismantled or inoperative vehicle on
3 the public right of way; and amending Ordinance 5486,
4 Section 4, as amended, and K.C.C. 46.08.040 and
5 Ordinance 10278, Section 1, and K.C.C. 46.08.010.
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8 **BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:**

9 **SECTION 1. Purpose.** This ordinance is an exercise of the police power of
10 King County for the protection of the public welfare, health, peace and safety of the
11 residents of King County. The King County council hereby declares that the placement
12 of wrecked, dismantled or inoperative vehicles denies the right of members of the general
13 public to be free from public danger, alarm, disorder, nuisance and fear of damage, either
14 to person or property.

15 **SECTION 2.** Ordinance 10278, Section 1, and K.C.C. 46.08.010 are each hereby
16 amended to read as follows:

17 **Definitions.** The following definitions shall apply in the interpretation and
18 enforcement of this chapter:

19 A. "Impoundment" means the removal of a vehicle to a storage facility either by an
20 officer or authorized agent of the King County department of public safety or by a towing
21 contractor in response to a request from an officer or authorized agent of the King County
22 department of public safety.

23 B. "Towing contractor" means any firm, partnership, tow operator, association, or
24 corporation duly licensed by the State of Washington to perform towing and storage
25 services that enters into a contract with the King County department of public safety to
26 perform towing and storage services under the provisions of this chapter.

27 C. "Vehicle" shall have the definition set forth in RCW 46.04.670, and, in addition,
28 shall include any junk vehicle as defined in RCW 46.55.010(4) as they currently exist or
29 may thereafter be amended.

30 D. "Workday" means Monday through Friday, not including Saturday and Sunday
31 or legal holidays as defined in RCW 1.16.050.

32 E. "Wrecked, dismantled or inoperative vehicle" means a motor vehicle or the
33 remains or remnant parts of a motor vehicle, or an extensively damaged recreational
34 vehicle or boat, that is clearly inoperative and either (a) cannot be made operative without
35 the addition of vital parts or mechanisms or (b) is damaged to the extent that it prevents
36 normal operation of the vehicle, or both.

37 SECTION 3. Ordinance 5486, Section 4, as amended, and K.C.C. 46.08.040 are
38 each hereby amended to read as follows:

39 **When a vehicle may be impounded without prior notice.** A vehicle may be
40 impounded with or without citation and without giving prior notice to its owner as required
41 in Section 46.08.050 hereof under any of the following circumstances:

42 A. The vehicle is impeding or is likely to impede the normal flow of vehicular or
43 pedestrian traffic;

44 B. The vehicle is illegally parked in a conspicuously posted restricted zone where
45 parking is limited to designated classes of vehicles or is prohibited during certain hours, on
46 designated days or at any time when the vehicle is interfering or likely to interfere with the
47 intended use of such a zone;

48 C. The vehicle poses an immediate danger to the public safety;

49 D. A police officer has information sufficient to form a reasonable belief that the
50 vehicle is stolen;

51 E. A police officer has information sufficient to form a reasonable belief that the
52 vehicle constitutes evidence of a crime or contains evidence of a crime, if impoundment is
53 reasonably necessary to obtain or preserve such evidence;

54 F. Whenever a police officer finds an unattended vehicle at the scene of an accident
55 or when the driver of a vehicle involved in an accident is physically or mentally incapable,
56 or too intoxicated, to decide upon steps to be taken to protect his or her property;

57 G. Whenever the driver of a vehicle is arrested and taken into custody by a police
58 officer, and the driver, because of intoxication or otherwise, is mentally incapable of
59 deciding upon steps to be taken to safeguard his or her property;

60 H. Whenever a vehicle without a special license plate, card, or decal indicating that
61 the vehicle is being used to transport a disabled person under RCW 46.16.381 is parked in

62 a stall or space clearly and conspicuously marked under RCW 46.62.581 which space is
63 provided on private property without charge or on public property;

64 I. Whenever a mobile home is subject to removal from a mobile home park
65 pursuant to a writ of restitution, provided such writ is attached to a department of public
66 safety impound report((-)); or

67 J. Whenever a wrecked, dismantled or inoperative vehicle is left on the public right
68 of way, or on publicly owned or controlled property.

69 Nothing in this section shall be construed to authorize seizure of a vehicle without a
70 warrant where a warrant would otherwise be required. Nothing in this section may
71 derogate from the powers of police officers under the common law or other statute or
72 ordinance.

73 SECTION 4. Severability. If any provision of this ordinance or its application to

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74 any person or circumstance is held invalid, the remainder of the ordinance or the
75 application of the provision to other persons or circumstances is not affected.
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Ordinance 14310 was introduced on 12/10/2001 and passed as amended by the Metropolitan King County Council on 3/25/2002, by the following vote:

Yes: 13 - Ms. Sullivan, Ms. Edmonds, Mr. von Reichbauer, Ms. Lambert, Mr. Phillips, Mr. Pelz, Mr. McKenna, Mr. Constantine, Mr. Pullen, Mr. Gossett, Ms. Hague, Mr. Irons and Ms. Patterson
No: 0
Excused: 0

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

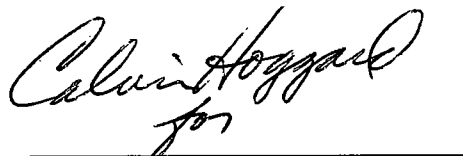

Cynthia Sullivan, Chair

ATTEST:



Anne Noris, Clerk of the Council

APPROVED this 3rd day of April, 2002.



Ron Sims, County Executive

Attachments None