

ORDINANCE NO. 675

AN ORDINANCE AMENDING TITLE 10, VEHICLES AND TRAFFIC, OF THE ODESSA MUNICIPAL CODE (O.M.C.) TO INCLUDE A CHAPTER 10.19 TITLED PARKING REGULATIONS

WHEREAS, the Town of Odessa Town Council is vested with the authority to adopt regulations which promote the health, safety, and welfare of its citizens; and

WHEREAS, the improper parking of vehicles can block access to properties, for which emergency vehicles require access; and

WHEREAS, citizens within the corporate limits of the Town have stated the improper parking of vehicles have limited or denied access to properties, for which they are entitled entry; and

WHEREAS, the Town of Odessa Town Council deems it necessary to amend the above noted chapter of the Odessa Municipal Code, to provide for citizen's health, safety, and welfare and to provide for penalties, now therefore;

NOW THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ODESSA, LINCOLN COUNTY, WASHINGTON, AS FOLLOWS, TO WIT:

Section 1. Providing for O.M.C. Chapter

A chapter, 10.19, titled Parking Regulations will be added to the O.M.C. Title 10, Vehicles and Traffic.

Section 2. Definitions:

"Alley" A "public highway not designated for general travel and used primarily as a means of access to the rear of the residence and business establishments."

"Highway" means the entire width between the boundary lines of every roadway publicly maintained by the state department of transportation or any county or city with funding from the motor vehicle fund. A highway is generally capable of travel by a conventional two-wheel drive passenger automobile during most of the year and in use by such vehicles.

"Street" means the entire right-of-way width of any street, excluding the sidewalk and between the curb boundary lines and shoulder or swale of public property, when any part thereof is open to the use by the public for purposes of pedestrian, bicycle or vehicular travel including parking.

Section 3. Regulations

Drivers shall, at all times, conform to the following regulations with respect to the parking of vehicles:

1. It is unlawful for any person to park, or leave parked, a vehicle upon any street, highway, or alley within the Town of Odessa unattended in such a position that it constitutes an obstruction to traffic, including emergency vehicles, blocks the use of a fire hydrant, interferes with the use of a driveway leading to property not under control of such person, or constitutes a danger to traffic.
2. A vehicle may stand backed to the curb within said area for purposes of loading or unloading; provided, that this shall be allowed only when such vehicle is being actually loaded or unloaded, and that said loading or unloading shall be continuous and completed as rapidly as possible.
3. Failure to perform any act required or the performance of any act prohibited in this chapter shall constitute a traffic infraction as defined under the laws of the State of Washington.

Section 4. Penalty

Any vehicle parked on any street, highway or alley within Odessa corporate town limits, in such a manner as to constitute an obstruction to traffic is hereby declared to be a public nuisance, and shall be forthwith abated by the Town Police Department by having such vehicle towed away and impounded or by such other means at their disposal. The cost of such towing and impoundment shall be the responsibility of the owner or person so parking said vehicle.

Section 5. Emergency Vehicles

Emergency vehicles shall be exempt from all provisions of this chapter, when in the performance of their duties.

Section 6. Nonliability

Nothing contained in this ordinance is intended to be, construed to create or form the basis for any liability on the part of the Town or their respective officers, employees or agents, for any injury or damage resulting from the failure of any person to comply with the terms of this chapter, or by reason or in consequence of any omission in connection with the implementation or enforcement of this ordinance on the part of the Town and its officers, employees or agents.

Section 7. Severability

Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 8.

All ordinances or parts of ordinances in conflict herewith are repealed.

Section 9. Effective Date

That this ordinance shall be effective five (5) days after its passage, approval and publication.

PASSED AND ADOPTED BY THE ODESSA TOWN COUNCIL THIS 11th DAY OF July, 2016.

Lois Hubbard, Mayor

ATTEST:

Gail Kiesz, Clerk-Treasurer

Published: July 14, 2016

