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ORDINANCE NO.219

CITY OF LYNMOOD

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AN ORDINANCE RELATING TO AND REGULATING MOTOR VEHICLES, TRAFFIC, TRAVEL, AND TRANSPORTATION AND THEIR INCIDENTS UPON THE PUBLIC STREETS, BICYCLE PATES, AND OTHER WAYS OPEN TO THE PUBLIC; PRESCRIBING THE POWERS AND DUT-LES OF OFFICERS AND OTHERS IN RELATION THERETO; DEFINING OFFENSES; PRO-VIDING PENALTIES, AND REPEALING ORDINANCE NO. 19, AND ALL AMENDMENTS THERE OF, AND ALL OTHER ORDINANCES AND SECTIONS OF ORDINANCES INSOFAR AS THEY ARE IN CONFLICT THEREWITH.

THE CITY COUNCIL OF THE CITY OF LYNMOOD DO ORDAIN AS FOLLOWS:

ARTICLE I: WORDS AND PHRASES DEFINED

Sec. 1. <u>Definition of words and phrases</u>. The following words and phrases when used in this ordinance shall for the purpose of this ordinance have the meanings respectively ascribed to them in this article, unless where used the context thereof shall clearly indicate to the contrary.

Subdivision I. Vehicles, Traffic, etc., Defined

Sec. 2. <u>Right-of-Way</u>. The right of one vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian approaching under such circumstances of direction, speed and proximity as to give rise to danger of collision unless one grants precedence to the other.

Sec. 3. (a) Stop. When required, means complete cessation of movement.

)b) <u>Stop or stopping</u>. When prohibited means any halting even momentarily of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic-control sign or signal.

(c) <u>Stand or standing</u>. Means the halting of a vehicle, whether occupied or not, otherwise than for the purpose of and while actually engaged in receiving or discharging passengers.

(d) <u>Park or Parking</u>. Means the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers.

Sec. 4. Official time standard. Whenever certain hours are named herein, they shall mean standard time or daylight-saving time as may be in current use in this city.

Subdivision II. Persons, etc., Defined

Sec. 5. (a) <u>Police officer</u>. Every officer of the municipal police department or any officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

(b) <u>Traffic division</u>. The traffic division of the police department of this city, or in the event a traffic division is not established, then said term, whenever used herein, shall be deemed to refer to the police department of this city.

(c) <u>City traffic engineer</u>. The city engineer's official duties shall include traffic engineering; the term City traffic engineer shall refer to the city engineer or his office.

Subdivision III. Streets, etc., Defined

Sec. 6. (a) <u>Curb loading zone</u>. A space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials.

(b) <u>Passenger curb loading zone</u>. A place adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers. Ordinance No. \_\_\_\_ Page 2

(c) <u>Freight curb loading zone</u>. A space adjacent to a curb for the exclusive use of vehicles during the loading or unloading of freight.

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Sec. 7. <u>Central business (or traffic) district</u>. All streets and portions of streets within the area described as follows: All that area defined as fire zone no. 1, by Ordinance number 130 of the City of Lynnwood or as re-defined from time by amendments to said Ordinance No. 130.

#### ARTICLE II. ENFORCEMENT AND OBEDIENCE TO TRAFFIC REGULATIONS

Sec. 8. <u>Authority of police and fire department officials</u>. (a) It shall be the duty of the officers of the police department or such officers as are assigned by the chief of police to enforce this traffic ordinance.

(b) Officers of the police department or such officers as are assigned by the chief of police are hereby authorized to direct all traffic by voice, hand, or signal in conformance with traffic laws, provided that, in the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, officers of the police department may direct traffic as conditions may require notwithstanding the provisions of the traffic laws.

(c) Officers of the fire department, when at the scene of a fire, may direct or assist the police in directing traffic thereat or in the immediate vicinity.

Sec. 9. <u>Required obedience to traffic ordinance</u>. It is unlawful for any person to do any act forbidden or fail to perform any act required in this ordinance.

Sec. 10. <u>Obedience to police and fire department officials</u>. No person shall willfully fail or refuse to comply with any lawful order or direction of a police officer or fire department official.

Sec. 11. Use of coasters, roller skates, and similar devices restricted. No person upon roller skates, or riding in or by means of any coaster, toy vehicle, or similar device, shall go upon any roadway except while crossing a street on a crosswalk and when so crossing such person shall be granted all of the rights and shall be subject to all of the duties applicable to pedestrians. This section shall not apply upon any street while set aside as a play street as authorized by ordinance of this city.

Sec. 12. <u>Authorized emergency vehicles</u>. (a) The driver of an authorized emergency vehicle, when responding to an emergency call or when in the pursuit of an actual or suspected violator of the law or when responding to but not upon returning from a fire alarm, may exercise the privileges set forth in this section, but subject to the conditions herein stated.

(b) The driver of an authorized emergency vehicle may:

1. Park or stand, irrespective of the provisions of this ordinance;

2. Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;

3. Exceed the speed limits prescribed herein so long as he does not endanger life or property;

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4. Disregard regulations governing direction of movement or turning in specified directions.

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(c) The exemptions herein granted to an authorized emergency vehicle shall apply only when the driver of any said vehicle while in motion sounds audible signal by bell, siren, or exhaust whistle as may be reasonably necessary, and when the vehicle is equipped with at least one lighted lamp displaying a red light visible under normal atmospheric conditions from a distance of 500 feet to the front of such vehicle, except that an authorized emergency vehicle operated as a police vehicle need not be equipped with or display a red light visible from in front of the vehicle.

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## ARTICLE III. TRAFFIC-CONTROL DEVICES AND SIGNALS

Sec. 13. <u>Authority to install traffic-control devices</u>. The city traffic engineer shall place and maintain traffic-control signs, signals and devices when and as required under the traffic ordinances of this city to make effective the provisions of said ordinances, and may place and maintain such additional traffic-control devices as he may deem necessary to regulate traffic under the traffic ordinances of this city or under State law, or to guide or warn traffic.

Sec. 14. <u>Design for traffic-control devices</u>. All traffic-control signals, signs, and traffic-control devices to be erected or maintained upon any city street designated as forming a part of the route of a primary state highway or secondary state highway must be approved by the state highway commission prior to their installation. <u>Provided</u>, <u>however</u>, in cities having a population in excess of fifteen thousand according to the latest Federal census, traffic-control signals, signs and traffic-control devices are subject to approval of the state highway commission for installation and type only. All signs and signals required hereunder for a particular purpose shall so far as practicable be uniform as to type and location throughout the city. All traffic-control devices so erected and not inconsistent with the provisions of State law or this ordinance shall be official traffic-control devices.

Sec. 15. When traffic devices required for enforcement purposes. No provision of this ordinance for which official traffic control devices are required shall be enforced against an alleged violator if at the time and place of the alleged violation an official device is not in proper position and sufficiently legible to be seen by an ordinarily observant person. Whenever a particular section does not state that signs are required, such section shall be effective even though no devices are erected or in place.

Sec. 15.1. Official traffic-control devices--presumption of legality. (a) Thenever official traffic-control devices are placed in position approximately conforming to the requirements of this ordinance, such devices shall be presumed to have been so placed by the official act or direction of lawful authority, unless the contrary shall be established by competent evidence.

(b) Any official traffic-control device placed pursuant to the provisions of this ordinance and purporting to conform to the lawful requirements pertaining to such devices shall be presumed to comply with the requirements of this ordinance, unless the contrary shall be established by competent evidence.

Sec. 16. <u>Display of unauthorized signs, signals, or markings</u>. (a) No person shall place, maintain, or display upon or in view of any highway any unauthorized sign, signal, marking, or device which purports to be or is an imitation of or resembles an official traffic-control device or railroad sign or signal, or which attempts to direct the movement of traffic, or which hides from view or interferes with the effectiveness of any official traffic-control device or any rail-road sign or signal.

(b) No person shall place or maintain nor shall any public authority permit upon any highway any traffic sign or signal bearing thereon any commercial advertising.

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(c) This section shall not be deemed to prohibit the erection upon private property adjacent to highways of signs giving useful directional information and of a type that cannot be mistaken for official signs.

(d) Every such prohibited sign, signal, or marking is hereby declared to be a public nuisance and the authority having jurisdiction over the highway is hereby empowered to remove the same or cause it to be removed without notice.

Sec. 17. <u>Interference with official traffic-control devices or</u> <u>railroad signs or signals</u>. No person shall without lawful authority attempt to or in fact alter, deface, injure, knock down, or remove any official traffic-control device or any railroad sign or signal or any inscription, shield, or insignia thereon, or any other part thereof.

Sec. 19. <u>Authority to establish play streets</u>. The city traffic engineer shall have authority to declare any street or part thereof a play street and to place appropriate signs or devices in the roadway indicating and helping to protect the same.

Sec. 19. <u>Play streets</u>. Whenever authorized signs are erected indicating any street or part thereof as a play street, no person shall drive a vehicle upon any such street or portion thereof except operators of vehicles having business or whose residences are within such closed area, and then any said operator shall exercise the greatest care in driving upon any such street or portion thereof.

Sec. 20. <u>City traffic engineer to designate crosswalks</u>, estab-<u>lish safety zones</u>. The city traffic engineer is hereby authorized:

(a) To designate and maintain, by appropriate devices, marks, or lines upon the surface of the roadway, crosswalks at intersections where in his opinion there is particular danger to pedestrians crossing the roadway, and at such other places as he may deem necessary;

(b) To establish safety zones of such kind and character and at such places as he may deem necessary for the protection of pedestrians.

Sec. 21. <u>Traffic lanes</u>. (a) The city traffic engineer is hereby authorized to mark traffic lanes upon the roadway of any street or highway where a regular alignment of traffic is necessary.

(b) Where such traffic lanes have been marked, it shall be unlawful for the operator of any vehicle to fail or refuse to keep such vehicle within the boundaries of any such lane except when lawfully passing another vehicle or preparatory to making a lawful turning movement.

#### ARTICLE IV. SPEED REGULATIONS

Sec. 22. <u>State speed laws applicable</u>. The state traffic laws regulating the speed of vehicles shall be applicable upon all streets within this city, except as this ordinance, or amendments hereto, as authorized by state law, declares and determines upon the basis of engineering and traffic investigation that certain speed regulations shall be applicable upon specified streets or in certain areas, in which event it shall be unlawful for any person to drive a vehicle at a speed in excess of any speed so declared in the ordinance, or amendments hereto, when signs are in place giving notice thereof.

Sec. 23. <u>Decrease of state speed limit at certain intersections</u>. Reserved.

Sec. 24. <u>Increasing speed limit in certain zones</u>. It is hereby determined upon the basis of an engineering and traffic investigation that the speed permitted by state law upon the following streets is less than is necessary for safe operation of vehicles thereon by reason of the designation and signposting of said streets as arterial highways and (or) by reason of widely spaced intersections and it is hereby declared that the speed limit shall be as hereinafter set forth on those streets or parts of streets herein designated at the times specified when signs are erected giving notice thereof, but in no case shall the speed limit exceed thirty-five (35) miles per hour.

Name of Street	Speed Limit	At all times (or) (during daytime)	
212th St. S.W.	35	At all times	

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Sec. 25. Decrease of state law maximum speed--Reserved.

Sec. 26. <u>Regulation of speed by traffic signals</u>. The city traffic engineer is authorized to regulate the timing of traffic signals so as to permit the movement of traffic in an orderly and safe manner.

#### ARTICLE V. TURNING MOVEMENTS

Sec. 27. <u>Authority to place and obedience to turning markers</u>. (a) The city traffic engineer is authorized to place markers, buttons, or signs within or adjacent to intersections indicating the course to be traveled by vehicles turning at such intersections in accordance with the provisions of this ordinance and RCM 47.36.060.

(b) When authorized markers, buttons, or other indications are placed within an intersection indicating the course to be traveled by vehicles turning thereat, no operator of a vehicle shall disobey the directions of such indications.

Sec. 28. Authority to place restricted turn signs. The city traffic engineer is hereby authorized to determine those intersections at which operators of vehicles shall not make a right, left, or U turn, and shall place proper signs at such intersections. The making of such turns may be prohibited between certain hours of any day and permitted at other hours, in which event, the same shall be plainly indicated on the signs, or they may be removed when such turns are permitted.

Sec. 29. <u>Obedience to no-turn signs</u>. Whenever authorized signs are erected indicating that no left or right or U turn is permitted, no operator of a vehicle shall disobey the directions of any such sign.

ARTICLE VI. ONE-WAY STREETS AND ALLEYS

Sec. 30. <u>Authority to sign one-way streets and alleys</u>. Whenever any ordinance of this city designates any one-way street or alley, the city traffic engineer shall place and maintain signs giving notice thereof, and no such regulation shall be effective unless such signs are in place. Signs indicating the direction of lawful traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited.

Sec. 31. One-way streets and alleys--Reserved.

Sec. 32. <u>Authority to restrict direction of movement on streets</u> <u>during certain periods.</u> (a) The city traffic engineer may, as authorized by ordinance, designate streets, parts of streets, or specific lanes thereon upon which vehicular traffic shall proceed in one direction during one period and the opposite direction during another period of the day and shall place and maintain appropriate markings, signs, barriers or other devices to give notice thereof. The city traffic engineer may erect signs temporarily designating lanes to be used by traffic moving in a particular direction, regardless of the center line of the roadway.

(b) It shall be unlawful for any person to operate any vehicle in violation of such markings, signs, barriers, or other devices so placed in accordance with this section.



## ARTICLE VII. SPECIAL STOPS REQUIRED

Sec. 33. <u>Emerging from alley or private driveway</u>. It shall be unlawful for the operator of a vehicle to emerge from an alley, driveway, building exit, private way, or private property or from off the roadway of any public highway, onto the roadway of any public highway or across a sidewalk or into the sidewalk area extending across any such alley, driveway, building exit, private way or private property without bringing such vehicle to a full stop and yielding the right-ofway to all pedestrians upon such sidewalk and all vehicles upon such public highway.

No vehicle shall back into or out of an alley, except when same is obstructed.

No driver shall enter any street at any point other than a street intersection at a rate of speed exceeding five (5) miles an hour, nor operate a vehicle in excess of fifteen (15) miles per hour in any alley.

Sec. 34. <u>Arterial highways designated</u>. Those streets and parts of streets described in Schedule II attached hereto and made a part hereof are hereby declared to be arterial highways for the purpose of this section.

Sec. 35. Authority to erect stop signs. Except on such streets that form a part of the route of a primary or secondary state highway upon which the state law requires the state highway commission to install, operate, maintain, and control traffic-control devices, whenever any ordinance of this city designates and describes an arterial highway, it shall be the duty of the city traffic engineer to place and maintain a stop sign on each and every street intersecting such arterial highway or intersecting that portion thereof described and designated as such by any ordinance of this city.

Sec. 36. <u>Intersections where stop or yield required</u>. The city traffic engineer is hereby authorized to determine and designate intersections where particular hazard exists upon other than arterial streets and to determine (a) whether vehicles shall stop at one or more entrances to any such intersection, in which event he shall cause to be erected a stop sign at every such place where a stop is required, or (b) whether vehicles shall yield the right of way to vehicles on a different street at such intersection as prescribed in Sec. 36.3 in which event he shall cause to be erected a yield sign at every place where obedience thereto is required.

Sec. 36.1. <u>Stop signs and yield signs</u>. (a) The driver of a vehicle approaching a yield sign if required for safety to stop shall stop before entering the cross walk on the near side of the intersection or, in the event there is no cross walk, at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway.

(b) Except when directed to proceed by a police officer or traffic-control signal, every driver of a vehicle approaching a stop intersection indicated by a stop sign shall stop before entering the cross walk on the near side of the intersection or, in the event there is no cross walk, shall stop at a clearly marked stop line, but if none then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before enter-ing the intersection.

Sec. 36.2. <u>Vehicle entering stop intersection</u>. Except when directed to proceed by a police officer or traffic-control signal, every driver of a vehicle approaching a stop intersection indicated by a stop sign shall stop as required by Sec. 36.1 (b), and after having stopped shall yield the right of way to any vehicle which has entered the intersection from another highway or which is approaching so closely on said highway as to constitute an immediate hazard during the time when such driver is moving across or within the intersection.

Sec. 36.3. <u>Vehicle entering yield intersection</u>. The driver of a vehicle approaching a yield sign shall in obedience to such sign slow down to a speed reasonable for the existing conditions and shall yield the right of way to any vehicle in the intersection or approaching on another highway so closely as to constitute an immediate hazard during the time such driver is moving across or within the intersection; provided, however, that if such a driver is involved in a collision with a vehicle in the intersection, after driving past a yield sign without stopping, such collision shall be deemed prima facie evidence of his failure to yield right of way.

Sec. 37. <u>Design of "Stop" signs</u>. Every stop sign shall be of the standard design adopted by the state highway commission.

Sec. 38. <u>Stop when traffic obstructed</u>. No operator shall enter an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle he is operating without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic-control signal indication to proceed.

Sec. 39. <u>Obedience to signal indicating approach of railroad</u> <u>train</u>. No person shall drive any vehicle through, around, or under any crossing gate or barrier at a railroad grade crossing while such gate or barrier is closed or is being opened or closed.

ARTICLE VIII. MISCELLANEOUS DRIVING RULES

Sec. 40. Driving through funeral or other procession. No operator of a vehicle shall drive between the vehicles comprising a funeral or other authorized procession while they are in motion and when such vehicles are conspicuously designated as required in this ordinance. This provision shall not apply at intersections where traffic is controlled by traffic-control signals unless a police officer is present at such intersections to direct traffic so as to preserve the continuity of the funeral procession.

Sec. 41. <u>Operators in a procession</u>. Each operator in a funeral or other procession shall drive as near to the right-hand edge of the roadway as practical and shall follow the vehicle ahead as close as is practical and safe.

Sec. 42. <u>Funeral processions to be identified</u>. A funeral composed of a procession of vehicles shall be identified as such by the display upon the outside of each vehicle of a pennant or other identifying insignia or by such other method as may be determined and designated by the traffic division.

Sec. 43. When permits required for parades and processions. With the exception of funeral processions and parades of the armed forces of the United States or the military forces of this state, no processions or parades shall be conducted on the city streets and the persons or groups to whom such permits are issued shall only occupy, march, or proceed along any street in accordance with a permit issued by the chief of police and such other regulations as are set forth herein which may be applicable.

Sec. 44. <u>Vehicles shall not be driven on a sidewalk</u>. The operator of a vehicle shall not drive within any sidewalk area except at a permanent or temporary driveway.

Sec. 44.1. <u>Opening and closing vehicle doors</u>. No person shall open the door of a motor vehicle on the side available to moving traffic unless and until it is reasonably safe to do so, nor shall any person leave a door open on the side of a motor vehicle available to moving traffic for a period of time longer than necessary to load or unload passengers.



Sec. 45. <u>Clinging to moving vehicles</u>. Any person riding upon any bicycle, motorcycle, coaster, sled, roller skates, or any toy vehicle shall not attach the same or himself to any moving vehicle upon any roadway.

## ARTICLE IX. VEHICLES AND SAFETY ZONES

Sec. 46. <u>Boarding or alighting from vehicles</u>. No person shall board or alight from any vehicle while such vehicle is in motion.

Sec. 47. <u>Unlawful riding</u>. No person shall ride on any vehicle upon any portion thereof not designated or intended for the use of passengers. This provision shall not apply to an employee engaged in the necessary discharge of a duty, or to persons riding within truck bodies intended for merchandise.

Sec. 48. <u>Railroad trains not to block streets</u>. It shall be unlawful for the directing officer or the operator of any railroad train to direct the operation of or to operate the same in such a manner as to prevent the use of any street for purposes of travel for a period of time longer than 5 minutes, except that this provision shall not apply to trains or cars in motion other than those engaged in switching.

ARTICLE X. PEDESTRIANS' RIGHTS AND DUTIES

Sec. 49. <u>Pedestrians subject to traffic=control signals</u>. Pedestrians shall be subject to traffic-control signals as declared in RCN 46.60.240 and 46.60.250, but at all other places pedestrians shall be granted those rights and be subject to the restrictions stated in this article.

Sec. 50. <u>Pedestrians to use right half of crosswalk</u>. Fedestrians shall move, whenever practicable, upon the right half of crosswalks.

Sec. 51. <u>Pedestrians' duties.</u> (a) Pedestrians shall not step into that portion of the street open to moving traffic at any point between intersections in the Central Business District, in any business district, on any arterial highway, or between adjacent intersections of streets protected by stop signs, except at marked crosswalks or other places specially provided.

(b) Pedestrians shall not cross street intersections diagonally except at such signalized intersections that provide for a pedestrian all-walk phase.

(c) Fedestrians crossing a roadway other than at intersections crosswalks shall yield the right-of-way to all vehicles upon the road-way.

Sec. 52. <u>Obedience of pedestrians to bridge and railroad sig-</u> <u>nals</u>. (a) No pedestrian shall enter or remain upon any bridge or approach thereto beyond the bridge signal, gate, or barrier after a bridge operation signal indication has been given.

(b) No pedestrian shall pass through, around, over, or under any crossing gate or barrier at a railroad grade crossing or bridge while such gate or barrier is closed or is being opened or closed.

Sec. 53. Operators to exercise due care. Notwithstanding the foregoing provisions of this article, every operator of a vehicle shall exercise due care to avoid colliding with any pedestrian upon any roadway and shall give warning by sounding the horn when necessary and shall exercise special precaution upon observing any child or any confused or incapacitated person upon a roadway.



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#### ARTICLE XI. REGULATIONS FOR BICYCLES

Sec. 54. <u>Effect of regulations</u>. (a) The parent of any child and the guardian of any ward shall not authorize or knowingly permit any such child or ward to violate any of the provisions of this article.

(b) These regulations applicable to bicycles shall apply whenever a bicycle is operated upon any street or upon any public path set aside for the exclusive use of bicycles, subject to those exceptions stated herein.

Sec. 55. <u>License required.</u> No person, who resides within this city, shall ride or propel a bicycle on any street or upon any public path set aside for the exclusive use of bicycles unless such bicycle has been licensed and a license plate is attached thereto as provided herein.

Sec. 56. License application. Application for a bicycle license and license plate shall be made to the chief of police. An annual license fee of (25¢) shall be paid to the city before each license or renewal thereof is granted. Duplicate license plates may be supplied for the same cost as the original plate in event of loss of the plate.

Sec. 57. <u>Issuance of license</u>. (a) The chief of police upon receiving proper application therefor is authorized to issue a bicycle license which shall be effective through the end of the calendar year in which issued.

(b) The chief of police shall not issue a license for any bicycle when he knows or has reasonable ground to believe that the applicant is not owner of, or entitled to the possession of, such bicycle.

(c) The chief of police shall keep a record of the number of each license, the date issued, the name and address of the person to whom issued, the number on the frame of the bicycle for which issued, and a record of all bicycle license fees collected by him.

Sec. 58. <u>Attachment of license plate</u>. (a) The chief of police upon issuing a bicycle license, shall also issue a license plate bearing the license number assigned to the bicycle, the name of the city, and the calendar year for which issued.

(b) The chief of police shall cause such license plate to be attached firmly to the rear mudguard or frame of the bicycle for which issued in such position as to be plainly visible from the rear.

(c) No person shall remove a license plate from a bicycle during the period for which issued except upon a transfer of ownership or in the event the bicycle is dismantled and no longer operated upon any street in this city.

Sec. 59. <u>Inspection of bicycles</u>. The chief of police, or an officer assigned such responsibility, shall inspect each bicycle before licensing the same and shall refuse a license for any bicycle which he determines is in unsafe mechanical condition.

Sec. 60. <u>Renewal of license</u>. Upon the expiration of any bicycle license, the same may be renewed upon application and payment of the same fee as upon an original application.

Sec. 61. <u>Transfer of ownership</u>. Upon the sale or other transfer of a licensed bicycle, the license shall remain with the bicycle and the transferee shall advise the police department of the change of ownership within 14 days of the date of transfer.



Sec. 62. <u>Rental agencies</u>. A rental agency shall not rent or offer any bicycle for rent unless the bicycle is licensed and a license plate is attached thereto as provided herein and such bicycle is equipped with the lamps and other equipment required by RC4 46. 47.080.

#### Sec. 63. Bicycle dealers. Reserved.

Sec. 64. <u>Obedience to traffic-control devices</u>. (a) Any person operating a bicycle shall obey the instructions of official trafficcontrol signals, signs, and other control devices applicable to vehicles, unless otherwise directed by a police officer.

(b) Whenever authorized signs are erected indicating that no right or left or U turn is permitted, no person operating a bicycle shall disobey the direction of any such sign, except where such person dismounts from the bicycle to make any such turn, in which event, such person shall then obey the regulations applicable to pedestrians.

Sec. 65. <u>Parking</u>. No person shall park a bicycle upon a street other than upon the roadway against the curb or upon the sidewalk in a rack to support the bicycle or against a building or at the curb, in such manner as to afford the lease obstruction to pedestrian traffic.

Sec. 66. <u>Riding on sidewalks</u>. (a) No person shall ride a bicycle upon a sidewalk within a business district.

(b) The chief of police is authorized to erect signs on any sidewalk or roadway prohibiting the riding of bicycles thereon by any person, and when such signs are in place, no person shall disobey the same.

(c) Whenever any person is riding a bicycle upon a sidewalk, such person shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing such pedestrian.

Sec. 67. <u>Penalties.</u> Every person convicted of a violation of any provision of this article shall be punished by a fine of not more than (300) dollars or by imprisonment for not more than (90) days in jail or both, except that in the case of children under 13 years of age, the juvenile offender should be delivered to the Juvenile Court for appropriate action.

#### ARTICLE XII. METHOD OF PARKING

Sec. 63. <u>Standing or parking close to curb</u>. No person shall stand or park a vehicle in a roadway other than parallel with the edge of the roadway headed in the direction of lawful traffic movement and with the wheels of the vehicle on that side which is consistent with the lawful movement of traffic within twelve (12) inches of the curb or edge of the roadway except as otherwise provided in this article.

Sec. 69. <u>Markings indicating angle parking</u>. The city traffic engineer shall determine upon what streets other than those forming a part of the primary or secondary state highways angle parking shall be permitted.

Sec. 70. <u>Obedience to angle-parking signs or markings</u>. Upon those streets which have been signed or marked for angle parking, no person shall park or stand a vehicle other than at the angle to the curb or edge of the roadway indicated by such signs or markings.

Sec. 71. <u>Permit for loading or unloading at an angle to the</u> <u>curb</u>. The city traffic engineer is authorized to issue special permits to permit the backing of a vehicle to the curb for the purpose of loading or unloading merchandise or materials subject to the terms and conditions of such permit. Such permits may be issued either to the owner or lessee of real property or to the owner of the vehicle

and shall grant to such person the privilege as therein stated and authorized herein, and it shall be unlawful for any permitee or other person to violate any of the special terms or conditions of any such permit. <u>Provided</u>, <u>however</u>, that no permit issued hereunder shall be exclusive.

#### ARTICLE XIII. STOFPING, STANDING, OR PARKING PROFIBITED IN SPECIFIED PLACES

Sec. 72. <u>Parking not to obstruct traffic</u>. No person shall park any vehicle upon a street, other than an alley, in such a manner or under such conditions as to leave available less than 3 feet of the width of the roadway for free movement of vehicular traffic.

Sec. 73. <u>Parking in alleys</u>. No person shall park a vehicle within an alley in such a manner or under such conditions as to leave available less than 8 feet of the width of the roadway for the free movement of vehicular traffic, and no person shall stop, stand, or park a vehicle within an alley in such position as to block the driveway entrance to any abutting property.

Sec. 74. <u>Parking for certain purposes prohibited</u>. No person shall park a vehicle upon any roadway for the principal purpose of:

(a) Displaying such vehicle for sale or for advertising services for vehicles.

(b) Washing, greasing, or repairing such vehicle except repairs necessitated by an emergency.

Sec. 75. <u>Parking adjacent to schools</u>. (a) The city traffic engineer is hereby authorized to erect signs indicating no parking upon either or both sides of any street adjacent to any school property when such parking would, in his opinion, interfere with traffic or create a hazardous situation.

(b) When official signs are erected indicating no parking upon that side of a street adjacent to any school property, no person shall park a vehicle in any such designated place.

Sec. 76. <u>Parking prohibited on narrow streets</u>. (a) The city traffic engineer is hereby authorized to erect signs indicating no parking upon both sides of a street when the width of the improved roadway does not exceed 20 feet, or upon one side of a street as indicated by such signs when the width of the improved roadway is between 20 and 23 feet.

(b) When official signs prohibiting parking are erected upon narrow streets as authorized herein, no person shall park a vehicle upon any such street in violation of any such sign.

Sec. 77. <u>No stopping, standing, or parking near hazardous or</u> <u>congested places</u>. (a) The city traffic engineer is hereby authorized to determine and designate by proper signs, places not exceeding 100 feet in length in which the stopping, standing, or parking of vehicles would create an especially hazardous condition or would cause unusual delay to traffic.

(b) When official signs are erected at hazardous or congested places as authorized herein, no person shall stop, stand, or park a vehicle in any such designated place.

ARTICLE MIV. STOPPING FOR LCADING OR UNLOADING ONLY

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Sec. 78. <u>City traffic engineer to designate curb loading zones</u>. The city traffic engineer is hereby authorized to determine the location of passenger and freight curb loading zones and shall place and maintain appropriate signs indicating the same and stating the hours

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during which the provisions of this section are applicable. No person shall be granted the right, use, or franchise for vehicle parking of any portion of the surface area of any public highway to the exclusion of any other like person.

Sec. 79. <u>Permits for curb loading zones</u>. (a) The city traffic engineer shall not hereafter designate or sign any curb loading zone upon special request of any person unless such person makes application for a permit for such zone and for two signs to indicate the ends of each such zone. <u>Provided</u>, <u>however</u>, that no permit issued hereunder shall be exclusive. The city traffic engineer, upon granting a permit and issuing such signs, shall collect from the applicant and deposit in the city treasury a service fee of (\$12.00) per year or fraction thereof and may by general regulations impose conditions upon the use of such signs and for reimbursement of the city for the value thereof in the event of their loss or damage and their return in the event of misuse or upon expiration of permit. Every such permit shall expire at the end of one (1) year.

Sec. 80. <u>Standing in passenger curb loading zone</u>. No person shall stop, stand, or park a vehicle for any purpose or period of time other than for the expeditious loading or unloading of passengers in any place marked as a passenger curb loading zone during hours when the regulations applicable to such curb loading zone are effective, and then only for a period not to exceed three minutes.

Sec. 81. <u>Standing in freight curb loading zones</u>. No person shall stop, stand, or park a vehicle for any purpose or length of time other than for the expeditious unloading and delivery or pickup and loading of materials in any place marked as a freight curb loading zone during hours when the provisions applicable to such zones are in effect. In no case shall the stop for loading and unloading of materials exceed thirty (30) minutes.

Sec. 82. <u>City traffic engineer to designate public carrier</u> <u>stands</u>. The city traffic engineer is hereby authorized and required to establish bus stops, bus stands, and taxicab stands for other passenger common-carrier motor vehicles on such public street in such places and in such number as he shall determine to be of the greatest benefit and convenience to the public, and every such bus stop, bus stand, taxicab stand, or other stand shall be designated by appropriate signs.

Sec. 83. <u>Stopping, standing, and parking of busses and taxicabs</u> regulated. (a) The operator of a bus shall not stand or park such vehicle upon any street at any place other than a bus stand so designated as provided herein.

(b) The operator of a bus shall not stop such vehicle upon any street at any place for the purpose of loading or unloading passengers or their baggage other than at a bus stop, bus stand, or passenger loading zone so designated as provided herein, except in case of an emergency.

(c) The operator of a bus shall enter a bus stop, bus stand, or passenger loading zone on a public street in such a manner that the bus when stopped to load or unload passengers or baggage shall be in a position with the right front wheel of such vehicle not further than 18 inches from the curb and the bus approximately parallel to the curb so as not to impede unduly the movement of other vehicular traffic.

(d) The operator of a taxicab shall not stand or park such vehicle upon any street at any place other than in a taxicab stand so designated as provided herein. This provision shall not prevent the operator of a taxicab from temporarily stopping in accordance with other stopping or parking regulations at any place for the purpose of and while actually engaged in the expeditious loading or unloading of passengers.



ORDINANCE NO. Page 13

The prohibitions enumerated herein as to loading or unload-(e) ing of buses shall not include school buses.

ARTICLE XV. STOPPING, STANDING, OR PARKING RESTRICTED OR PRCHIBITED ON CERTAIN STREETS

Application of article. The provisions of this arti-Sec. 84. cle prohibiting the standing or parking of a vehicle shall apply at all times or at those times herein specified or as indicated on official signs except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic-control device.

Sec. 85. <u>Regulations not exclusive</u>. The provisions of this article imposing a time limit on parking shall not relieve any person from the duty to observe other and more restrictive provisions prohibiting or limiting the stopping, standing, or parking of vehicles in specified places or at specified times.

Sec. 86. <u>Parking prohibited at all times on certain streets</u>. When signs are erected giving notice thereof, no person shall park a vehicle at any time upon any of the following described streets in any area which may be so posted, to wit:

#### Street Name

212th St. S.W. 196th St. S.W. 64th Ave. W.

Scriber Lake Road36th Ave. West188th Street S.W.200th St. S.W.14th Ave. West180th Street S.W.208th St. S.W.18th Ave. West176th Street S.W.212th St. S.W.50th Ave. West176th Street S.W. Cedar Valley Rd. 52nd Ave. West 56th Ave. West,

60th Ave. West

68th Ave. West 76th Ave. West

Sec. 87. Farking prohibited during certain hours on certain streets. Reserved.

Sec. 88. Stopping, standing, or parking prohibited during certain hours on certain streets. Reserved.

Sec. 89. Parking time limited on certain streets. Reserved.

Sec. 90. Parking signs required. Whenever by this or any other ordinance of this city any parking time limit is imposed or parking is prohibited on designated streets, it shall be the duty of the city traffic engineer to erect appropriate signs giving notice thereof, and no such regulations shall be effective unless said signs are erected and in place at the time of any alleged offense.

> REGULATING THE KINDS AND CLASSES OF TRAFFIC ON CERTAIN HIGHWAYS ARTICLE XVI.

Sec. 91. Load restrictions upon vehicles using certain streets. When signs are erected giving notice thereof, no person shall operate any vehicle with a gross weight in excess of the amounts specified in Schedule VII at any time upon any of the streets or parts of streets described in said Schedule VII below and made a part of this ordinance.

All Streets

EMERGENCY	LOAD RESTRIC	CTIONS
Tire Size	Gross Load	Each Tire
6.00	1100	Lbs
6.50	1300	Lbs
7.00	1600	Lbs
7.50	1600	Lbs
8.25	1600	Lbs
9.00	1900	Lbs
10.00	2250	Lbs
11.00	2250	Lbs

Sec. 92. <u>Commercial vehicles prohibited from using certain</u> <u>streets</u>. Reserved.

Sec. 93. <u>Restrictions upon use of streets by certain vehicles</u>. (a) The city traffic engineer is hereby authorized to determine and designate those heavily traveled streets upon which shall be prohibited the use of the roadway by motor-driven cycles, bicycles, horsedrawn vehicles, or other non-motorized traffic and shall erect appropriate signs giving notice thereof.

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(b) When signs are so erected giving notice thereof, no person shall disobey the restrictions stated on such signs.

Sec. 94. <u>Penalties</u>. Unless another penalty is expressly provided by law, every person convicted of a violation of any provision of this ordinance shall be punished by a fine of not more than (300) dollars or by imprisonment for not more than (90) days or by both such fine and imprisonment.

Sec. 95. <u>Procedure of police officers</u>. (a) Whenever any person is arrested for any violation of this ordinance, except those mentioned in subsection (b) hereof, the arresting officer may serve upon him a traffic citation and notice to appear in court. Such citation and notice shall conform to the requirements and be handled and disposed of in accordance with the Traffic Rules for Courts of Limited Jurisdiction and RCW 46.64.010. The arrested person may secure release, if permitted by the arresting officer, by giving his written promise to appear in court as required by the citation and notice by signing in the appropriate place the written citation and notice served by the arresting officer. Upon the arrested person's failing or refusing to sign written promise, he may be taken into custody of such arresting officer and so remain or be placed in confinement. Any person who cancels or solicits the cancellation of any traffic citation otherwise than as provided in this section shall be guilty of a violation of this ordinance.

(b) The provisions of subsection (a) of this section shall not apply to any person arrested and charged with an offense causing or contributing to an accident resulting in injury or death to any person or to any person charged with reckless driving, or to any person charged with driving while under the influence of intoxicating liquor or narcotic or other drugs, or to any person whom the arresting officer shall have good cause to believe has committed any felony, and the arresting officer shall take such person to the police station to be booked.

Sec. 96. <u>Disposition and records of traffic citations, warrants,</u> <u>and complaints</u>. (a) Every police officer upon issuing a traffic citation to an alleged violator of any provision of the motor vehicle laws of this State or of any traffic ordinance of this city shall deposit the complaint and the abstract of court record copy of such traffic complaint and citation with his immediate superior officer, who shall cause the original to be delivered to the (traffic court) of this city or to the traffic violations bureau. The police record copy of the traffic complaint and citation shall be retained in the traffic citation book and shall be delivered by such superior officer to the city (financial official) together with such book when all traffic complaints and citations therein have been used.

(b) Upon the filing of such original citation in the (traffic court) of this city as aforesaid, said citation may be disposed of only by trial in said court or by other official action by a judge of said court, including forfeiture or by payment of a fine to the traffic violations bureau of said court.

(c) The chief of police shall require the return to him of each traffic complaint and citation and all copies thereof, except that copy required to be retained in the book as provided herein, which has been spoiled or upon which any entry has been made and has not been issued to an alleged violator.



(d) The chief of police shall also maintain or cause to be maintained in connection with every traffic complaint and citation issued by a member of the police department a record of the disposition of the charge by the (traffic court) of this city or its traffic violations bureau.

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(e) The chief of police shall also maintain or cause to be maintained a record of all warrants issued by the (traffic court) of this city or by any other court on said traffic violation charges and which are delivered to the police department for service, and of the final disposition of all such warrants.

(f) It shall be unlawful and official misconduct for any member of the police department or other officer or public employee to dispose of, alter, or deface a traffic citation or any copy thereof, or the record of the issuance or disposition of any traffic citation, complaint, or warrant, in a manner other than as required in this section.

Sec. 97. <u>Illegal cancellation of traffic citations</u>. It shall be unlawful for any person to cancel or solicit the cancellation of any traffic citation in any manner other than as provided by this article.

Sec. 98. <u>Audit of records and reports.</u> (a) Every record of traffic citations, complaints thereon, and warrants issued therefor required in this article shall be audited at least monthly by the city treasurer who shall submit a report of such audit together with a summary thereof to the mayor and city council. Such reports shall be public records.

(b) For the purpose of this article, the mayor or his duly authorized representative shall have access at all times to all necessary records, files, and papers of the traffic court of this city, its traffic violations bureau, and the police department.

Sec. 99. Notice on illecally parked vehicle. Whenever any motor vehicle without operator is found parked, angle parked, or stopped in violation of any of the restrictions imposed by ordinance of this city, the officer finding such vehicle shall take its registration number and may take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to such vehicle a notice in writing, on a form provided by the city, for the operator to answer to the charge against him within twenty-four (24) hours, at a place specified in the notice. The officer shall deposit the complaint and the abstract of the court record copy of such traffic complaint and citation with the Police Judge or Municipal Traffic Judge, as the case may be, of the city or town having jurisdiction over the offense or with its traffic violations bureau.

Sec. 100. <u>Failure to comply with notice attached to parked ve-hicle</u>. If a violator of the restrictions on stopping, standing, or parking under the traffic laws or ordinances does not appear in response to a notice affixed to such motor vehicle within a period of twenty-four (24) hours, (the clerk of the traffic court) (or) the traffic violations bureau) shall send to the owner of the motor vehicle to which the notice was affixed a letter informing him of the violations and warning him that in the event such letter is disregarded for a period of five (5) days, a warrant of arrest will be issued.

Sec. 101. <u>Presumption in reference to illegal parking</u>. (a) In any prosecution charging a violation of any law or regulation governing the standing or parking of a vehicle, proof that the particular vehicle described in the complaint was parked in violation of any such law or regulation, together with proof that the defendant named in the complaint was at the time of such parking the registered owner of such vehicle, shall constitute in evidence a prima facie presumption that the registered owner of such vehicle was the person who

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parked or placed such vehicle at the point where, and for the time during which, such violation occurred.

(b) The foregoing stated presumption shall apply only when the procedure as prescribed in Secs 99 and 100 has been followed.

Sec. 102. When warrant to be issued. (a) Residents. The court shall issue a warrant for the arrest of any defendant who is a resident of this state and who has failed to appear before the court or the traffic violations bureau either in person or by counsel in answer to a traffic complaint and citation upon which he has given his written promise to appear. If the warrant is not executed within 30 days after issue, the court shall make an entry of the notification on the docket, and may add a charge against the defendant for failure to appear after a written promise to do so and mark the case closed, subject to being reopened when the appearance of the defendant is thereafter obtained.

(b) <u>Nonresidents.</u> If a nonresident defendant fails to appear before the court or the traffic violations bureau either in person or by counsel in answer to a traffic complaint and citation upon which he has given his written promise to appear, the court shall mail a notice to the defendant at the address stated in the complaint and citation requesting him to abide by his promise and appear in person or by counsel on a day certain, and notifying him that his failure to appear after a written promise to do so is a misdemeanor for which he may also be charged. If the nonresident defendant fails to respond within 30 days after the date set in the notice, the court shall issue a warrant for his arrest and shall make an entry of the notification on the docket, and may add a charge against the defendant for failure to appear after a written promise to do so, and mark the case closed, subject to being reopened when the appearance of the defendant is thereafter obtained.

Sec. 103. <u>Disposition of traffic fines and forfeitures</u>. All fines or forfeitures collected upon conviction or upon the forfeiture of bail of any person charged with a violation of any of the provisions of this ordinance shall be paid into the general fund of the city.

Sec. 104. Official misconduct. Failure, refusal, or neglect on the part of any judicial or other officer or employee receiving or having custody of any such fine or forfeiture of bail, either before or after a deposit in said city general fund, to comply with the provisions of Sec. 103 shall constitute misconduct in office and shall be ground for removal therefrom, provided appropriate removal action is taken pursuant to state law relating to removal of public officials.

Sec. 105. <u>Authority to impound vehicles</u>. (a) Members of the police department are hereby authorized to remove a vehicle from a street or highway to the nearest garage or other place of safety or to a garage designated or maintained by the police department or otherwise maintained by this city, under the circumstances herein-after enumerated.

(1) When any vehicle is left unattended upon any bridge, viaduct, or causeway, or in any tunnel where such vehicle constitutes an obstruction to traffic.

(2) When a vehicle upon a highway (or street, including tunnels, bridges, or approaches) is so disabled as to constitute an obstruction to traffic (or when) the person or persons in charge of the vehicle are by reason of physical injury incapacitated to such an extent as to be unable to provide for its custody or removal.

(3) When any vehicle is left unattended upon a street and is so parked illegally as to constitute a definite hazard or obstruction to the normal movement of traffic.

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(b) Whenever an officer removes a vehicle from a street as authorized in this section, he shall report the abandoned vehicle to the chief of the Washington State Patrol, and if the officer knows or is able to ascertain from the registration records in the vehicle the name and address of the registered and legal owner thereof, such officer shall immediately give or cause personal notice to be given in writing to such owner, if any record exists of the registered or legal owner, in the State of Washington, of the fact of such removal and the reasons therefore and of the place to which such vehicle has been removed. The abandoned vehicle shall be taken into the custody of the sheriff of the county where it has been abandoned, and stored. In the event any such vehicle is stored in a public garage, a copy of such notice shall be given to the proprietor of such garage.

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(c) Whenever an officer removes a vehicle from a street under this section and does not know and is not able to ascertain the name of the owner, or for any other reason is unable to give the notice to the owner as hereinbefore provided, and in the event the vehicle is not returned to the owner within a period of three (3) days, then and in that event, the officer shall immediately send or cause to be sent written report of such removal by mail to the State Department whose duty it is to register motor vehicles, and shall file a copy of such notice with the proprietor of any public garage in which the vehicle may be stored. Such notice shall include a complete description of the vehicle, the date, time, and place from which removed, the reasons for such removal, and name of the garage or place where the vehicle is stored.

(d) Any cost incurred in the removal thereof shall be paid by the owner of the vehicle so removed, and the same shall be a lien upon such vehicle.

#### ARTICLE XVII. ADOFTION BY REFERENCE

Section 106. <u>Statutes adopted</u>. The following statutes are hereby adopted by reference.

RCW 16.24.065 16.24.070 46.04.010 through 46.04.680, as amended, except 46.04.440 and 46.04.070 46.08.040 46.08.050 46.08.060 46.08.030 46.08.190 46.16.010 (1963 Supp.) 46.16.135 46.16.240 46.20.020 46.20.230 46.20.420 46.32.060 46.32.070 46.37.010 (1963 Supp.) 46.37.020 (1963 Supp.) 46.37.030 46.37.040 46.37.050 (1963 Supp.) 46.37.060 (1963 Supp.) 46.37.070 (1963 Supp.) 46.37.080 (1963 Supp.) 46.37.090 (1963 Supp.) 46.37.100 46.37.110 46.37.120 (1963 Supp.) 46.37.130 OFFICIAL COPY

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#### ARTICLE XVIII. EFFECT OF, AND SHORT TITLE OF, ORDINANCE

Section 107. Effect of partial invalidity. If any part of parts of this ordinance are for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 103. <u>Repeal</u>. Ordinance No. 19 of the City of Lynnwood is hereby repealed, and all ordinances or parts of ordinances in confliect with, or inconsistent with, the provisions of this ordinance are hereby repealed, except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the taking effect of this ordinance.

Section 109. <u>Short title</u>. This ordinance may be known and cited as the Traffic Ordinance.

Section 110. <u>Effective date</u>. This ordinance shall take effect and be in force five(5) days after its passage, approval and publication.

PASSED this 14th day of December, 1964, and signed in authentication of its passage this 14th day of December, 1964.

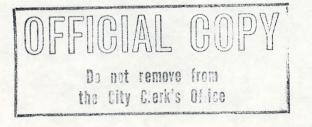
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Approved as to form:

Attorney

ATTEST:



# SCHEDULE II OF ORDINANCE NO. 219 OF CITY OF LYNNWOOD

# Arterial Highways