

**CITY OF CLARKSTON
CITY COUNCIL AGENDA
829 5th Street
MONDAY, September 22, 2014**

1. **CALL TO ORDER: 7:00 P.M.**
2. **PLEDGE OF ALLEGIANCE:**
3. **ROLL:**
4. **AGENDA CHANGES:**
5. **APPROVAL OF MINUTES:
September 8, 2014, Regular Meeting**

6. **COMMUNICATIONS:**
 - A. **From the Public** (Please limit comments to 3 minutes)
 - B. **From the Mayor**
 - C. **From Staff or Employees**

7. **COMMITTEE REPORTS:**
 - A. **Finance – Audit Report on Current Bills**
 - B. **Public Safety – September 16**
 - C. **Public Works – no meeting**
 - D. **Administrative/Intergovernmental – September 22**
 - E. **Community Development – September 16**

8. **UNFINISHED BUSINESS:**

9. **NEW BUSINESS:**
 - A. **Ordinance no. 1529, Amend Zoning re: Recreational Marijuana Businesses – 1st Reading**
 - B. **Ordinance No. 1531, Wheeled All-Terrain Vehicles – 1st Reading**
 - C. **Chief Cooper - Fire/Ambulance Staffing**

10. **COUNCIL COMMENTS**
11. **MEDIA QUESTIONS**
12. **ADJOURN**

Time limits for addressing the council have been established by council direction. Presentations are limited to 15 minutes and public comments are limited to 3 minutes per person, per topic.

Public Safety Committee

September 16, 2014

Attendance: Chief Hastings, Chief Cooper, Dick Jones, Terry Beadles

Chief Hastings presented a proposed ordinance for operation of Wheel ed All-Terrain Vehicles on city streets. This will be on the council agenda for action. (Agenda Item)

Chief Cooper stated that no updates on the dispatch contract were available.

The new fire engine is scheduled to leave the factory in the next few days. A complete inspection and testing will be completed by Clarkston fire personnel and Hughes when the engine arrives. There will be 30 days of training on the new engine before it goes into service. During the training, the new engine will be housed off site; then the old engine will be housed off site.

Chief Cooper presented material about the budget and continuance of the two firefighters on the present grant.

Community Development Committee

September 16, 2014

Attendance: George Nash, Belinda Lierman, Jim Martin, Terry Beadles, and Vern Owens (Lewis Clark Bicycling Alliance)

Mr. Owens presented information about the Bicycling Alliance. The Alliance is connected with the valley MPO. A handout was presented to the committee about the alliance.

PWD Martin stated that Clarkston includes bicycle enhancement in projects where possible.

CLARKSTON CITY COUNCIL MINUTES
September 8, 2014

COUNCIL:

<input checked="" type="checkbox"/> Beadles	<input checked="" type="checkbox"/> Nash
<input checked="" type="checkbox"/> Provost	<input checked="" type="checkbox"/> Baumberger
<input checked="" type="checkbox"/> Kolstad	<input checked="" type="checkbox"/> Blackmon
<input checked="" type="checkbox"/> Manchester	

STAFF:

Chief Hastings Chief Cooper Clerk Storey City Attorney Grow PWD Martin

AGENDA CHANGES:

APPROVAL OF MINUTES: MOTION BY BEADLES/KOLSTAD to approve the minutes of the August 25, 2014, Regular Meeting.

COMMUNICATIONS:

A. From the Public: Jennifer Haddock, 631 3rd Street, spoke regarding a claim for damages on her house. She said she filed a claim with the City's insurance carrier as she was told and received a phone call from WCIA on Friday denying her claim. She believes the city is responsible for the problems she has experienced with her house and asked what her next step should be. PWD Martin replied that the city has not seen the response from WCIA yet and Councilmember Provost explained that the city cannot give her legal advice.

B. From the Mayor:

C. From Staff:

Chief Cooper reported on the planned events to commemorate September 11.

COMMITTEE REPORTS:

Finance: Councilmember Provost reported the bills were reviewed and approved for payment. Total expenditures for August 31, 2014, of \$284.90 and September 8, 2014 of \$398,752.42. MOTION BY PROVOST/MANCHESTER to approve the bills. Motion carried.

Public Safety: Councilmember Beadles said committee met on September 2. Chief Cooper said there will a flag ceremony at 11:00 at City Hall in observation of September 11 and an emergency vehicle parade beginning at 5:00. The department will be testing for Reserve Firefighters in September. Cooper discussed the ending of the grant that has funded two firefighters for the past two years. He discussed the need to retain those positions.

Chief Hastings presented a resolution for posting signs banning smoking near park play areas. It is on the agenda. Committee reviewed a draft ordinance that would allow ATV's on city streets.

Public Works: No meeting.

Admin Committee: Councilmember Manchester said committee met earlier today. Clerk Storey explained some items on the agenda for the TBD.

Community Development: Councilmember Beadles said committee met on September 2nd. Committee recommends that James Braddock be appointed to fill a vacant position on the Planning Commission. Committee discussed the marijuana issue. They would like council discussion on Ordinance 1529, which established zoning regulations. Committee discussed the junk ordinance, vehicle licensing and rental housing issues. Committee will do additional research and discussion.

UNFINISHED BUSINESS:

NEW BUSINESS:

A. Appointment to Planning Commission

MOTION BY BEADALES/KOLSTAD to appoint James Braddock to the Planning Commission. Motion carried.

B. Discussion on Marijuana Zoning

Councilmember Beadles said he has given this issue a lot of thought. Beadles said he believes a location in the county makes sense. He is concerned about spin-off businesses that might crop up in conjunction with a retail establishment. He said residents of other states may come to purchase product, but cannot take it back to their own state and will need a place to use it. He said the county has zoned a location for retail business and he feels that is a good location.

Councilmember Nash said he voted against the zoning ordinance because he wanted to restrict it to medical marijuana, but since that is not feasible, he would be in favor of bringing the zoning ordinance back before the council.

Councilmember Kolstad said he feels the Planning Commission did a good job of providing a location for this type of business and the city should address the zoning and move forward from there. He said without a decision on the zoning the city runs the risk of businesses locating in areas that are not so desirable.

MOTION BY NASH/KOLSTAD to bring the zoning ordinance up for renewal. Councilmember Baumberger said he wants to have the ordinance number included in the motion. MOTION BY NASH/KOLSTAD to amend the motion to include that it is Ordinance No. 1529.

Councilmember Blackmon commented that the estimated revenue in the state of Colorado is less than expected. They have also reported that use by underage persons has increased.

Nash said he is not voting on marijuana, he is voting on the zoning.

Motion carried, 4-3; Kolstad, Manchester, Baumberger, Nash in favor; Provost, Beadles, Blackmon opposed.

C. Resolution No. 2014-13, Banning Smoking Near Park Play Areas

MOTION BY BEADLES/PROVOST to approve Resolution No. 2014-13. Motion carried, 6-1, Blackmon opposed.

D. Agreement for Use of Arnold Park with Clarkston Valley Thunder Soccer Club

PWD Martin said the city has had an agreement with a different soccer team in the past. This is a new club. The agreement has been reviewed by legal counsel. The required insurance documents have not been provided. Martin asked that council authorize the mayor to sign when those documents are provided. MOTION BY NASH/BAUMBERGER to authorize the mayor's signature once the insurance certificate has been provided. Motion carried.

COUNCIL COMMENTS:

Councilmember Beadles commented that it appears the new dispatch contract may save the city some funds. But he is concerned that the city is facing a flat year for revenue and the ending balance projection is frighteningly low. He said he believes the council needs to be cautious when it comes to the new budget.

Councilmember Nash reported he attended a Stormwater meeting and they will be presenting a budget to Council on December 8.

Councilmember Kolstad thanked Chief Cooper for his ongoing communication regarding the new fire truck and other issues.

MEDIA QUESTIONS:

ADJOURNMENT:

Meeting adjourned at 7:24 p.m.

Vickie Storey, City Clerk

Kathleen A. Warren, Mayor

Total Fund Expenditures, 8/31/14	Ck #57279, 20140807, 15, 16	\$284.90
Total Fund Expenditures, 9/08/14	Ck # 57280,81, 57334-96	\$126,824.87
Payroll, 8/31/14	Ck #57282-57333	\$271,752.42

DRAFT

ORDINANCE NO. 1529

AN ORDINANCE AMENDING CERTAIN SECTIONS OF CLARKSTON MUNICIPAL
CODE CHAPTER 17, WHICH ESTABLISHES ZONING REGULATIONS FOR THE
CITY OF CLARKSTON

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CLARKSTON,
WASHINGTON, DO ORDAIN AS FOLLOWS:

SECTION 1.0

Clarkston Municipal Code Chapter 17 is hereby amended as follows:

17.01.040 Definitions.

The following definitions are hereby added:

“Marijuana Processing” means processing, packaging and labeling of marijuana /
marijuana infused products for sale at wholesale to marijuana retailers..

“Marijuana Production” means the production of marijuana of marijuana for sale at
wholesale to marijuana processors.

“Marijuana Retail Sales” means a location where licensed marijuana retailers sell
only usable marijuana, marijuana infused products, and marijuana paraphernalia to persons
twenty-one years of age and older

17.10.030 Land use requirements.

	R-1	R-2	R-3	S-C	NC	D-C	M-C	P-C	H-I	Parking
Ice manufacturer-Cold storage plant	N	N	N	N	N	N	N	Y	Y	O
Industrial use, heavy	N	N	N	N	N	N	N	N	Y	O
Industrial use, light	N	N	N	Y	N	N	N	Y	Y	O
Junkyard	N	N	N	N	N	N	N	N	N	
Kennel	N	N	N	N	N	N	N	N	Y	M
Laundry / Commercial / Industrial	N	N	N	Y	N	N	N	Y	N	K
Laundry / Self Serve	N	N	N	Y	Y	Y	N	Y	N	J
Machine shop	N	N	N	Y	N	N	N	Y	Y	N
Manufacturing	N	N	N	N	N	N	N	Y	Y	O
Manufactured house	Y	Y	Y	N	N	N	Y	N	N	A
Manufactured housing park	N	N	Y*	N	N	N	N	N	N	A
Marijuana Processing	N	N	N	N	N	N	N	N	Y	O
Marijuana Production	N	N	N	N	N	N	N	N	Y	O
Marijuana Retail Sales	N	N	N	Y	N	Y	N	Y	N	K
Marina	N	N	N	N	N	N	N	Y	Y	L
Meat packing plant	N	N	N	N	N	N	N	Y	Y	O
Medically related professional office	N	N	Y*	Y	Y	Y	Y	Y	N	K
Medical, dental, optical laboratory	N	N	N	Y	N	Y	Y	Y	N	K
Mobile home park	N	N	Y*	N	N	N	N	N	N	A
Monument works	N	N	N	Y	N	Y	N	Y	Y	N
Mortuary	N	N	N	Y	N	N	Y	N	N	L
Motel	N	N	N	Y	N	N	N	Y	N	C
Nursery for flowers and plants	N	N	N	Y	Y	N	N	Y	Y	M
Nursing home	Y	Y	Y	N	N	N	Y	N	N	D
Parking lot	N	N	CU	Y	Y	Y	Y	Y	Y	Q
Petroleum storage	N	N	N	N	N	N	N	N	Y	Q
Photo studio	N	N	N	Y	Y	Y	N	Y	N	K
Planned development	Y	Y	Y	Y	Y	Y	Y	N	N	A
Print shop	N	N	N	Y	N	Y	N	Y	N	M
Public utility yard	N	N	N	N	N	N	N	Y	Y	Q
Recreational Facility / Public	CU	CU	CU	CU	N	N	N	CU	N	Q
Recreational vehicle park	N	N	CU	Y	N	N	N	N	N	B
Recycling center	N	N	N	N	N	N	N	N	Y	Q

EXCLUSIONARY ZONING

17.10.030

	R-1	R-2	R-3	S-C	NC	D-C	M-C	P-C	H-I	Parking
Aircraft Hanger	N	N	N	N	N	N	N	Y	Y	Q
Adult Family Home	Y	Y	Y	N	N	N	Y	N	N	D
Apartment houses	N	Y**	Y	N	N	N	Y	Y	N	B
Arcade	N	N	N	Y	Y	Y	N	N	N	Q
Asphalt plant	N	N	N	N	N	N	N	N	Y	O
Automobile body repair shop	N	N	N	Y	N	N	N	Y	N	M
Automobile rental	N	N	N	Y	N	N	N	Y	N	M
Automobile sales or service	N	N	N	Y	N	N	N	Y	N	M
Automobile storage	N	N	N	Y	N	N	N	Y	Y	O
Bakery	N	N	N	Y	Y	Y	N	Y	N	N
Bank/financial institution	N	N	N	Y	Y	Y	N	N	N	L
Bar, tavern or cocktail lounge	N	N	N	Y	N	Y	N	Y	N	P
Beauty, barbershop	N	N	N	Y	Y	Y	Y	N	N	K
Bed and breakfast inn	CU	CU	Y	Y	N	Y	Y	N	N	C
Billboard	N	N	N	N	N	N	N	N	N	
Boat building or repair	N	N	N	Y	N	N	N	Y	Y	N
Boat/mobile home sales/service	N	N	N	Y	N	N	N	Y	N	M
Boat Moorage Commercial	N	N	N	Y	N	N	N	Y	Y	L
Bottling plant	N	N	N	N	N	N	N	N	Y	O
Bowling alley	N	N	N	Y	N	Y	N	Y	N	I
Brewery/Distillery/Winery	N	N	N	Y	N	Y	N	Y	Y	Q
Building supply outlet	N	N	N	Y	N	Y	N	Y	Y	L
Business or professional office	N	N	CU	Y	Y	Y	Y	Y*	N	K
Cabinet/furniture shop	N	N	N	Y	N	N	N	Y	Y	N
Car wash	N	N	N	Y	N	N	N	N	N	Q
Cement/clay products mfg	N	N	N	N	N	N	N	N	Y	O
Cemetery	Y	Y	Y	Y	Y	Y	Y	N	N	Q
Chemical storage	N	N	N	N	N	N	N	N	Y	O
Child day care center	CU	CU	CU	CU	CU	CU	CU	N	N	H
Church	Y	Y	Y	Y	Y	Y	Y	N	N	E
Concrete batch plant	N	N	N	N	N	N	N	N	Y	N

	R-1	R-2	R-3	S-C	NC	D-C	M-C	P-C	H-I	Parking
Contractors' storage yard	N	N	N	N	N	N	N	Y	Y	L
Convenience store (flr area <2500 sf)	N	N	N	Y	Y	Y	N	Y	N	J
Convenience store (flr area >2500 sf)	N	N	N	Y	N	Y	N	Y	N	J
Dairy products processing	N	N	N	N	N	N	N	Y	Y	N
Dance, music, voice studio	N	N	N	Y	Y	Y	N	Y	N	L
Dormitory	N	Y*	Y	N	N	N	N	N	N	D
Drug store	N	N	N	Y	Y	Y	Y	Y	N	K
Dry cleaning establishment	N	N	N	Y	Y	Y	N	N	N	M
Duplex dwelling	Y	Y	Y	N	N	N	N	N	N	A
Equipment rental/sales yard	N	N	N	Y	N	N	N	Y	Y	L
Espresso / Food Stand	N	N	N	Y	Y	N	Y	Y	N	O
Farming (with livestock)	N	N	N	N	N	N	N	N	N	
Farming (without livestock)	N	N	N	N	N	N	N	N	N	
Farm or heavy equipment sales/service	N	N	N	Y	N	N	N	Y	Y	L
Funeral home	N	Y	Y	Y	N	N	N	N	N	L
Food processing plant	N	N	N	N	N	N	N	Y	Y	O
Food store (floor area<2,500 sq. ft.)	N	N	N	Y	Y	Y	N	Y	N	M
Food store (floor area>2,500 sq. ft.)	N	N	N	Y	CU	N	N	Y	N	M
Fraternity/sorority house	N	Y*	Y	N	N	N	N	N	N	D
Freight terminal	N	N	N	N	N	N	N	Y	Y	O
Frozen food locker	N	N	N	Y	N	N	N	N	N	M
Fuel yard	N	N	N	N	N	N	N	N	Y	Q
Furniture refinishing	N	N	N	Y	N	N	N	Y	Y	M
Garage, private	Y	Y	Y	Y	N	N	Y	N	N	Q
Garage, repair	N	N	N	Y	N	N	N	Y	Y	N
Gas Station	N	N	N	Y	Y	N	N	Y	Y	L
Gift shop	N	N	N	Y	Y	Y	N	Y	N	L
Grain storage	N	N	N	N	N	N	N	Y	Y	Q
Hazardous waste facility	N	N	N	N	N	N	N	N	Y	O
Health Club Private	N	N	N	Y	Y	Y	N	Y	N	L
Home occupation	Y	Y	Y	N	N	N	N	N	N	Q
Hospital	N	N	N	N	N	N	Y	N	N	D
Hotel	N	N	N	Y	N	Y	Y	Y	N	C

	R-1	R-2	R-3	S-C	NC	D-C	M-C	P-C	H-I	Parking
Recycling collection point	Y	Y	Y	Y	Y	Y	Y	Y	Y	Q
Recycling plant	N	N	N	N	N	N	N	N	Y	O
Rendering plant	N	N	N	N	N	N	N	N	N	
Research laboratory	N	N	N	Y	N	N	Y	Y	Y	L
Restaurant	N	N	N	Y	Y	Y	N	Y	N	P
Restaurant, Drive-in	N	N	N	Y	Y	N	N	N	N	P***
Retail store (flr area <2500 sf)	N	N	N	Y	Y	Y	N	Y	N	M
Retail store (flr area >2500 sf)	N	N	N	Y	N	Y	N	Y	N	M
Sanitary landfill	N	N	N	N	N	N	N	N	N	Q
Sales / Occasional	N	N	N	Y	Y	Y	N	Y	N	K
Schools (College)	N	N	N	Y	N	N	Y	N	N	H
Schools (K-12)	Y	Y	Y	Y	N	N	N	N	N	H
Second-floor apartment	Y	Y	Y	Y	Y	Y	Y	Y	N	B
Service Station	N	N	N	Y	N	N	N	Y	N	L
Sign shop	N	N	N	Y	N	Y	N	Y	N	N
Single-family dwelling	Y	Y	Y	N	N	N	Y	N	N	A
Storage rental unit	N	N	N	Y	N	N	N	Y	N	Q
Terminal yard, trucking	N	N	N	N	N	N	N	Y	Y	Q
Tire shop	N	N	N	Y	N	N	N	Y	Y	M
Theater / Interior	N	N	N	Y	N	Y	N	N	N	E
Transportation facilities	N	N	N	N	N	N	N	Y	Y	Q
Truck and tractor repair	N	N	N	N	N	N	N	Y	Y	M
Upholstery shop	N	N	N	Y	N	Y	N	Y	Y	N
Veterinary clinic	N	N	N	Y	N	N	N	Y	Y	M
Warehouse	N	N	N	Y	N	N	N	Y	Y	O
Wholesale distributing facility	N	N	N	Y	N	N	N	Y	Y	O
Wireless Telecommunication facility	Y*	Y*	Y*	Y*	Y*	Y*	Y*	Y*	Y*	CU
Wood processing plant	N	N	N	N	N	N	N	Y	Y	O
Wrecking yard	N	N	N	N	N	N	N	N	N	

*Review special requirements

** Maximum of four (4) attached units (four-plex).

*** In addition to the parking requirement, eight stacking spaces for the drive up window, with a minimum of four such spaces designated for the ordering station. Such spaces shall be designed so as not to impede pedestrian or vehicular Circulation on the site or on any abutting streets.

SECTION 2.0

This ordinance shall be in full force and effect upon the signing hereof by the Mayor, authentication by the City Clerk and publication as required by law.

DATED this _____ day of _____, 2014.

Kathleen A. Warren, Mayor

Authenticated:

Vickie Storey, City Clerk

ORDINANCE NO. 1531

AN ORDINANCE OF THE CITY OF CLARKSTON, WASHINGTON, CREATING A NEW CHAPTER OF THE CLARKSTON MUNICIPAL CODE, CHAPTER 10.70, WHICH ESTABLISHES REGULATIONS FOR THE USE OF WHEELED ALL-TERRAIN VEHICLES ON CITY STREETS.

Sections:

- 10.70.010 Definitions.
- 10.70.020 Use of wheeled all-terrain vehicle on city streets.
- 10.70.030 Restrictions on use of wheeled all-terrain vehicle on city streets.
- 10.70.040 Equipment requirements of a wheeled all-terrain vehicle.
- 10.70.050 Registration requirements of a wheeled all-terrain vehicle.
- 10.70.060 Duty to obey traffic-control devices and rules of the road.
- 10.70.070 Prohibited uses.
- 10.70.080 Prohibited areas.
- 10.70.090 Violation—Penalty.
- 10.70.990 Severability.

10.70.010 Definitions.

When used in this chapter, the city defines the words and phrases listed below as follows:

“City” means the city of Clarkston, its elected officials, its employees, and its agents.

“City street” means every way, lane, road, street, boulevard, and every way or place in the city open as a matter of right to public vehicular traffic inside the city limits.

“Motorcycle helmet” has the same meaning as provided in RCW 46.37.530.

“Rules of the road” means all the rules that apply to vehicle or pedestrian traffic as set forth in state statute, rule or regulation.

“Sidewalk” means that property between the curb lines or the lateral lines of a city street and the adjacent property, set aside and intended for the use of pedestrians or such portion of private property parallel and in proximity to a city street and dedicated to use by pedestrians.

"Wheeled all-terrain vehicle" means (a) any motorized non-highway vehicle with handlebars that is fifty inches or less in width, has a seat height of at least twenty inches, weighs less than one thousand five hundred pounds, and has four tires having a diameter of thirty inches or less, or (b) a utility-type vehicle designed for and capable of travel over designated roads that travels on four or more low-pressure tires of twenty psi or less, has a maximum width less than seventy-four inches, has a maximum weight less than two thousand pounds, has a wheelbase of one hundred ten inches or less, and satisfies at least one of the following: (i) Has a minimum width of fifty inches; (ii) has a minimum weight of at least nine hundred pounds; or (iii) has a wheelbase of over sixty-one inches. A wheeled all-terrain vehicle is an off-road vehicle for the purposes of Chapter 4.24 RCW.

10.70.020 Use of wheeled all-terrain vehicle on city streets.

Subject to the restrictions and requirements set forth in this chapter, a person who has attained the age of twenty-one years and who has a valid driver's license issued by the state of the person's residence may operate a wheeled all-terrain vehicle upon a city street having a speed limit of thirty-five miles per hour or less.

10.70.030 Restrictions on use of wheeled all-terrain vehicle on city streets.

- A. A person who operates a wheeled all-terrain vehicle must wear a securely fastened motorcycle helmet while the vehicle is in motion.
- B. A person may not operate a wheeled all-terrain vehicle upon a city street with a speed limit in excess of thirty-five miles per hour; however, a person may cross a city street with a speed limit in excess of thirty-five miles per hour at a controlled intersection if the crossing begins and ends on a city street with a speed limit of thirty-five miles per hour or less and occurs at an intersection of approximately ninety degrees;
- C. A person may operate a wheeled all-terrain vehicle upon any city street while being used under the authority or direction of an appropriate agency that engages in emergency management, as defined in RCW 46.09.310, or search and rescue, as defined in RCW 38.52.010, or a law enforcement agency, as defined in RCW 16.52.011, within the scope of the agency's official duties; and
- D. Wheeled all-terrain vehicles are subject to Chapter 46.55 RCW.

10.70.040 Equipment requirements of a wheeled all-terrain vehicle.

A wheeled all-terrain vehicle operated on a city street must comply with the following equipment requirements:

- A. Headlights meeting the requirements of RCW 46.37.030 and 46.37.040 and used at all times when the vehicle is in motion;
- B. One tail lamp meeting the requirements of RCW 46.37.525 and used at all times when the vehicle is in motion upon a city street; however, a utility-type vehicle, as described under RCW 46.09.310, must have two tail lamps meeting the requirements of RCW 46.37.070(1) and to be used at all times when the vehicle is in motion upon a city street;
- C. A stop lamp meeting the requirements of RCW 46.37.200;
- D. Reflectors meeting the requirements of RCW 46.37.060;
- E. During hours of darkness, as defined in RCW 46.04.200, turn signals meeting the requirements of RCW 46.37.200;
- F. Outside of hours of darkness, the operator must comply with RCW 46.37.200 or 46.61.310;
- G. A mirror attached to either the right or left handlebar, which must be located to give the operator a complete view of the city street for a distance of at least two hundred feet to the rear of the vehicle; however, a utility-type vehicle, as described under RCW 46.09.310(19), must have two mirrors meeting the requirements of RCW 46.37.400;
- H. A windshield meeting the requirements of RCW 46.37.430, unless the operator wears glasses, goggles, or a face shield while operating the vehicle, of a type conforming to rules adopted by the Washington state patrol;
- I. A horn or warning device meeting the requirements of RCW 46.37.380;
- J. Brakes in working order;
- K. A spark arrester and muffling device meeting the requirements of RCW 46.09.470; and
- L. For utility-type vehicles, as described under RCW 46.09.310(19), seatbelts meeting the requirements of RCW 46.37.510.
- M. Must have an individual seat for each occupant designed to seat a person.

10.70.050 Registration requirements of a wheeled all-terrain vehicle.

A wheeled all-terrain vehicle operated on a city street must comply with all the registration requirements of Chapter 46.09 RCW.

10.70.060 Duty to obey traffic-control devices and rules of the road.

Unless a police officer directs otherwise, a person operating a wheeled all-terrain vehicle must obey all rules of the road that apply to vehicle or pedestrian traffic and must obey the instructions of official traffic-control signals, signs and other control devices applicable to vehicles. A person operating a wheeled all-terrain vehicle upon a city street is subject to all of the duties that Chapter 46.61 RCW et seq. imposes on an operator of a vehicle, except as to those provisions thereof which by their nature can have no application.

10.70.070 Prohibited uses.

- A. No person may operate or ride a wheeled all-terrain vehicle in a negligent or unsafe manner, but must operate it with reasonable regard for his or her own safety and for the safety of others.
- B. No person may occupy a wheeled all-terrain vehicle unless that person is seated in a seat designed to carry a person. No person may tow any devices or persons behind a wheeled all-terrain vehicle.
- C. No person may operate a wheeled all-terrain vehicle side-by-side in a single lane of traffic

10.70.080 Prohibited areas.

- A. It is unlawful to operate a wheeled all-terrain vehicle on a sidewalk or other area where it is unlawful to operate a motor vehicle.
- B. It is unlawful to operate a wheeled all-terrain vehicle in a park, except on a park drive or in a designated parking lot.
- C. It is unlawful to operate a wheeled all-terrain vehicle on any bicycle trail or walking path or in any bicycle lane.

10.70.090 Violation—Penalty.

A person who violates a provision of this chapter is guilty of a traffic infraction and will be punished by the imposition of a monetary penalty not to exceed two hundred fifty dollars, exclusive of statutory assessments; provided, that conduct that constitutes a criminal offense may be charged as such and is subject to the maximum penalties allowed for such offenses.

10.70.990 Severability.

If any section, subsection, sentence, clause, paragraph, phrase, or word of this chapter should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, paragraph, phrase or word of this chapter.

Effective Date:

This ordinance shall take effect five (5) days after its passage, approval and publication.

PASSED by the City Council of the City of Clarkston this _____ day of October, 2014.

APPROVED:

Kathleen A. Warren, Mayor

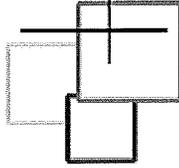
ATTEST:

Vickie Storey, City Clerk

APPROVED AS TO FORM:

James Grow, City Attorney

Transaction Activity



Reference	Vendor	Period	Amount	Number
Receipt				
<u>08-12-14</u>	<u>Receiving Vendor</u>	<u>2014 - August</u>	<u>\$4,021.61</u>	<u>08-12-14</u>
<u>120-000-084-342-60-00-00</u>	<u>Transport Fees</u>		<u>\$4,021.61</u>	
<u>08-18-14#</u>	<u>Receiving Vendor</u>	<u>2014 - August</u>	<u>\$817.83</u>	<u>08-18-14#</u>
<u>120-000-084-342-60-00-00</u>	<u>Transport Fees</u>		<u>\$817.83</u>	
<u>08-19/14</u>	<u>Receiving Vendor</u>	<u>2014 - August</u>	<u>\$150.00</u>	<u>08-19-14#</u>
<u>120-000-084-342-60-00-00</u>	<u>Transport Fees</u>		<u>\$150.00</u>	
	Total Receipt		\$4,989.44	
	Grand Total		\$4,989.44	