TITLE OF DOCUMENT:
Ordinance – Birch Bay Parking Restrictions

ATTACHMENTS:
Ordinance, memorandum

SEPA review required? ( ) Yes ( ) NO
SEPA review completed? ( ) Yes ( ) NO

Should Clerk schedule a hearing? ( X ) Yes ( ) NO
Requested Date: May 10, 2005

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE: (If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)

Ordinance addressing parking restrictions on the beach side of Birch Bay Drive.

COMMITTEE ACTION:
4/26/2005: Introduced
5/10/2005: Adopted 7-0 Ordinance #2005-047

COUNCIL ACTION:

Related County Contract #: Related File Numbers: Ordinance or Resolution Number:

Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County’s website at: www.co.whatcom.wa.us/council.
ORDINANCE NO. 2005-047

AN ORDINANCE ESTABLISHING PARKING RESTRICTIONS

WHEREAS, Whatcom County Council is authorized under RCW 46.61.570 to restrict parking on certain County roads; and

WHEREAS, Whatcom County adopted Ordinance 99-024 to amend Whatcom County Code 10.24, to establishing parking controls on Birch Bay Drive and Birch Point Road; and

WHEREAS, Whatcom County adopted Ordinance 2000-010 to amend Whatcom County Code 10.24, to discourage parking at a described location within Birch Bay, and

WHEREAS, given that present use of parking in these areas during the stated hours has prompted safety concerns and recognition of the need for greater restrictions during these hours, it is now necessary to amend the Code;

NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that Whatcom County Code 10.24.070 shall be amended as follows:

10.24.070 Birch Bay Drive.

A. There shall be no parking from 10:30 p.m. to 8:00 a.m. on the following sections adjacent to Birch Bay Drive,

1. Section 36, Township 40 North, Range 1 West, W.M.
   a. All public parking on an approximately 200 feet section of Birch Bay Drive from the Birch Bay State Park gate on the north end of park to the State Park property line, and
   b. All platted right-of-way of Birch Bay Park lying west of Birch Bay Drive to include; Maple, Madrona, Pine, Bay and Cedar, and

2. Section 31, Township 40 North, Range 1 East, W.M.
   a. All platted right-of-way of Birch Bay Park First Addition lying west of Birch Bay Drive to include; Broadway, Beach Way and James Way, and
   b. All of Alderson Road right-of-way lying west of Birch Bay Drive, and
   c. All designated parking spaces along Birch Bay Drive north of Alderson Road, and

3. Section 30, Township 40 North, Range 1 East, W.M.
   a. All designated parking spaces along Birch Bay Drive on the waterside in this section,

4. Section 24, Township 40 North, Range 1 West, W.M.
   a. All designated parking spaces along Birch Bay Drive on the waterside in this section, and

   between Shore Acres Resort and Birch Bay Golf Resort on beach side of road, located in Section 30, Township 40 North, Range 1 East, W.M.
B. A no-parking any time, tow-away zone shall be established on the following sections of Birch Bay Drive, Section 30, Township 40 North, Range 1 East, W.M., the water side only:
   1. Between Harborview Road and 0.38 miles south of Harborview Road; and
   2. Between 0.48 miles and 0.56 miles south of Harborview Road; and
   3. Between 0.60 miles and 0.85 miles south of Harborview Road.
C. A “no-parking on paved shoulder” zone shall be established on Birch Bay Drive, from Point Whitehorn Road, north through Birch Bay Park to Shintaffer Road, and Birch Point Road from Shintaffer Road to Birch Point Loop Road, located within Sections 1 and 2, Township 39 North, Range 1 West of W.M.; Section 36, Township 40 North, Range 1 West of W.M.; and Sections 23, 24, 30 and 31, Township 40 North, Range 1 East of W.M.; except for designated parking areas.
(Ord. 99-024; Ord. 83-71; prior code § 6.16.070).

BE IT FURTHER ORDAINED that during the time that this area is closed anyone who is found in the area shall be ordered to disburse and if they fail to leave shall be subject to a citation.

BE IT FURTHER ORDAINED that signs shall be posted stating the restrictions.

BE IT FURTHER ORDAINED that a violation of this ordinance shall be considered an infraction as spelled out in WCC 10.24.130.

ADOPTED this 10th day of May, 2005.

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Laurie Caskey-Schreiber, Council Chair

Date: 5-16-05