



Legislation Passed April 19, 2022

The Tacoma City Council, at its regular City Council meeting of April 19, 2022, adopted the following resolutions and/or ordinances. The summary of the contents of said resolutions and/or ordinances are shown below. To view the full text of the document, click on the bookmark at the left of the page.

Resolution No. 40949

A resolution authorizing the execution of a grant agreement with the Office of Justice Programs at the Department of Justice, in the amount of \$303,790, accepting and depositing said sum into the Neighborhood and Community Services Special Revenue Fund, for external contracts that support community violence interventions and the City's transformation efforts, retroactive to October 1, 2020, through September 30, 2024.

[Vicky McLaurin, Community Wellness Program Manager; Linda Stewart, Director, Neighborhood and Community Services]

Resolution No. 40950

A resolution authorizing the execution of a Quit Claim Deed to City Central to remove a property clearing on the title, located at 4041 Tacoma Mall Boulevard.

[Troy Stevens, Senior Real Estate Specialist; Jeffrey Jenkins, Interim Director, Public Works]

Resolution No. 40951

A resolution authorizing the execution of a Multi-Family Housing Eight-Year Limited Property Tax Exemption Agreement with Tacoma Land Investments LLC, for the development of 306 multi-family market-rate rental housing units, located at 1924 Yakima Avenue, in the Downtown Regional Growth Center.

[Debbie Bingham, Project Manager; Jeff Robinson, Director, Community and Economic Development]

Resolution No. 40952

A resolution authorizing the execution of a Multi-Family Housing Eight-Year Limited Property Tax Exemption Agreement with VDR Land, LLC, for the development of 132 multi-family market-rate rental housing units, located at 506 North 4th Street, in the Downtown Regional Growth Center.

[Debbie Bingham, Project Manager; Jeff Robinson, Director, Community and Economic Development]

Ordinance No. 28809

An ordinance amending Chapter 1.12 of the Municipal Code, relating to the Compensation Plan, to implement compensation for employees represented by Teamsters Local 313.

[Dylan Carlson, Senior Labor Relations Manager; Bill Fosbre, City Attorney]

Substitute Ordinance No. 28810

An ordinance amending Chapter 1.12 of the Municipal Code, relating to the Compensation Plan, to implement rates of pay and compensation for a new classification entitled Police Chief of Staff; and declaring an emergency, making necessary the passage of this ordinance and its becoming effective immediately.
[Kari L. Louie, Assistant Director; Shelby Fritz, Director, Human Resources]

Amended Ordinance No. 28811

An amended ordinance amending Chapter 11.05 of the Municipal Code, relating to Model Traffic Ordinance, by adding a new Section 11.05.133, entitled "Unlawful exhibition of speed attendance prohibited", relating to prohibiting attendance at unlawful exhibitions of speed.
[Council Member Rumbaugh]



RESOLUTION NO. 40949

1 A RESOLUTION relating to justice programs; authorizing the execution of a grant
2 agreement and any associated term extensions with the Office of Justice
3 Programs at the Department of Justice, and accepting the amount of
4 \$303,790, for deposit into the Neighborhood and Community Services
5 Special Revenue Fund, for the purpose of allocation for external contracts
6 that support community violence interventions and the City's transformation
7 efforts, retroactive to October 1, 2020, to September 30, 2024, and
8 authorization to sign the Chief Executive Certifications.

9 WHEREAS the City has applied for and been awarded \$303,790 in grant
10 funding from the Office of Justice Programs at the Department of Justice ("DOJ")
11 2021 Edward Byrne Memorial Juvenile Justice Assistance Grant ("JAG"), and

12 WHEREAS Pierce County and the City jointly applied for these funds,
13 and pursuant to a Memorandum of Understanding, will split the grant equally
14 between the two jurisdictions, with the City both acting as the lead agency and
15 having the responsibility of accepting the award and signing the necessary
16 certifications to receive the funds, and

17 WHEREAS the City has accepted the grant in the DOJ's automated
18 system, and this action would authorize the City Manager to execute the
19 Certifications and Assurances which allow for expenditure of the funds, and

20 WHEREAS the City will use its portion of the allocation for external
21 contracts that support community violence interventions and the City's
22 transformation efforts, and update the youth and young adult violence
23 assessment, and

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1 WHEREAS the City has previously used JAG funding to support the
2 purchase of body worn cameras, and the 2020 DOJ Coronavirus Emergency
3 Supplement Project to prevent, prepare for, and respond to the coronavirus by
4 purchasing personal protective equipment, and contracting with external
5 providers to address the impacts of isolation, and
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7 WHEREAS as a requirement of the DOJ JAG application, the City has
8 made both the application and the City's response available for the public to
9 review and make comments about on the City's website, and
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11 WHEREAS once the award is accepted, Neighborhood and Community
12 Services will provide quarterly updates to the DOJ and the City Council
13 detailing the performance outcomes supported by this funding source, and
14

15 WHEREAS, under the grant process guidelines, the City Council must
16 approve acceptance of grant funding; Now, Therefore,
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18 BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

19 Section 1. That the proper officers of the City are hereby authorized to
20 accept grant funding from the Office of Justice Programs at the Department of
21 Justice ("DOJ") 2021 Edward Byrne Memorial Juvenile Justice Assistance
22 Grant in the amount of \$303,790, for deposit into the Neighborhood and
23 Community Services Special Revenue Fund, for the purpose of allocation for
24 external contracts that support community violence interventions and the City's
25 transformation efforts, retroactive to October 1, 2020, to September 30, 2024.
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Section 2. That the proper officers of the City are hereby authorized to sign the Chief Executive Certifications.

Section 3. That the proper officers of the City are hereby authorized to execute a grant agreement and any associated term extensions with the Office of Justice Programs at the DOJ for the administration of the funding accepted pursuant to Section 1, said document to be substantially in the form of the proposed grant agreement on file in the office of the City Clerk.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



RESOLUTION NO. 40950

1 A RESOLUTION relating to street vacations; authorizing the execution of a Quit
2 Claim Deed to remove a property clearing on the title, located at
3 4041 Tacoma Mall Boulevard in the City of Tacoma, to convey the parcels
4 to City Central, a Washington non-profit corporation.

4 WHEREAS Oakes Avenue, which became 40th Street East, was
5 dedicated to the City in the Plat of Alameda Addition, Volume 3 of Plats, Page 59
6 ("Plat"), and pursuant to the Plat, the right-of-way dedication for the road was
7 51 feet wide, and
8

9 WHEREAS a 19-foot strip of land which abutted the northerly boundary of
10 the road was deeded to the City through Pierce County Treasurer's Deed
11 1441043, making the road 70 feet wide, and
12

13 WHEREAS, in the late 1950s, the State of Washington appropriated areas
14 for its Primary State Highway No. 1 project, which included Parcel
15 Nos. 032018-1031 and 032018-1049 ("Parcels") and abutting road rights-of-way,
16 and upon highway completion, the State deeded as surplus property the Parcels
17 and the abutting road rights-of-way to the City via Quit Claim Deed 8301100171,
18 and
19

20 WHEREAS the City, pursuant to Ordinance No. 23325, recorded under
21 Pierce County recording number 8508120242, vacated the segment of the street
22 abutting the Parcels, and
23

24 WHEREAS, since the City held title to the Parcels at the time of vacation,
25 and because title to vacated streets "vest in the owners of said property abutting
26 thereon" by operation of law, the City retained fee title to its portion of the



1 vacated street automatically upon recording of Ordinance No. 23325, without
2 further legal action required, and

3 WHEREAS thereafter, the City deeded the Parcels to the State via Quit
4 Claim Deed 860226038, which did not include a legal description of the vacated
5 street nor reference to Ordinance No. 23325, and

6 WHEREAS, subsequently, the State of Washington deeded the Parcels to
7 Bethel Christian Assembly via Quit Claim Fulfillment Deed 9812240435, and
8 Bethel Christian Assembly then conveyed the Parcels to City Central, a
9 Washington non-profit corporation, and
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11 WHEREAS City Central is now requesting that the City grant a quit claim
12 deed to it in order to confirm that the City has no interest in the vacated street;

13 Now, Therefore,

14 BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

15 That the proper officers of the City are hereby authorized to execute a
16 Quit Claim Deed to remove a property clearing on the title, located at
17 4041 Tacoma Mall Boulevard (Parcel Nos. 032018-1031 and 032018-1049) in
18 the City of Tacoma, as more particularly described in the attached Exhibit "A,"
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1 to convey the parcels to City Central, a Washington non-profit corporation, all as
2 more specifically set forth in the documents on file in the office of the City Clerk.

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4 Adopted _____

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Mayor

7 Attest:

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9 _____
City Clerk

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11 Approved as to form:

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13 _____
Deputy City Attorney

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EXHIBIT "A"

LEGAL DESCRIPTION

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Assessor Parcel Nos.: 032018-1049 and 032018-1031

THAT PORTION OF THE SOUTHEAST QUARTER OF THE
NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 20 NORTH,
RANGE 3 EAST, WILLAMETTE MERIDIAN, DESCRIBED AS
FOLLOWS:

THE NORTH 19.00 FEET OF VACATED SOUTH 40TH STREET PER
CITY OF TACOMA ORDINANCE NO. 23325 RECORDED UNDER
RECORDING NO. 8508120242, RECORDS OF PIERCE COUNTY
AUDITOR.

SITUATE IN THE CITY OF TACOMA, COUNTY OF PIERCE, STATE
OF WASHINGTON.

(CONTAINING ±3,875 SQUARE FEET OR APPROXIMATELY 0.09 AC)



RESOLUTION NO. 40951

1 A RESOLUTION relating to the multi-family property tax exemption program;
 2 authorizing the execution of a Multi-Family Housing Eight-Year Limited
 3 Property Tax Exemption Agreement with Tacoma Land Investments LLC, for
 4 the development of 306 multi-family market-rate rental housing units to be
 5 located at 1924 Yakima Avenue in the Downtown Regional Growth Center.

6 WHEREAS the City has, pursuant to chapter 84.14 of the Revised Code of
 7 Washington, designated several Residential Target Areas for the allowance of a
 8 limited property tax exemption for new multi-family residential housing, and

9 WHEREAS the City has, through Ordinance No. 25789, enacted a program
 10 whereby property owners in Residential Target Areas may qualify for a Final
 11 Certificate of Tax Exemption which certifies to the Pierce County
 12 Assessor-Treasurer that the owner is eligible to receive a limited property tax
 13 exemption, and

14 WHEREAS Tacoma Land Investments LLC, is proposing to develop 306
 15 new market-rate rental housing units to consist of:

Number of Units	Type of Unit	Average Size
Market Rate		
12	Studio	500 Square Feet
282	One bedroom, one bath	650 Square Feet
12	Two bedroom, one bath	750 Square Feet

16 as well as 274 on-site residential parking stalls, and

17 WHEREAS the Director of Community and Economic Development has
 18 reviewed the proposed property tax exemption and recommends that a conditional
 19 property tax exemption be awarded for the property located at 1924 Yakima
 20 Avenue in the Downtown Regional Growth Center, as more particularly described in
 21 the attached Exhibit "A"; Now, Therefore,
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BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

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Section 1. That the City Council does hereby approve and authorize a conditional property tax exemption, for a period of eight years, to Tacoma Land Investments LLC, for the property located at 1924 Yakima Avenue in the Downtown Regional Growth Center, as more particularly described in the attached Exhibit "A."

Section 2. That the proper officers of the City are authorized to execute a Multi-Family Housing Eight-Year Limited Property Tax Exemption Agreement with Tacoma Land Investments LLC, said document to be substantially in the form of the proposed agreement on file in the office of the City Clerk.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Legal description approved:

Deputy City Attorney

Chief Surveyor
Public Works Department



EXHIBIT "A"

LEGAL DESCRIPTION

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Tax Parcels: 201916-0070, -0080, -0090, -0131, and -0140, 319500-0121, -0130 and -0150.

Legal Description:

A PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 5 AND NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 8, ALL IN TOWNSHIP 20 NORTH, RANGE 03 EAST, W. M., BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOTS 11 THROUGH 22, INCLUSIVE, BLOCK 1916, MAP OF A PART OF THE CITY OF TACOMA (BURNS AND BLINN'S ADDITION) AS PER PLAT THEREOF RECORDED IN BOOK 1 OF PLATS, PAGE 28, IN PIERCE COUNTY, WASHINGTON.

TOGETHER WITH A 10 FOOT STRIP OF ALLEY VACATED BY ORDINANCE 2050 OF THE CITY OF TACOMA, ABUTTING LOTS 11 THRU 21 OF SAID BLOCK 1916, THEREON AND ATTACHED THERETO.

AND TOGETHER WITH LOTS 1 THROUGH 3, NORTH 17.5 FEET OF LOT 4, EAST 1/2 OF SOUTH 7.5 FEET OF LOT 4, EAST 1/2 OF LOTS 5 AND 6, ALL IN BLOCK 6, COOK'S ADDITION TO TACOMA, AS PER PLAT RECORDED IN VOLUME 1 OF PLATS AT PAGE 53, RECORDS OF PIERCE COUNTY AUDITOR;

SITUATE IN THE CITY OF TACOMA, COUNTY OF PIERCE, STATE OF WASHINGTON.



RESOLUTION NO. 40952

1 A RESOLUTION relating to the multi-family property tax exemption program;
 2 authorizing the execution of a Multi-Family Housing Eight-Year Limited
 3 Property Tax Exemption Agreement with VDR Land, LLC, for the
 4 development of 132 multi-family market-rate rental housing units to be
 located at 506 North 4th Street in the Downtown Regional Growth Center.

5 WHEREAS the City has, pursuant to chapter 84.14 of the Revised Code of
 6 Washington, designated several Residential Target Areas for the allowance of a
 7 limited property tax exemption for new multi-family residential housing, and

8 WHEREAS the City has, through Ordinance No. 25789, enacted a program
 9 whereby property owners in Residential Target Areas may qualify for a Final
 10 Certificate of Tax Exemption which certifies to the Pierce County
 11 Assessor-Treasurer that the owner is eligible to receive a limited property tax
 12 exemption, and

13 WHEREAS VDR Land, LLC, is proposing to develop 132 new market-rate
 14 rental housing units to consist of:

Number of Units	Type of Unit	Average Size
Market Rate		
60	Studio	403 Square Feet
58	One bedroom, one bath	754 Square Feet
14	Two bedroom, two bath	1,085 Square Feet

15 as well as 163 on-site residential parking stalls, and

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 21 WHEREAS the Director of Community and Economic Development has
 22 reviewed the proposed property tax exemption and recommends that a conditional
 23 property tax exemption be awarded for the property located at 506 North 4th Street
 24 in the Downtown Regional Growth Center, as more particularly described in the
 25 attached Exhibit "A"; Now, Therefore,
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BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

Section 1. That the City Council does hereby approve and authorize a conditional property tax exemption, for a period of eight years, to VDR Land, LLC, for the property located at 506 North 4th Street in the Downtown Regional Growth Center, as more particularly described in the attached Exhibit "A."

Section 2. That the proper officers of the City are authorized to execute a Multi-Family Housing Eight-Year Limited Property Tax Exemption Agreement with VDR Land, LLC, said document to be substantially in the form of the proposed agreement on file in the office of the City Clerk.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Legal description approved:

Deputy City Attorney

Chief Surveyor
Public Works Department



EXHIBIT "A"

LEGAL DESCRIPTION

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Tax Parcel: 2033100011

Legal Description:

That portion of the Southwest Quarter of the Northeast Quarter of Section 32, Township 21 North, Range 03 East of the Willamette Meridian, more particularly described as follows:

Lots 1 thru 9, Block 3310, Map of New Tacoma, Washington Territory, according to the Plat filed for record February 3, 1875, records of Pierce County Auditor; Together with the Northerly 10 feet of alley abutting thereon vacated by Ordinance No. 1655 of the City of Tacoma.

Situate in the City of Tacoma, County of Pierce, State of Washington.



ORDINANCE NO. 28809

1 AN ORDINANCE relating to pay and compensation; amending Chapter 1.12 of the
2 Tacoma Municipal Code to implement compensation for employees
3 represented by Teamsters Local 313; and declaring the effective dates
thereof.

4 BE IT ORDAINED BY THE CITY OF TACOMA:

5 Section 1. That Section 1.12.640 of the Tacoma Municipal Code is hereby
6 amended, effective as provided by law, to read as follows:
7

8 **1.12.640 Application of additional rates.**

9 L313. An employee represented by Teamsters Local 313, who is formally assigned one of the
10 following shifts by management and who meets all other criteria as outlined in the collective
11 bargaining agreement, shall receive shift incentive pay above his or her regular rate of pay as
12 follows: An employee assigned to work the swing shift shall receive 3 percent above his or her
regular rate of pay; an employee assigned to work the graveyard shift shall receive 5 percent
above his or her regular rate of pay. Employees will receive shift differential only for actual
hours worked on that shift.

13 L313. An employee represented by Teamsters Local 313, who meets all requirements as
14 outlined in the Letter of Agreement regarding a CDL Incentive Payment, will be eligible to
receive a one-time, lump sum payment of \$2,000, for a 24-month window after the effective
date of the Letter of Agreement.

17 Passed _____

19 _____
Mayor

20 Attest:
21 _____
22 City Clerk

23 Approved as to form:
24 _____
25 Deputy City Attorney
26



SUBSTITUTE ORDINANCE NO. 28810

1 AN ORDINANCE relating to pay and compensation; amending Chapter 1.12 of
 2 the Tacoma Municipal Code to implement rates of pay and compensation
 3 for a new classification entitled Police Chief of Staff; and declaring an
 4 emergency, making necessary the passage of this ordinance and its
 5 becoming effective immediately.

6 WHEREAS the classification of Police Chief of Staff has been identified as a
 7 vital part of the Police executive leadership team and has a critical role in
 8 implementation of a comprehensive plan for the department, and

9 WHEREAS a key candidate was selected and offered employment, effective
 10 April 25, just prior to the completion of the ten-day publication period following City
 11 Council approval, in order to ensure the position was successfully secured, and

12 WHEREAS, due to the continuing and urgent need for quick action on the
 13 part of the City, particularly as it relates to establishment of the Police Chief of Staff
 14 classification, an emergency exists, making this ordinance effective upon passage
 15 by an affirmative vote of at least six members of the City Council; Now, Therefore,

16 BE IT ORDAINED BY THE CITY OF TACOMA:

17 Section 1. That Section 1.12.355 of the Tacoma Municipal Code is hereby
 18 amended, effective April 25, 2022, to read as follows:

Code	A	Job Title	1A	1B	1C	1D	2A	2B	2C	2D	3A	3B	3C
0785	A	Police Chief of Staff	72.32	73.22	74.14	75.07	76.01	76.96	77.92	78.89	79.88	80.88	81.89
			3D	4A	4B	4C	4D	5A	5B	5C	5D	6A	
			82.91	83.95	85.00	86.06	87.14	88.23	89.33	90.45	91.58	92.72	

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Section 2. That, based upon the facts and conclusions as specified herein,

an emergency exists, making this ordinance effective upon passage by an affirmative vote of at least six members of the City Council.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



ORDINANCE NO. 28811

1 BY REQUEST OF DEPUTY MAYOR USHKA AND COUNCIL MEMBERS HINES,
2 McCARTHY, AND RUMBAUGH

3 AN ORDINANCE relating to Model Traffic Ordinance; amending Chapter 11.05 of
4 the Tacoma Municipal Code, the Model Traffic Ordinance, by adding
5 thereto a new Section 11.05.133, to be known and designated as “Unlawful
6 exhibition of speed attendance prohibited,” relating to prohibiting
7 attendance at unlawful exhibitions of speed.

8 WHEREAS, in March 2021, the City Council passed Ordinance No. 28748,
9 amending Chapter 11.05 of the Tacoma Municipal Code (“TMC”), relating to the
10 Model Traffic Ordinance, by adding a new Section 11.05.132, entitled “Unlawful
11 exhibition of speed prohibited,” relating to unlawful speed exhibition activities within
12 City limits, and

13 WHEREAS “unlawful exhibition of speed” means the operation of a motor
14 vehicle to present a display of speed, maneuverability, or power; and “speed
15 exhibition” includes, but is not limited to, squealing the tires of a motor vehicle
16 while it is stationary or in motion, rapid acceleration, rapid swerving or weaving,
17 drifting, producing smoke from tire slippage, or leaving visible tire acceleration
18 marks on the surface of the highway or ground, and

19 WHEREAS any person who operates a motor vehicle in or during an
20 unlawful exhibition of speed is guilty of a misdemeanor, which is punishable by up
21 to 30 days in jail, up to a \$1,000 fine, or by both such imprisonment and fine, and

22 WHEREAS Ordinance No. 28748 did not include a prohibition of spectator
23 attendance at unlawful exhibitions of speed, and

24 WHEREAS prohibiting spectator attendance is frequently seen in other
25 municipal laws seeking to address street racing and exhibitions of speed, and
26



1 preventing spectator attendance removes the motivation of performing for
2 audiences and can help remove the entertainment and attention aspect of
3 exhibition of speed events, as such events often go viral when filmed and posted to
4 social media or YouTube, and

5 WHEREAS event attendees may also help coordinate events, playing roles
6 such as “flaggers,” timekeepers, lookouts with computers mounted in their cars,
7 cell phones, police scanners, and Web sites that announce race locations and
8 calculate the odds of getting caught by the police, and

9 WHEREAS crowd management and safety limits actions first responders
10 can take when responding to exhibition of speed events, and

11 WHEREAS, at the Study Session of March 29, 2022, Council Member
12 Rumbaugh presented a Council Consideration Request to amend TMC 11.05 to
13 add language prohibiting spectator attendance at unlawful exhibitions of speed;
14

15 Now, Therefore,

16 BE IT ORDAINED BY THE CITY OF TACOMA:

17 Section 1. That the City Council hereby adopts the Recitals of this
18 Ordinance as its formal legislative findings.

19 Section 2. That Chapter 11.05 of the Tacoma Municipal Code, the Model
20 Traffic Ordinance, is hereby amended by the addition of a new Section 11.05.133,
21 to be known and designated as “Unlawful exhibition of speed attendance
22 prohibited,” to read as set forth in the attached Exhibit “A.”
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24 Section 3. That the City Clerk, in consultation with the City Attorney, is
25 authorized to make necessary corrections to this ordinance, including, but not
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limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers, and any references thereto.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Assistant City Attorney



EXHIBIT "A"

CHAPTER 11.05 MODEL TRAFFIC ORDINANCE

Sections:

- 11.05.010 Model Traffic Ordinance adopted.
11.05.020 Sections not adopted.
11.05.030 Statutes not adopted.
11.05.035 *Repealed.*
11.05.040 Amendment of WAC 308-330-555.
11.05.050 Additional statutes adopted.
11.05.060 Scope and construction of terms.
11.05.070 Curb defined.
11.05.080 Driveway defined.
11.05.090 Driveway return defined.
11.05.100 Fire line defined.
11.05.110 Fire zone defined.
11.05.120 Leaving minors unattended.
11.05.130 Driving while eating or drinking.
11.05.131 Automotive Sound Systems – Excessive Noise Prohibition.
11.05.132 Unlawful exhibition of speed prohibited.

11.05.133 Unlawful exhibition of speed attendance prohibited.

* * *

* * *

11.05.133 Unlawful exhibition of speed attendance prohibited.

A. Any person (1) who has actual or constructive knowledge that he or she is in attendance of an unlawful exhibition of speed; and (2) who has actual or constructive knowledge that an unlawful exhibition of speed is occurring, has occurred, or is about to occur; and (3) was there with the intent to observe or support or encourage the unlawful exhibition of speed, is guilty of a misdemeanor, which is punishable by up to 30 days in jail, up to a \$1,000 fine, or by both such imprisonment and fine.

B. The circumstances which may be considered in determining whether a violation of subsection A of this section has occurred shall include, but not be limited to:

1. The person is associating with persons participating in an unlawful exhibition of speed;

2. The person, by admission, is in attendance of an unlawful exhibition of speed with the intent to observe or support or encourage the unlawful exhibition of speed;

3. Statements of other persons who are shown to be in attendance of an unlawful exhibition of speed which provide evidence that the person intends to observe or support or encourage an unlawful exhibition of speed;

4. The person either operates or is a passenger in a vehicle that shares the attributes of other vehicles that are in attendance of the unlawful exhibition of speed or which are engaging in, about to engage in, or which have engaged in an unlawful exhibition of speed;

5. The person either operates or is a passenger in a vehicle which is driven in such a manner as to show evidence of an attempt to flee or escape detection when a police officer arrives on the scene of an unlawful exhibition of speed; or

6. The person has no reasonable alternative purpose for being in the area in which the unlawful exhibition of speed is occurring, is about to occur, or which occurred and is motivating, encouraging, or inspiring said exhibition(s).

* * *