



**CITY OF WASHOUGAL
CITY COUNCIL REGULAR MEETING
MINUTES
Monday, November 4, 2024
7:00 PM**

MEETING INFORMATION

Please click the link below to join the webinar:
<https://us02web.zoom.us/j/81955288997>

I. INVOCATION

Councilmember Suggs provided the invocation.

II. CALL TO ORDER

Mayor David Stuebe called the meeting to order at 7:01 pm.

III. PLEDGE OF ALLEGIANCE

IV. ROLL CALL

Present: Mayor David Stuebe, and Councilmembers Michelle Wagner, David Fritz, Molly Coston, Julie Russell, Ernie Suggs, and Tia Robertson. **Absent:** Student Emily Bishop

Staff:

David Scott, City Manager
Joe Walsh, Strategic Initiatives Manager
Robert Zeinemann, City Attorney
Daniel Layer, Finance Director/City Clerk
Wendi Steinbronn, Police Chief
Teresa Stedman, Human Resources & Risk Director
Rose Jewell, Community Engagement Manager

V. AMENDMENTS TO THE AGENDA

None

VI. PUBLIC COMMENTS

None.

VII. CONSENT AGENDA

The following items will be passed by a single motion to approve all listed actions and resolutions. There will be no discussion on these items unless requested by Council. If discussion is requested, the item will be moved from the Consent Agenda and considered separately - after the motion has been made and passed to approve the remaining items.

Unanimous consent to approve the consent agenda as presented. Suggs / No objections.

A. Workshop Minutes of October 28, 2024

B. Council Minutes of October 28, 2024

C. Payroll Claims of October 31, 2024, Totaling \$600,150.67

D. Accounts Payable of October 24, 2024 and August EFTs - Totaling \$1,216.619.24

VIII. NEW BUSINESS

A. Ordinance: Amending WMC adding 10.50 Wheeled All-Terrain Vehicles

Agenda Bill #48-2024

Chief Wendi Steinbronn presented the staff report and recommended action.

Motion: Pass, post, and publish the ordinance in the usual manner.

Ernie Suggs/Molly Coston Motion Passed.

IX. REPORTS AND COMMUNICATIONS

A. CITY MANAGER

David Scott reported on the following:

- Special Joint Worksession at Camas City Council Chambers at 4 pm to discuss the Regional Fire Authority.
- Meeting schedule for 2024: November 12th and 18th and December 2nd. The December 9th and 16th meeting are subject to cancellation.

B. MAYOR

Mayor David Stuebe reported on the following:

- Downtown Halloween Trick or Treat was a success
- Hyas Point Ground Breaking

C. CITY COUNCIL

Councilmember Suggs commented on Hyas Point, WSD Board Meeting, Port meeting, Christmas Nativity event at the Black Pearl

Councilmember Coston shared that she will be at the audit exit meeting and Port Meeting. CTRAN Board meeting will keep her from the workshop on the 12th.

Councilmember Fritz commented on Hyas Point, downtown trick or treat event, AWC meeting, Joint RFA meeting on the 6th, and gave an update on a Ivy League in Washougal.

Councilmember Robertson commented on the trick or treat event and share the tradition of dinner at the fire station.

Councilmember Wagner also commented on the trick or treat event and number of businesses and volunteers present at the event, RFA meeting, and the Comprehensive Plan Community Advisory Committee.

X. EXECUTIVE SESSION - Review the Performance of a Public Employee - RCW 42.30.110(1) (g) – No action to follow

Mayor Stuebe announced the executive session at 7:22 (3 minute transition) to last for fifteen (15) minutes to 7:40 pm.

Regular session resume at 7:40 pm.

XI. ADJOURNMENT

Meeting adjourned at 7:41 pm.

Mayor

City Clerk



**CITY OF WASHOUGAL
CITY COUNCIL WORKSHOP MEETING
MINUTES**

Monday, October 28, 2024

5:00 PM



MEETING INFORMATION

Please click the link below to join the webinar:
<https://us02web.zoom.us/j/82198865429>

VIDEO I. CALL TO ORDER

Mayor David Stuebe called the meeting to order at 5:00 pm.

II. ROLL CALL

Present: Mayor David Stuebe, and Councilmembers Michelle Wagner, David Fritz, Molly Coston, Julie Russell, and Tia Robertson **Absent:** Councilmember Ernie Suggs and Student Rep. Emily Bishop

Staff:

David Scott, City Manager
Joe Walsh, Strategic Initiatives Manager
Trevor Evers, Director of Public Works
Daniel Layer, Finance Director/City Clerk
Wendi Steinbronn, Police Chief
Rose Jewell, Community Engagement Manager
Monie Holmes, Assistant Finance Director

III. PUBLIC COMMENTS

Robert Bromley thanked council for its consideration to revised the WATV's ordinance.

IV. NEW BUSINESS

A. Police: Wheeled All-Terrain Vehicles (WATVs)

Chief Wendi Steinbronn presented the following:

- RCW 46.09.455 WATVs on public roadway
- RCW 46.09.457 driver license requirements
- Side-by-side restriction
- Operator Requirements: age, license, insurance, helmet
- Equipment and Certifications
- Release language
- MPH restriction
- Pros
 - Economical
 - Convenient
 - Tourism potential
 - Enthusiast
- Cons
 - Operators not understanding the law

- Noise
- Safety concerns due to limited standards

- Visual examples

Discussion ensued on muffling sounds, educating the community, law enforcement's role and responsibility, liability waivers, policy determination, city authority to enhance regulations, and the administrative process yet to be determined. Staff will consult legal counsel

B. Finance: City Manager's Proposed 2025-2026 Biennial Budget

Daniel Layer presented the following:

Key Assumptions

- Key investments based on the 2023-2028 Strategic Plan
- Investments for 2025 and 2026
- Investments for 2025
 - Strategic Plan Initiatives
- Revenue Assumptions
 - Councilmanic 1% Property Tax & EMS
 - Utility tax revenue
 - Trending various revenues

2025 Proposed Budget

- General and Street Revenue and Expenses
- 2025 Use of Reserves / Fund Balance

2026 Proposed Budget

- General and Street Revenue and Expenditures
- 2026 - Balanced budget - no use of reserves

Key Assumptions - Utilities

- Follow FCS Rate Study
- Utility Operations and Maintenance - Water, Sewer, and Stormwater
- Utility Capital - Water, Sewer, and Stormwater

2025-2026 Proposed Biennial budget in brief

2025-2026 Full-Time Equivalent (FTE) Count

City Manager's Budget Message

Proposed ordinance 2025

Proposed ordinance 2026

Next steps

Council schedule for the remainder of the year

November 4th, 12th, and 18th

December 2nd, 9th, and 16th

V. REPORTS AND COMMUNICATIONS

A. CITY MANAGER

David Scott reported on the Ribbon Cutting at Hyas Point on Thursday, October 31st at the Port of Camas/Washougal.

B. MAYOR

David Stuebe gave a legislative update noting Washougal's project within the top six.

C. CITY COUNCIL

Councilmember Wagner mentioned the Regional Fire Authority join meeting with Camas on November 6th in the Camas Council Chambers. She inquired about tracking the revenue from the Hyas Point development including Port lease hold excise tax.

VI. ADJOURNMENT

Meeting ended at 6:28 pm.

A. EXEMPT MEETING: Labor Negotiations (following workshop)

Mayor

City Clerk



**CITY OF WASHOUGAL
CITY COUNCIL REGULAR MEETING
MINUTES
Monday, October 28, 2024
7:00 PM**

MEETING INFORMATION

Please click the link below to join the webinar:
<https://us02web.zoom.us/j/87432227784>

I. INVOCATION - Ayden Andersen

II. CALL TO ORDER

Mayor David Stuebe called the meeting to order 7:01 pm.

III. PLEDGE OF ALLEGIANCE

IV. ROLL CALL

Present: Mayor David Stuebe, and Councilmembers Michelle Wagner, David Fritz, Molly Coston, Julie Russell, Ernie Suggs, and Tia Robertson

Staff:

David Scott, City Manager
Joe Walsh, Strategic Initiatives Manager
Robert Zeinemann, City Attorney
Trevor Evers, Director of Public Works
Daniel Layer, Finance Director/City Clerk
Teresa Stedman, Human Resources & Risk Director
Rose Jewell, Community Engagement Manager

V. AMENDMENTS TO THE AGENDA

None

VI. PUBLIC COMMENTS

None

VII. CONSENT AGENDA

The following items will be passed by a single motion to approve all listed actions and resolutions. There will be no discussion on these items unless requested by Council. If discussion is requested, the item will be moved from the Consent Agenda and considered separately - after the motion has been made and passed to approve the remaining items.

Unanimous consent to approve the consent agenda as presented. Suggs / No objections

A. Workshop Minutes of October 14, 2024

B. Council Minutes of October 14, 2024

- C. **Payroll Claims of October 15, 2024, Totaling \$356,549.39**
- D. **Accounts Payable & Utility Refund Checks of October 10-18, 2024, Totaling \$744,170.80**
- E. **Emergency Utility Assistance**
AGENDA BILL #44-2024
- F. **Set Public Hearing: 2025 Property Tax Levy**
AGENDA BILL #45-2024
- G. **Set Public Hearing: 2025 Emergency Medical Services (EMS) Levy**
AGENDA BILL #46-2024
- H. **Set Public Hearing: 2025-2026 Biennial Budget Ordinance**
AGENDA BILL #47-2024

VIII. NEW BUSINESS - None

IX. REPORTS AND COMMUNICATIONS

A. CITY MANAGER

David Scott provided his report at workshop.

B. MAYOR

Mayor Stuebe reported on:

- Fort Vancouver Regional Library (FVRL) fundraiser
- Attended Lions elementary school vision screening
- Pumpkin Harvest Festival
- Transportation Alliance Planning Meeting
- Update - composting available through Clark County
- Port of Camas-Washougal Concert
- Upcoming Trick or Treat on Main Street
- Local connections at 54-40 Brewing Company with the Washougal Business Association (WBA)
- Chamber lunch with C-Tran
- Pickleball court storage container stolen

C. CITY COUNCIL

Councilmember Wagner reported on the following:

- Pumpkin Harvest Festival - Thank you to community businesses and staff
- Creative Arts District Meeting & upcoming brainstorming session

Councilmember Fritz reported on the following:

- Michelle's Love - provides assistance to single parents who were working but can no longer work due to cancer. They have taken on a Washougal resident. Potential volunteer work in the future
- Unite Washougal and Washougal Police Drug Take Back event
- Association of Washington Cities (AWC) Federal Legislative priorities meeting:
 - Community Development Block Grants (CDBG)

- Climate infrastructure
- Loans
- Loss of local control of Right of Ways (ROWs)
- Transition time from the United States Department of Housing and Urban Development (HUD) from temporary to permanent housing

Councilmember Robertson reported on the following:

- Pumpkin Harvest Festival
- Thanks to Chief Steinbronn for police ride along

Councilmember Coston reported on the following:

- Marshal Leadership Awards still taking nominations until December (through Clark County)
- Groundbreaking at Hyas Pointe this Thursday
- Community Engagement meeting 11/1
- Day of the Dead (Día de los Muertos) is Saturday
- Turn clocks back this weekend

Councilmember Russell reported on the following:

- Will be in Vancouver for Regional Fire Authority (RFA) joint meeting next week so may be late or attending on zoom
- Upcoming Ending Community Homelessness Organization (ECHO) meeting on 11/12
- Great work by the staff for the Pumpkin Harvest Festival

Councilmember Suggs reported on the following:

- Multicultural Event at high school
- Halloween evening event this Thursday in Downtown Washougal
- Hyas Pointe Groundbreaking

X. EXECUTIVE SESSION - Review the Performance of a Public Employee - RCW 42.30.110(1) (g) – No action to follow

Mayor Stuebe called an executive session at 7:22 pm with regular meeting to resume at 7:30 pm.

The regular meeting resumed at 7:30 pm.

XI. ADJOURNMENT

The meeting adjourned at 7:31 pm.

Mayor

City Clerk

CITY OF WASHOUGAL

PAYROLL CLAIMS VOUCHER APPROVAL

I HEREBY CERTIFY THAT THE SERVICES CHARGED ON THE VOUCHERS ATTACHED HAVE BEEN
FURNISHED TO THE BEST OF MY KNOWLEDGE. I FURTHER CERTIFY THE CLAIMS BELOW TO BE VALID AND CORRECT.

FINANCE _____

WE THE UNDERSIGNED COUNCIL MEMBERS OF WASHOUGAL, WASHINGTON DO HEREBY CERTIFY THAT THE
EMPLOYEE CHECKS NA and EMPLOYEE VOUCHERS # 33001 to 33096
ARE APPROVED FOR PAYMENT IN THE AMOUNT OF \$600,150.67 ON THE 31st DAY OF OCTOBER.

FINANCE COMMITTEE _____

FINANCE COMMITTEE _____

FINANCE COMMITTEE _____



Washougal, WA

Check Register

Packet: APPKT01895 - AGAP102424

By Check Number

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: AP-Accounts Payable						
1529	ACCURATE ELECTRIC UNLIMITED, IN	10/29/2024	Regular	0.00	5,956.65	89696
4288	Allweather Wood	10/29/2024	Regular	0.00	250.00	89697
4186	Amanda Ramsey	10/29/2024	Regular	0.00	480.46	89698
231	CAMAS POWER EQUIPMENT	10/29/2024	Regular	0.00	235.99	89699
246	CLARK COUNTY FIRE DIST 5	10/29/2024	Regular	0.00	1,248.75	89700
3867	Cleanpot Portable Toilets LLC	10/29/2024	Regular	0.00	1,010.00	89701
1274	COLUMBIA WEST ENGINEERING INC	10/29/2024	Regular	0.00	3,500.00	89702
3284	CORE & MAIN LP	10/29/2024	Regular	0.00	1,304.26	89703
3523	Covalent Architecture, LLC	10/29/2024	Regular	0.00	5,625.97	89704
4101	David Stuebe	10/29/2024	Regular	0.00	86.70	89705
4268	Evergreen ITS Inc.	10/29/2024	Regular	0.00	23,804.90	89706
991	FINANCIAL CONSULTING SOLUTION:	10/29/2024	Regular	0.00	3,285.00	89707
4160	First Citizens Bank & Trust Company	10/29/2024	Regular	0.00	219.30	89708
4287	Get to-Gather Farm LLC	10/29/2024	Regular	0.00	1,500.00	89709
3713	Graphic Information System	10/29/2024	Regular	0.00	103.15	89710
1306	HENDERSON TURF & WEAR INC	10/29/2024	Regular	0.00	1,825.61	89711
397	HOME DEPOT CREDIT SERVICES	10/29/2024	Regular	0.00	2,770.97	89712
3737	Jubitz Corporation	10/29/2024	Regular	0.00	1,246.61	89713
160	KEYS WEST	10/29/2024	Regular	0.00	65.00	89714
454	L.N. CURTIS & SONS	10/29/2024	Regular	0.00	220.98	89715
261	LUTZ HARDWARE	10/29/2024	Regular	0.00	1,648.00	89716
166	METRO LANDSCAPE SUPPLIES INC	10/29/2024	Regular	0.00	1,519.00	89717
503	NORTHERN SAFETY CO INC	10/29/2024	Regular	0.00	36.43	89718
515	OFFICE DEPOT	10/29/2024	Regular	0.00	1,230.89	89719
	Void	10/29/2024	Regular	0.00	0.00	89720
1684	OREILLY AUTO PARTS	10/29/2024	Regular	0.00	366.36	89721
4289	O-Sun Company	10/29/2024	Regular	0.00	1,452.30	89722
4073	Robertson Fick Engineering PC	10/29/2024	Regular	0.00	155,782.77	89723
3761	Securitas Technology	10/29/2024	Regular	0.00	1,826.64	89724
4228	TIBERIUS SOLUTIONS, LLC	10/29/2024	Regular	0.00	2,011.87	89725
4225	Transpo Group USA, Incorporated	10/29/2024	Regular	0.00	27,448.47	89726
679	TRIANGLE RESOURCES INC	10/29/2024	Regular	0.00	795.00	89727
	Void	10/29/2024	Regular	0.00	0.00	89728
1940	US BANK N.A. - CUSTODY	10/29/2024	Regular	0.00	62.00	89729
1846	US BANK OFFICE EQUIPMENT FINAN	10/29/2024	Regular	0.00	558.46	89730
690	USA BLUEBOOK	10/29/2024	Regular	0.00	1,046.80	89731
1774	VERIZON WIRELESS	10/29/2024	Regular	0.00	4,505.15	89732
786	WASHOUGAL HARDWARE	10/29/2024	Regular	0.00	973.95	89733
	Void	10/29/2024	Regular	0.00	0.00	89734
785	WASHOUGAL LUMBER CO.	10/29/2024	Regular	0.00	24.13	89735
3992	WESTERN UNITED CIVIL GROUP, LLC	10/29/2024	Regular	0.00	411,125.00	89736

Check Register

Packet: APPKT01895-AGAP102424

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
3573	WMC Newco LLC	10/29/2024	Regular	0.00	2,229.68	89737

Bank Code AP Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	49	39	0.00	669,383.20
Manual Checks	0	0	0.00	0.00
Voided Checks	0	3	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	49	42	0.00	669,383.20

Fund Summary

Fund	Name	Period	Amount
999	POOLED CASH - OPERATING	10/2024	669,383.20
			669,383.20



Washougal, WA

Check Register

Packet: APPKT01844 - EFT August

By Check Number

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: AP-Accounts Payable						
1638	WA ST DEPT OF REVENUE EXCISE/U	08/31/2024	Bank Draft	0.00	35,716.80	DFT04552
144	Department of Licensing	08/31/2024	Bank Draft	0.00	252.00	DFT04553
3309	CLARK COUNTY TREASURER SDIMPA	08/31/2024	Bank Draft	0.00	26,600.00	DFT04554
229	CITY OF CAMAS	08/31/2024	Bank Draft	0.00	437,558.72	DFT04555
3482	GLOBAL PAYMENTS DIRECT, INC	08/31/2024	Bank Draft	0.00	137.97	DFT04556
3482	GLOBAL PAYMENTS DIRECT, INC	08/31/2024	Bank Draft	0.00	1,580.40	DFT04557
3482	GLOBAL PAYMENTS DIRECT, INC	08/31/2024	Bank Draft	0.00	457.71	DFT04558
3482	GLOBAL PAYMENTS DIRECT, INC	08/31/2024	Bank Draft	0.00	21,557.65	DFT04559
3744	RIVERVIEW VISA - MICHELLE WRIGH	08/31/2024	Bank Draft	0.00	56.10	DFT04560
4275	Riverview-Michael J Walsh	08/31/2024	Bank Draft	0.00	518.70	DFT04561
4058	RIVERVIEW VISA - MONIE HOLMES	08/31/2024	Bank Draft	0.00	381.04	DFT04562
3729	RIVERVIEW VISA - KELLY CLARK	08/31/2024	Bank Draft	0.00	1,572.08	DFT04563
3730	RIVERVIEW VISA - WENDI STEINBRO	08/31/2024	Bank Draft	0.00	801.94	DFT04564
3268	RIVERVIEW VISA - RYAN BAKER	08/31/2024	Bank Draft	0.00	2,610.33	DFT04565
4254	RIVERVIEW VISA - Michele Loftus	08/31/2024	Bank Draft	0.00	528.34	DFT04566
4144	RIVERVIEW VISA - SCOTT COLLINS	08/31/2024	Bank Draft	0.00	1,171.98	DFT04567
4105	RIVERVIEW VISA - DANIEL LAYER	08/31/2024	Bank Draft	0.00	244.90	DFT04568
3269	RIVERVIEW VISA - THEO GOMEZ	08/31/2024	Bank Draft	0.00	7,604.45	DFT04569
3264	RIVERVIEW VISA - DAVID SCOTT	08/31/2024	Bank Draft	0.00	1,812.94	DFT04570
3731	RIVERVIEW VISA - ZANE FRESCHETT	08/31/2024	Bank Draft	0.00	2,598.37	DFT04571
3266	RIVERVIEW VISA - MITCH KNEIPP	08/31/2024	Bank Draft	0.00	1,976.07	DFT04572
3945	RIVERVIEW VISA - ROSE JEWELL	08/31/2024	Bank Draft	0.00	1,326.54	DFT04573
3267	RIVERVIEW VISA - TREVOR EVERS	08/31/2024	Bank Draft	0.00	171.01	DFT04574

Bank Code AP Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	0	0	0.00	0.00
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	23	23	0.00	547,236.04
EFT's	0	0	0.00	0.00
	23	23	0.00	547,236.04

Fund Summary

Fund	Name	Period	Amount
999	POOLED CASH - OPERATING	8/2024	547,236.04
			547,236.04

ORDINANCE NO. 1984

**AN ORDINANCE ADDING A SUBSECTION TO THE WASHOUGAL MUNICIPAL CODE
ALLOWING OPERATION OF WHEELED-ALL-TERRAIN VEHICLES ON CITY OF
WASHOUGAL ROADWAYS; PROVIDING PENALTIES FOR THE IMPROPER USE OF
WHEELED ALL-TERRAIN VEHICLES; PROVIDING FOR CODIFICATION; PROVIDING
FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE**

WHEREAS, the City of Washougal (hereafter “City”) has the authority under the Revised Code of Washington (RCW) Section 46.09.455 to allow the operation of Wheeled All-Terrain Vehicles, (WATVs), on City roadways having a speed limit of thirty-five (35) miles per hour or less;

WHEREAS, most roadways in the City currently have a speed limit of 35 miles per hour or less;

WHEREAS, the City Council desires to allow the operation of WATVs by licensed drivers on roadway where the speed limit is 35 miles per hour or less;

WHEREAS, the City understands that pursuant to RCW 46.09.455(1)(d)(ii), the City is required to provide a public list of all the roadways on which WATVs may operate, and to make that list accessible to the public from the main page of the City’s website;

AND WHEREAS, the City Council intends that the operation of WATVs as permitted by this ordinance shall be in accordance with all rules of the road, traffic laws and codes, parking regulations, and road use restrictions

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF WASHOUGAL, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

Section I – APPLICABILITY: This chapter shall apply to the operation of wheeled all-terrain vehicles (WATVs) on City streets and roadways in the City of Washougal, Washington.

Section II – Use of WATVs on city streets. Subject to the restrictions and requirements set forth in this chapter, a person with a valid driver’s license issued by the state of the person’s residence may operate a wheeled all-terrain vehicle upon a town roadway having a speed limit of 35 miles per hour or less.

Section III – Restrictions on the Use of WATVs on City Streets: Wheeled All-Terrain Vehicles may be operated on City streets subject to the following restrictions and requirements:

- A. Compliance with RCW 46.20.001 Required: A person may not operate a Wheeled All-Terrain Vehicle on any City Street without a valid driver’s license.
- B. Compliance with RCW 46.09 Required: A person may not operate a Wheeled All-Terrain Vehicle on any City Street except in strict compliance with the provisions and requirements of Chapter 46.09 of the RCW as now enacted or as hereafter amended and as further limited by the terms of this ordinance.

- C. All persons operating WATVs on City streets are required to carry proof of current liability insurance in compliance with, and with coverage limits at least equivalent to, the amounts set forth in chapter 46.29 RCW.
- D. Registration requirements of a WATV: Wheeled All-Terrain Vehicles operated on a City Street must comply with all the registration requirements of Chapter 49.06 of the RCW, as now enacted or as hereafter amended.
- E. Equipment Requirements of a WATV: A Wheeled All-Terrain Vehicle operated on a City Street must comply with the equipment requirements of RCW 46.09, including specifically, without limitation, RCW 46.09.457, as such statutes are now enacted or they may be hereafter amended, as and further limited by the terms of this ordinance.

Section IV – List of City Streets Open to WATV Use: All City streets in the City of Washougal are open to the operation of WATVs unless identified in Subsections A of this section as a roadway closed to WATV operation.

- A. List of City Streets Closed to WATVs: Evergreen Blvd. at 32nd Street to the east city limits and any other current or future City streets with a speed limit that exceeds 35 miles per hour.

Section V – Prohibited Areas:

- A. Sidewalks: It is unlawful to operate a WATV on a sidewalk or other area where it is unlawful to operate a motor vehicle.
- B. Parks: It is unlawful to operate a WATV in a park except in a park drive or a designated parking lot.
- C. Bicycle Lanes and Walking Paths: It is unlawful to operate a WATV on any bicycle lane, bicycle trail, or walking path.
- D. Highway 14: It is unlawful to cross State Highway 14 from any City street.

Section VI – Penalties for Violation: A person who violates a provision of the Ordinance is guilty of a traffic infraction and will be punished by the imposition of a monetary penalty not to exceed \$250.00, exclusive of statutory assessments; provided, however, that conduct constituting a criminal traffic offense may be charged as such and is subject to the maximum penalties allowed for such offense.

Section VII – Relation to Other Laws:

- A. Definitions: The definitions contained in Chapters 46.04 and 46.09 of the Revised Code of Washington, as now enacted or as hereafter amended, are adopted by this reference and shall apply to this Ordinance.
- B. Applicability of Traffic Laws: Except as otherwise provided in Chapter 46.09 of the Revised Code of Washington, as now enacted or as hereafter amended, nothing in this Ordinance shall exempt

any operator or owner of a WATV from any rule of the road, traffic law or code, parking regulation, road use restriction, or road closure.

- C. Amendments or Additions to Enabling Statute: Amendment of or addition to any part of Chapters 46.04 or 46.09 of the Revised Code of Washington by the Washington State Legislature shall be deemed to amend or add to this Ordinance or any applicable part hereof, and it shall not be necessary for the City Council to take any action with respect to such amendment or addition.
- D. Other City Ordinances. The operation of a WATV on city roadways is subject to applicable city ordinances and parking regulations as such ordinances and regulations are no enacted or as they may be hereafter adopted, amended, or codified.

Section VIII – Washougal Municipal Code: Title 10 Vehicles and Traffic shall be modified to add Chapter 10.50, sections I-VII, to the Washougal Municipal Code

Section IX – Severability: If any clause, section, or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby but shall remain in full force and effect.

Section X – Effective Date. This Ordinance shall be effective five (5) days after publication according to law.

PASSED by the City Council of the City of Washougal at a regular meeting this **4th** day of **November, 2024.**

David Stuebe, Mayor

ATTEST:

Daniel Layer, Finance Director / City Clerk

APPROVED AS TO FORM:

Robert D. Zeinemann, City Attorney

Exhibit “A”

Key: New language = underlined

Chapter

10.50

WHEELED ALL-TERRAIN VEHICLES ON CITY STREETS

Sections:

10.50.010 Applicability.

10.50.020 Use of WATVs on city streets.

10.50.030 Restrictions on the use of WATVs on city streets.

10.50.040 List of streets open to WATV use.

10.50.050 Prohibited areas.

10.50.060 Penalties for violation.

10.50.070 Relation to other laws.

10.50.010 Applicability.

This chapter shall apply to the operation of wheeled all-terrain vehicles (WATVs) on streets and roadways in the city of Washougal, Washington.

10.50.020 Use of WATVs on city streets.

Subject to the restrictions and requirements set forth in this chapter, a person with 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 35 miles per hour or less.

10.50.030 Operation of WATVs on city streets.

Wheeled all-terrain vehicles may be operated on city streets subject to the following restrictions and requirements:

- A. Compliance with Chapter 46.09 RCW Required. A person may not operate a wheeled all-terrain vehicle on any city street except in strict compliance with the provisions and requirements of Chapter 46.09 RCW, as now enacted or as hereafter amended, and as further limited by the terms of this chapter.
- B. Registration Requirements of a WATV. Wheeled all-terrain vehicles operated on a city street must comply with all the registration requirements of Chapter 46.09 RCW, as now enacted or as hereafter amended.
- C. Liability Insurance. A person operating WATVs on city streets is required to carry proof of liability insurance in compliance with, and with coverage limits at least equivalent to, the amounts set forth in Chapter 35.29 RCW.
- D. Equipment Requirements of a WATV. A wheeled all-terrain vehicle operated on a city street must comply with the equipment requirements of Chapter 46.09 RCW, including specifically, without limitation, RCW 46.09.457, as such statutes are now enacted or as they may be hereafter amended, and as further limited by the terms of this chapter.

10.50.040 List of roadways open to WATV use.

All streets in the City of Washougal are open to the operation of wheeled all-terrain vehicles unless identified in subsection A of this section as a roadway closed to WATV operation.

- A. List of Roadways Closed to WATVs. Evergreen Blvd. at 32nd Street to the east city limits and any other current or future city streets with a speed limit that exceeds 35 miles per hour.

10.25.050 Prohibited areas.

- A. Sidewalks. 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. Parks. 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. Bicycle Lanes and Walking Paths. It is unlawful to operate a wheeled all-terrain vehicle on any bicycle lane, bicycle trail, or on any walking path.
- D. Highway 14: It is unlawful to cross State Highway 14 from any city street.

10.25.060 Penalties for violation.

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 \$250.00, exclusive of statutory assessments; provided, however, that conduct constituting a criminal traffic offense may be charged as such and is subject to the maximum penalties allowed for such offense.

10.25.070 Relation to other laws.

A. Definitions. The definitions contained in Chapters 46.04 and 46.09 RCW, as now enacted or as hereafter amended, are adopted by this reference and shall apply to this chapter.

B. Applicability of Traffic Laws. Except as otherwise provided in Chapter 46.09 RCW, as now enacted or as hereafter amended, nothing in this chapter shall exempt any operator or owner of a wheeled all-terrain vehicle from any rule of the road, traffic law or code, parking regulation, road use restriction, or road closure.

C. Amendments or Additions to Enabling Statute. Amendment of or addition to any part of Chapter 46.04 or 46.09 RCW by the Washington State Legislature shall be deemed to amend or add to this chapter or any applicable part hereof, and it shall not be necessary for the town council to take any action with respect to such amendment or addition.

D. Other City Ordinances. The operation of a WATV on city roadways is subject to applicable city ordinances and parking regulations as such ordinances and regulations are now enacted or as they may be hereafter adopted, amended, or codified.