



MEMORANDUM

TO: BELLINGHAM CITY COUNCIL

FROM: ERIC JOHNSTON, PUBLIC WORKS DIRECTOR

CC: MAYOR SETH FLEETWOOD

SUBJECT: AN ORDINANCE AMENDING THE BELLINGHAM MUNICIPAL CODE
AUTHORIZING EMPLOYEES OF THE PUBLIC WORKS DEPARTMENT
TO ENFORCE NON-CRIMINAL PARKING REGULATIONS

DATE: JANUARY 23, 2023

Background: The City of Bellingham regulates parking for public safety and to ensure compliance with management strategies intended to support business and equitable access to the limited amount of on street parking. Parking enforcement includes payment of parking meters, compliance with residential parking zones, enforcing hourly parking limitations, citing blocked sidewalks, roadways or fire hydrants, and other regulatory provisions contained in Bellingham Municipal Code Title 11.

Summary: The Bellingham Police Department (BPD) currently has sole authority to issue parking infraction notices (aka parking tickets). Parking infractions are considered civil and not criminal violations. The Bellingham Municipal Court processes infractions and ensures compliance with the law. Individuals challenging an infraction do so through the Bellingham Municipal Court.

The BPD historically assigned supervision and coordination of the non-commissioned parking enforcement staff to commissioned officers, typically the Traffic Sergeant. Recent staff challenges affecting the City resulted in necessary and appropriate prioritization of commissioned police officers away from non-criminal enforcement. Consistent and regular enforcement of parking regulations, however, remains a need.

To meet the public safety needs of the City, Mayor Fleetwood has proposed changes in City departments to assist and support the BPD in focusing on criminal enforcement and public safety. By way of example, the City Council approved the Mayor's proposal to create the Solid Waste Division. The Mayor also placed priority on recruitment for BPD staff and pursued new tools for recruiting and retention. In addition, and as approved by the City Council, the City of Bellingham 2023-2024 budget assigns civil parking enforcement to the Public Works (PW) Department and includes the supervisory and support staff for the four (4) authorized parking enforcement positions.

The staffing change from the BPD to the PW Department will assist the BPD in meeting staff needs by allowing commissioned officers to focus on criminal enforcement and urgent public safety matters rather than supervision of staff issuing civil infractions. The Public Works (PW) Department is responsible for the operation and management of the various parking systems and infrastructure. Supervision of parking enforcement is consistent with other existing duties of PW staff. Consolidating enforcement, parking meter operations, parking management computer software systems, and staffing into a single PW group increases operational efficiencies for the City.

A change to the Bellingham Municipal Code (BMC) is needed to authorize Public Works Department staff to issue non-criminal parking infractions and implement this proposed change. The attached draft ordinance enables the additional authority without changing the authority of the BPD to continue to issue parking infractions. Bellingham Municipal Court processes and authority remain as is with no change.

Subject to approval of the City Council, the administration will continue with the civil service and collective bargaining requirements to revise job descriptions and transfer existing employees from the BPD to the PW Department.

Recommendation: Adopt the draft ordinance creating the authority for the Public Works Department to issue civil parking infractions.