

QUILEUTE TRIBE

Quileute Tribal Parking Ordinance

I. General Provisions

1. Authority

The authority for this Quileute Tribal Parking Ordinance is found in the Constitution of the Quileute Tribe, as amended effective February 3, 2025, Article VI, Sections 1 (e), (g), (i), and (j).¹

2. Background and Intent

The Quileute Tribal Council finds that parking has become an issue on the Quileute Reservation, particularly in certain areas and at certain times of year. Individuals sometimes park in inappropriate locations that may, among other things, create a risk to public safety, harm vegetation, impede customers' access to the Tribe's businesses (thus impacting the Tribe's revenues), and impede Tribal members' access to certain areas of the Reservation, including areas used for the exercise of treaty rights. Moreover, parking fees have the potential to be a revenue source for the Quileute Tribe, but the Quileute Tribe currently receives no revenue from parking fees, penalties, or other enforcement activities. Accordingly, the Quileute Tribal Council concludes that it has become necessary to further regulate parking on the Quileute Reservation, in the interests of both public safety and revenue raising, and it enacts this Ordinance for that purpose.

3. Definitions

For purposes of this Ordinance, the following words and phrases will have the following meanings:

- (a) "Elder" means a person who has attained the age of 62 or older.
- (b) "LPPD" means the La Push Police Department, which is the Tribe's law enforcement agency established by the Quileute Law & Order Code.
- (c) "LPPD designee" means a Tribal official or employee, other than an LPPD officer, who has met any and all training and background check requirements established by LPPD and has been authorized and designated by the Chief of LPPD to perform some or all of the actions that would be otherwise performed by an LPPD officer under this Ordinance. LPPD designees may only perform the specific action(s) they have been so authorized and designated to perform.
- (d) "LPPD officer" means a law enforcement officer employed by LPPD.
- (e) "Notice of infraction" means a written notice of a violation of this Ordinance, however titled and formatted (e.g., as a notice of violation, citation, ticket, or some other written notice of violation).
- (f) "Ordinance" means this Quileute Tribal Parking Ordinance.
- (g) "Park" or "Parking" means the standing of a vehicle, whether occupied or not,

¹ If one or more of the cited sections is/are amended or renumbered in the future, then the continued enforcement of this Ordinance will be deemed to occur under the comparable sections as amended or renumbered.

QUILEUTE TRIBE
Quileute Tribal Parking Ordinance

otherwise than temporarily for the purpose of, and while actually engaged in, loading or unloading property or passengers.

- (h) “Person” means any individual natural person. If the context permits, “person” may also refer to a legal entity.
- (i) “Persons with disabilities” means, for purposes of this Ordinance, persons with one or more of the physical disabilities listed in RCW 46.19.010 who have been issued identification cards and special license plates or placards by the Quileute Tribe, State of Washington, or another tribe, state, or country, granting the persons special privileges to park in parking places reserved for persons with physical disabilities.
- (j) “Public highway” means the entire width between the boundary lines of State Route 110 a/k/a La Push Road and of every other way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.
- (k) “RCW” means the Revised Code of Washington.
- (l) “Reservation” means the Reservation of the Quileute Tribe.
- (m) “Stand” or “Standing” means the halting of a vehicle, whether occupied or not, other than temporarily for the purpose of, and while actually engaged in, receiving or discharging passengers.
- (n) “Tribal Council” means the Quileute Tribal Council, which is the governing body of the Tribe.
- (o) “Tribal member” means an enrolled member of the Quileute Tribe.
- (p) “Tribe” means, and “Tribal” refers to, the Quileute Tribe.
- (q) “Vehicle” means a device capable of being moved upon a public highway and in, upon, or by which any person or property is or may be transported or drawn upon a public highway, with certain exceptions as set forth in RCW 46.04.670.

II. Parking Rules

1. No Stopping, Standing, or Parking on Road.

It is prohibited to stop, park, or leave standing any vehicle, whether attended or unattended, upon a roadway. This prohibition does not apply to the driver of any vehicle that is disabled to the extent that it is impossible to avoid temporarily leaving the vehicle in such position, provided that the driver arranges for the prompt removal of the vehicle. This prohibition also does not apply to first responder/emergency vehicles or to brief stops by drivers of public transit vehicles, school buses, mail/commercial delivery vehicles, utility vehicles, public works construction vehicles, or garbage/recycling vehicles engaged in the proper performance of their official duties.

QUILEUTE TRIBE
Quileute Tribal Parking Ordinance

2. No Parking Areas

- (a) It is prohibited to stop, stand, or park a vehicle, whether attended or unattended, in any of the following areas:
- i. On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
 - ii. On a sidewalk or street planting strip;
 - iii. Within an intersection;
 - iv. On or within 20 feet of a crosswalk;
 - v. In front of or within five feet of a public or private driveway;
 - vi. Within 15 feet of a fire hydrant;
 - vii. At any place where official signs or markings prohibit stopping, standing, or parking;
 - viii. Within 30 feet upon the approach to any flashing signal, stop sign, yield sign, or traffic control signal located at the side of a roadway; or
 - ix. In any parking space designated for persons with disabilities or elders.
- (b) Tribal Council may, by regulation and/or resolution, designate additional no parking areas where parking is either permanently or temporarily prohibited. Tribal Council will cause all such no parking areas to be marked with permanent or temporary no parking signs and/or painted curbs as applicable. It is prohibited to stop, stand, or park a vehicle, whether attended or unattended, in any such no parking areas.

3. Parking Areas

Tribal Council may, by regulation and/or resolution, authorize designated parking areas where parking is expressly permitted subject to all applicable laws, ordinances, regulations, rules, and resolutions.

4. Parking Areas for Persons with Disabilities

Tribal Council may, by regulation and/or resolution, authorize designated parking areas or spaces for parking exclusively by persons with disabilities. Parking in an area reserved for persons with disabilities without meeting the applicable requirements constitutes a violation of this Ordinance. It is also a violation of this Ordinance to otherwise obstruct access to a parking area reserved for persons with disabilities, or to engage in unauthorized use of an identification card, special license plate, or placard for persons with disabilities. "Unauthorized use" includes, without limitation, using such an item without being eligible for it or when it belongs to another person, or is expired, inactivated, faked, forged, or counterfeited.

5. Parking Areas for Elders

Tribal Council may, by regulation and/or resolution, authorize designated parking areas or spaces for parking exclusively by qualifying elders. In that event, Tribal Council will prescribe a method by which drivers of vehicles may indicate their status as qualifying elders. Parking in an area reserved for elders without meeting the applicable requirements constitutes a violation of

QUILEUTE TRIBE
Quileute Tribal Parking Ordinance

this Ordinance.

6. Limitations on Parking Areas

Tribal Council may, by regulation and/or resolution, impose limitations on parking in certain parking areas, such as limiting parking to customers only, employees during work hours, and/or local residents; imposing time limits on parking; and/or establishing hours during which parking is permitted or prohibited. Failure to comply with any such limitations constitutes a violation of this Ordinance.

7. Manner of Parking

Vehicles must be parked in the manner described in RCW 46.61.575. Moreover, no person driving or in charge of a vehicle may leave it unattended without first appropriately parking and turning off the vehicle (including, without limitation, stopping the engine, locking the ignition, removing the key, effectively setting the brake, and, when standing upon any perceptible grade, turning the front wheels to the curb or side of the road).

8. Parking Fees

Tribal Council may, by regulation and/or resolution, establish a parking fee schedule for some or all designated parking areas. Tribal Council will cause signs advertising the applicable parking fees to be prominently posted in such parking areas. Parking in a parking area subject to a parking fee without payment of the fee or after the paid time has expired is a violation of this Ordinance.

9. Exemptions for Tribal Members, Employees, and/or Local Residents

Tribal Council may, by regulation and/or resolution, grant to Tribal members, Tribal employees, local residents, and/or others certain exemptions from parking restrictions and/or parking fees. When granting any such exemption, Tribal Council will prescribe a method by which drivers of vehicles may indicate their exempt status.

III. Enforcement

1. Violations

Any parking violation under this Ordinance (or a regulation and/or resolution implementing this Ordinance) is designated as a civil traffic infraction.

2. Penalties

A person found to have committed an infraction in violation of this Ordinance, will be assessed a monetary penalty not to exceed a maximum amount established by Tribal Council, except that the penalty for violating Section II.4, above (relating to parking areas for persons with disabilities) may be a higher amount established by Tribal Council. The Tribal Court will designate the amounts of the monetary penalties for infractions under this Ordinance.

QUILEUTE TRIBE
Quileute Tribal Parking Ordinance

A person who fails to pay a notice of infraction may be sent to collections or trespassed and/or excluded from the Reservation.

3. Notice of Infraction

- (a) If any vehicle without a driver is found parked, standing, or stopped in violation of this Ordinance (or a regulation and/or resolution implementing this Ordinance), the LPPD officer or LPPD designee finding said vehicle will take down, in LPPD's customary manner, the vehicle's registration number and license plate, as available, and any other pertinent information displayed on the vehicle which may identify its user. The LPPD officer or LPPD designee will fill out and place a notice of infraction conspicuously on the vehicle.
- (b) A notice of infraction represents a determination that an infraction has been committed. The determination will be final unless contested as provided in Section III.5, below.
- (c) If the registered owner of a vehicle is a rental car business, then LPPD will proceed in the manner described in RCW 46.63.073 before issuing a notice of infraction.

4. Presumption of Responsibility

Provided an LPPD officer and/or LPPD designee has followed the procedures prescribed in the foregoing Section, the following proof will give rise to a prima facie presumption that the registered owner of the vehicle was the person who committed the violation:

- (a) Proof that the particular vehicle described in the notice of infraction was stopped, standing, or parked in violation of this Ordinance (or a regulation and/or resolution implementing this Ordinance); and
- (b) Proof that the person named in the notice of infraction was at the time of the violation the registered owner of the vehicle.

5. Response and Failure to Respond to Notice of Infraction

A person issued a notice of infraction must respond to the notice within fourteen days in one of the ways set forth in Section 14 of the Quileute Motor Vehicle Ordinance (as may be amended or renumbered from time to time). If the person fails to respond (or fails to appear at a requested hearing), the Quileute Tribal Court will enter an order assessing the monetary penalty prescribed for the infraction in accordance with Section III.2, above, and Section 14.3 of the Quileute Motor Vehicle Ordinance (as may be amended or renumbered from time to time).

6. Vehicle Immobilization

- (a) Declaration of Public Nuisance. If a person has not responded to a notice of infraction within 14 days of the issuance thereof and has been issued two or more previous notices of infraction to which there have been no response and for which the penalties have not been paid, LPPD may mail a final notice to the registered owner of the vehicle on which the notice of infraction was placed that the vehicle will be declared a public nuisance and may be subject to immobilization and/or impoundment unless all unpaid penalties are

QUILEUTE TRIBE
Quileute Tribal Parking Ordinance

paid within fourteen days after the date of such final notice. If payment is not made as directed, the vehicle will be considered a public nuisance fourteen days after the date of such notice.

- (b) Immobilization Authorized. Any vehicle deemed a public nuisance under this Section and thereafter found parked on the roads or parking lots of the Reservation may be immobilized by or at the direction of an LPPD officer or LPPD designee, by installing on or attaching to such vehicle a device designed to restrict the normal movement of such vehicle (colloquially referred to as a “boot”).
- (c) Procedure for Immobilization. At the time of immobilizing the vehicle, the LPPD officer or LPPD designee must place on the vehicle a readily visible notice of immobilization containing the following information:
- i. Date and time of immobilization;
 - ii. Reason for immobilization;
 - iii. Instructions for release of the vehicle (including information for making payment);
 - iv. Notification that the vehicle will be impounded, removed, and stored at the owner’s expense within 24 hours after the date and time indicated on the notice unless all unpaid fees and penalties are paid, plus an additional immobilization fee; and
 - v. Warning that removing or attempting to remove the immobilization device is unlawful and may damage the vehicle
- (d) Immobilization Fee. The registered owner of a vehicle immobilized under this Section will be assessed an immobilization fee established by Tribal Council to cover the cost of immobilization, in addition to all other outstanding fees and penalties. Except for the purpose of impoundment under subsection (e), below, no immobilized vehicle may be released from immobilization until all unpaid fees and penalties, plus the immobilization fee, have been paid.
- (e) Impoundment. If the vehicle remains immobilized for 72 hours, the vehicle may be impounded, removed, and stored at the owner’s expense.

7. Towing and Impoundment

LPPD (by and through an LPPD officer or LPPD designee) is authorized to remove and impound, or cause to be removed and impounded, vehicles that are parked in violation of this Ordinance (whether first immobilized or not), subject to the following limitations:

- (a) Roads. A vehicle parked on a road must not be towed until an LPPD officer or LPPD designee has first placed a notice of impoundment on the vehicle and the vehicle has remained unattended and in violation of this Ordinance for at least 24 hours thereafter, unless the vehicle is obstructing a roadway or parked in a no parking area in violation of Sections II(1) and (2), above, or otherwise poses a risk to public safety.
- (b) Parking Lots. Parking lots from which vehicles may be towed for violations of this Ordinance must have signs posted near each entrance and on the property in a clearly conspicuous and visible location that clearly indicate the name, telephone number, and

QUILEUTE TRIBE
Quileute Tribal Parking Ordinance

address of the facility where the owner of the vehicle may recover it. If such signs are not posted, the LPPD officer or LPPD designee must first place a notice of impoundment on the vehicle and the vehicle must not be towed until it has remained unattended and in violation of this Ordinance for at least 24 hours thereafter, unless the vehicle is in a parking space reserved and marked for persons with disabilities, is obstructing ingress/egress, or otherwise poses a risk to public safety.

- (c) Notice of Impoundment. Any notice of impoundment under subsection (a) or (b), above must be readily visible and must state:
- i. The date and time it was placed on the vehicle;
 - ii. The identity of the LPPD officer or LPPD designee;
 - iii. A statement that if the vehicle is not removed within 24 hours after the time the notice is placed, the vehicle may be towed and stored at the owner's expense; and
 - iv. The address and telephone number where additional information may be obtained.

Promptly after placing the notice of impoundment, the LPPD officer or another LPPD officer or LPPD designee must make a reasonable effort to contact the registered owner of the vehicle by telephone in order to give the owner the information on the notice.

- (d) Tow Truck Operators. Any tow truck operator engaged to provide vehicle towing and/or impoundment services under this Ordinance must be licensed by Tribal Council to engage in such activities and must meet or exceed the requirements for tow truck operators set forth in RCW Chapter 46.55.

8. Trespass and Exclusion

Any person not a member of the Tribe who commits three or more parking infractions or fails to pay one or more notices of infraction under this Ordinance may be trespassed from the Reservation and/or excluded from the Reservation pursuant to Article XV of the Quileute Law & Order Code (as it may be amended or renumbered from time to time).

IV. Use of Revenues

The revenues from all parking fees and penalties must be deposited in the Tribe's general fund unless Tribal Council directs otherwise via resolution.

V. Miscellaneous

1. Consent to Jurisdiction

By entering the Reservation; accepting the privilege of using the roads and parking facilities within the Reservation, as evidenced by operation of a vehicle thereon, or express or implied consent for a vehicle to be operated thereon; and/or accessing Tribal properties on the Reservation; a non-Tribal member is deemed to have entered into a consensual relationship with the Tribe and thereby to consent to the civil regulatory and adjudicatory jurisdiction of the Tribe, including personal jurisdiction.

QUILEUTE TRIBE
Quileute Tribal Parking Ordinance

2. Non-Applicability of State Law

Any references or resemblances to provisions of the Revised Code of Washington in this Ordinance are solely for purposes of convenience and consistency across jurisdictions. Notwithstanding anything to the contrary, the Tribe does not concede the applicability or enforceability of the Revised Code of Washington within the Reservation.

3. Construction

The purposes of this Ordinance are hereby declared remedial and its provisions will be liberally construed and enforced in the Tribe's favor according to the laws of the Quileute Tribe.

4. Severability

If any provision of this Ordinance, or its application to any person under any circumstances, is held invalid by any court of competent jurisdiction, the remaining provisions of this Ordinance will remain in full force and effect.

5. Sovereign Immunity

Notwithstanding anything to the contrary, nothing in this Ordinance waives or may be interpreted to waive the sovereign immunity of the Tribe, any subordinate Tribal entity, or any of either's officers, employees, or agents acting within the scope of their authority.

6. Effective Date

This Ordinance will take effect immediately upon approval by Tribal Council and will supersede and replace any and all prior ordinances of the Tribe relating to the subject matter of this Ordinance. For the avoidance of doubt, this Ordinance is intended to operate in tandem with the Quileute Motor Vehicle Ordinance and will not supersede or replace the Quileute Motor Vehicle Ordinance.