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SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

ORDINANCE NO. 08-078

AN ORDINANCE ESTABLISHING AN ADOPT-A-ROAD PROGRAM AND ADDING
CHAPTER 13.150 TO THE SNOHOMISH COUNTY CODE AND AMENDING SECTION
13.10.050 OF THE SNOHOMISH COUNTY CODE.

WHEREAS, state law provides for the establishment of a statewide adopt-a-highway program by the department of transportation in RCW 47.40.100; and authorizes local government legislative authorities to enact local "adopt-a-highway sign" programs which are not inconsistent with state or federal law in RCW 47.40.105.

WHEREAS, Snohomish County intends to establish a local adopt-a-road program as a partnership between citizen volunteers and the county to reduce roadside litter, enhance the quality of the environment, and build civic pride in a litter-free Snohomish County.

NOW, THEREFORE, BE IT ORDAINED:

Section 1. Snohomish County Code Section 13.10.050, last amended by Ordinance No. 02-098 on December 9, 2002, is amended to read:

13.10.050 Permit exemptions.

Right-of-way use permits will not be required:

(1) For activities requiring a license or permit pursuant to the general business license and regulations code, Title 6, SCC. Applications which are expected to utilize right-of-way shall be reviewed and approved by the engineer before the issuance of any license or permit.

(2) For franchised utilities when responding to emergencies that require work in the right-of-way such as water or sewer main breaks, gas leaks, downed power poles when the new placement is uniquely different from the original or similar emergencies; PROVIDED, That the department shall be notified by the responding utility, verbally or in writing, as soon as practicable following onset of an emergency and an appropriate right-of-way permit be applied for at that time.

(3) For mailboxes or newspaper delivery receptacle, PROVIDED That the engineer may order such moved or removed if he/she believes such to be constructed or located so as to constitute an unsafe condition.

(4) Where a separate agreement and/or approval is granted by the county council through the legislative process such as for franchise, establishment or vacation of right-of-way, easements or deeds. Application for permission with respect to the foregoing activities shall be required, received, and processed the same as one for a required permit.

(5) For road maintenance activities and road construction projects undertaken by the department of public works or under contract to the department of public works, except

ORDINANCE NO. 08-078

1 that the engineer may require right-of-way use permits when the contract is for the
2 construction of improvements proposed by a developer. At the discretion of the
3 engineer, relocation of utilities to provide for activities and construction undertaken by or
4 under contract to the department may also be exempt when review and inspection will
5 be conducted as part of the department's policies.

6 (6) For temporary political signs. As public right-of-ways are found to be part of a
7 traditional public forum, temporary political signs may be placed within the county right-
8 of-way. PROVIDED, That:

9 (a) Such signs shall comply with all applicable provisions of the Revised Code of
10 Washington (RCW), including Chapter 29.51 RCW and Chapter 42.17 RCW, and the
11 provisions of SCC 30.27.070.

12 (b) Such signs shall not create a traffic safety hazard by obstructing sight
13 distance requirements in accordance with the Engineering Design and Development
14 Standards adopted under chapter 13.05 SCC, or block access for vehicles or
15 pedestrians.

16 (c) Such signs shall not be placed on or within the portion of the roadway used
17 for the passage or parking of vehicles or pedestrians.

18 (d) The name, address and telephone number of the persons responsible for sign
19 removal and maintenance shall be made known to the department of public works by
20 the registration of such person or organizations with the Snohomish County auditor and
21 by the portrayal of such information on every sign.

22 (e) If placed within a right-of-way area maintained by the abutting property owner,
23 or organization, permission must be obtained from such owner or organization prior to
24 sign placement.

25 (f) Such signs shall be freestanding, and not attached to any utility structure or
26 pole; traffic sign, device or guardrail; tree or shrub; or any other structure within the
27 right-of-way.

28 (g) The maintenance, removal, and liability due to placement of such signs shall
29 be the sole responsibility of the person(s) or organizations placing them. The county will
30 assume no responsibility nor liability for such signs, and reserves the right to remove,
31 without notice, signs not complying with this section.

32 (7) For litter control or other roadside improvement activities conducted under the
33 department of public works' adopt-a-road program.

34
35 Section 2. A new chapter is added to Title 13 of the Snohomish County Code to
36 read:

37
38 **Chapter 13.150**
39 **ADOPT-A-ROAD PROGRAM**

40
41 Sections:

- 42 13.150.010 Purpose of chapter.
43 13.150.020 Program established.
44 13.150.030 Eligibility to participate in program.
45 13.150.040 Adopted sections.
46 13.150.050 Administration of program.

ORDINANCE NO. 08-078

AN ORDINANCE ESTABLISHING AN ADOPT-A-ROAD PROGRAM, ETC. - 2

1 13.150.060 Rights and activities of adjacent landowners.

2 13.150.070 Sunset.

3
4 **13.150.010 Purpose of chapter.**

5 The purpose of this chapter is to establish an adopt-a-road program for
6 Snohomish County to provide citizen volunteers with an opportunity to contribute to a
7 cleaner environment and enhanced roadsides.

8
9 **13.150.020 Program established.**

10 There is hereby established an adopt-a-road program for Snohomish County to
11 encourage volunteer involvement and community service in the control and reduction of
12 litter and enhancement of general environmental quality along county roadways. The
13 program shall be administered by the department of public works. Participating
14 organizations shall adopt department-designated sections of county roads in
15 accordance with procedures adopted by the department. The program shall include, at
16 a minimum, litter control for the adopted section, and may include additional
17 responsibilities such as, planting and maintaining vegetation, controlling weeds, graffiti
18 removal, and other roadside improvement or clean-up activities that the department
19 deems appropriate.

20
21 **13.150.030 Eligibility to participate in program.**

22 (1) The director shall determine the eligibility of organizations to participate in the
23 program, provided that the eligibility determinations shall comply with subsection
24 13.150.030(2).

25 (2) An organization is not eligible to participate in the program if its name:

26 (a) Endorses or opposes a particular candidate for public office;

27 (b) Advocates a position on a specific political issue, initiative, referendum, or
28 piece of legislation; or

29 (c) Includes a reference to a political party.

30
31 **13.150.040 Adopted sections.**

32 Adopted sections shall be county roads. The department may, at its discretion,
33 determine that specific sections of county road are not appropriate for adoption.

34
35 **13.150.050 Administration of program.**

36 In administering the program, the department shall:

37 (1) Provide a standardized application form, registration form, and contractual
38 agreement for all participating organizations. The forms shall notify prospective
39 participants of the risks and responsibilities to be assumed by the participants and
40 department;

41 (2) Require all participants to be at least fifteen years of age;

42 (3) Require parental consent for all minors;

43 (4) Require at least one adult supervisor for every eight participating minors;

44 (5) Require one designated leader for each participating organization;

45 (6) Assign each participating organization a section or sections of county road for
46 a specified period of time;

ORDINANCE NO. 08-018

AN ORDINANCE ESTABLISHING AN ADOPT-A-ROAD PROGRAM, ETC. - 3

1 (7) Recognize the efforts of a participating organization by fabricating and
2 installing signs with the organization's name on both ends of the organization's adopted
3 section. The signs shall follow a standard design determined by the department, and
4 shall conform to the applicable sections of the current edition of the Manual of Uniform
5 Traffic Control Devices published by the Federal Highway Administration;

6 (8) Provide appropriate safety equipment, which shall remain the property of the
7 county and be returned to the department after each use;

8 (9) Provide safety training materials and aids to participating organizations; and

9 (10) Establish procedures and guidelines for the program.

10
11 **13.150.060 Rights and activities of adjacent landowners.**

12 Nothing in this chapter affects the rights or activities of, or agreements with,
13 adjacent landowners, including the use of right-of-ways and crossings, nor impairs
14 these rights and uses by the placement of signs.

15
16 **13.150.070 Sunset.**


17 Snohomish County Code Chapter 13.150, adopted by this ordinance or as
18 amended after the effective date of this ordinance, is repealed, effective on the date six
19 years following enactment unless re-enacted prior to that date as provided in
20 Snohomish County Charter Section 2.115.

21
22 PASSED this 25th day of June 2008.

23
24 SNOHOMISH COUNTY COUNCIL
25 Snohomish County, Washington

26
27 
28 Chairperson

29
30 ATTEST:

31 
32 Clerk of the Council, *Asst.*

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34
35 APPROVED

36
37 EMERGENCY

38
39 VETOED

40 DATE: 6/27/08

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43 MARK SOINE
44 Deputy Executive

45 *for* County Executive

46 ATTEST:



ORDINANCE NO. 08-078

AN ORDINANCE ESTABLISHING AN ADOPT-A-ROAD PROGRAM, ETC. - 4

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2 Approved as to form only:

3 Catherine A. Davis
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5 Deputy Prosecuting Attorney
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