

1 SNOHOMISH COUNTY COUNCIL
2 Snohomish County, Washington

3
4 AMENDED ORDINANCE NO. 12-112

5
6 RELATING TO REGULATION OF VEHICLES AND TRAFFIC; REMOVING
7 OBSOLETE TRAFFIC CODE PROVISIONS, PROHIBITING INATTENTIVE
8 DRIVING, DECRIMINALIZING CERTAIN OFFENSES, AND CLARIFYING
9 AGENCY AUTHORITY; AMENDING SCC 11.12.020, 11.12.050, 11.16.030,
10 11.16.050, 11.16.060, 11.16.070, 11.16.080, 11.16.090, 11.16.100, 11.16.110,
11 11.24.010, AND 11.24.020; ADDING A NEW SECTION; REPEALING
12 SCC 11.12.010, 11.12.030, 11.12.040, 11.12.060, 11.12.070, 11.12.080,
13 AND 11.12.090; AND PRESCRIBING PENALTIES

14
15 WHEREAS, the State of Washington has adopted a comprehensive body of
16 motor vehicle statutes and administrative regulations that promote vehicle and traffic
17 safety; and

18
19 WHEREAS, the Snohomish County Code includes traffic code provisions that
20 date back to 1970 some of which are no longer needed or otherwise out of date and
21 require revision; and

22
23 WHEREAS, the Sheriff, after consultation with the Department of Public Works,
24 has recommended that certain county traffic code provisions be repealed or revised and
25 that a new provision be added relating to inattentive driving as provided herein;

26
27 NOW, THEREFORE, BE IT ORDAINED:

28
29 Section 1. Snohomish County Code Section 11.12.020, adopted by resolution on
30 June 15, 1970, is amended to read:

31
32 **11.12.020 Title.**

33 This chapter shall be known as the "Snohomish County Traffic Code"
34 ~~((and it shall be sufficient to refer to this chapter or any portion thereof as the~~
35 ~~"Snohomish County Traffic Code" in any prosecution for the violation of any~~
36 ~~provision thereof)).~~

37
38 Section 2. A new section is added to Chapter 11.12 of the Snohomish County
39 Code to read:

40
41 **11.12.025 Inattentive driving.**

42 (1) It is a traffic infraction for a person to drive a vehicle in an inattentive
43 manner over and along a county street or roadway. For purposes of this section,

1 "inattentive manner" means to drive a vehicle in such a manner so as to fail to
2 maintain a careful lookout in the direction of traffic or to otherwise drive without
3 due vigilance for persons or property in or near the path of such vehicle.
4

5 (2) A person found to have violated this section shall be assessed a
6 monetary penalty in the amount of \$250, plus any additional assessment
7 imposed by state law.
8

9 Section 3. Snohomish County Code Section 11.12.050, adopted by resolution on
10 June 15, 1970, is amended to read:
11

12 **11.12.050 Violation.**

13 Any person violating any of the provisions or failing to comply with any of
14 the mandatory requirements of this traffic code (~~((for which no penalty has been~~
15 ~~otherwise prescribed))~~) shall be guilty of a (~~((misdemeanor))~~) traffic infraction
16 punishable in accordance with chapter 46.63 RCW.
17

18 Section 4. Snohomish County Code Section 11.16.030, adopted by Ordinance
19 No. 84-089 on August 27, 1984, is amended to read:
20

21 **11.16.030 Designated maximum speed limit - Residential districts.**

22 The maximum speed limit that a person may drive a vehicle of any type on
23 a road in a residential district in the unincorporated area of Snohomish County
24 shall be (~~((twenty-five (25)))~~) 25 miles per hour except where a different speed limit
25 has been posted. "Residential District" shall have the (~~((same definition as~~
26 ~~contained))~~) meaning given for "residence district" in RCW 46.04.470 (~~((as it~~
27 ~~currently exists or as that definition is later amended))~~): " 'Residence District'
28 means the territory contiguous to and including a public highway not comprising
29 a business district, when the property on such public highway for a continuous
30 distance of 300 feet or more on either side thereof is in the main improved with
31 residences or residences and buildings in use for business." If the definition of
32 "residence district" in RCW 46.04.470 is later amended the amended language
33 will control over the language of this section.
34

35 Section 5. Snohomish County Code Section 11.16.050, adopted by Ordinance
36 No. 84-089 on August 27, 1984, is amended to read:
37

38 **11.16.050 Violation (~~(-Misdemeanor)~~).**

39 Any violation of this chapter shall be a (~~((misdemeanor and is))~~) traffic
40 infraction punishable in accordance with (~~((SCC 1.01.100 as it presently exists or~~
41 ~~as it is later amended))~~) chapter 46.63 RCW.
42

1 Section 6. Snohomish County Code Section 11.16.060, adopted by Ordinance
2 No. 84-089 on August 27, 1984, is amended to read:

3
4 **11.16.060 Change of existing speed limits - When effective.**

5 Speed limits in effect on the date of the adoption of this chapter shall
6 remain in effect until the (~~director of public works~~) county engineer shall change
7 speed limits under the provisions of this (~~Chapter~~) chapter or when the
8 (~~Snohomish~~) county council shall, by ordinance, institute speed limit changes
9 and when such changes, in either case, are posted. Prior to the (~~director of~~
10 ~~public works~~) county engineer making a change in a speed limit under the
11 provisions of this chapter, the (~~director~~) department of public works shall
12 publish, in a newspaper of general circulation in the county, a notice of the
13 proposed speed limit and the procedure for appealing the proposed speed limit.
14 Any new speed limit will become effective upon posting consistent with the
15 Manual on Uniform Traffic Control Devices for Streets and Highways adopted in
16 (~~Section~~) SCC 11.24.010 (~~of the Snohomish County Code~~). No speed limit
17 change is effective until posted.

18
19 Section 7. Snohomish County Code Section 11.16.070, adopted by Ordinance
20 No. 84-089 on August 27, 1984, is amended to read:

21
22 **11.16.070 Authority - (~~Director of Public Works~~) County engineer.**

23 The (~~director of the department of public works~~) county engineer is
24 authorized to revise existing speed limits on all county roads, provided that such
25 speed limit revisions shall not exceed 10 miles per hour. The determination of
26 the proper speed limit will be based upon the following engineering and traffic
27 investigation factors:

- 28 (1) Road surface characteristics, shoulder conditions, grade, alignment
29 and sight distance;
30 (2) The 85 percentile speed and pace speed;
31 (3) Roadside development and roadside friction;
32 (4) Safe speed for curves or hazardous locations within the zone;
33 (5) Parking practices and pedestrian activity; and
34 (6) Reported accident experience for a recent 12-month period.

35
36 Section 8. Snohomish County Code Section 11.16.080, adopted by Ordinance
37 No. 84-089 on August 27, 1984, is amended to read:

38
39 **11.16.080 Appeal procedures.**

40 The decision of the (~~director of the department of public works~~) county
41 engineer concerning any speed limit (~~revisions~~) revision other than a temporary
42 speed limit established pursuant to SCC 11.16.090 may be appealed by an
43 aggrieved party to the (~~Snohomish~~) county council, provided that an appeal is

1 filed in writing within 30 calendar days from the date of the posting of the new
2 speed zone. Any appeal must be submitted to the clerk of the ((Snohomish))
3 county council, ((6th) 8th floor, ((Snohomish County Administration)) Robert J.
4 Drewel Building, 3000 Rockefeller, M/S/ 609, Everett, Washington, 98201.
5

6 Section 9. Snohomish County Code Section 11.16.090, adopted by Ordinance
7 No. 84-089 on August 27, 1984, is amended to read:
8

9 **11.16.090 Special conditions.**

10 Reduced temporary speed limits for special conditions, such as where
11 there is construction on or near a county road, may be set by the ((director of
12 public works)) county engineer, provided these locations are posted with signs in
13 accordance with the ((federal highway administration's)) manual on uniform traffic
14 control devices adopted in SCC 11.24.010. Such temporary speed limits may
15 ((change)) reduce the posted speed limit by more than 10 miles per hour.
16

17 Section 10. Snohomish County Code Section 11.16.100, adopted by Ordinance
18 No. 84-089 on August 27, 1984, is amended to read:
19

20 **11.16.100 Log of speed limits.**

21 The ((director of public works)) county engineer shall maintain a log for
22 each established speed limit. The log shall list each road section and the speed
23 limit thereon, and the beginning and ending mile posts for each such road
24 segment.
25

26 Section 11. Snohomish County Code Section 11.16.110, adopted by Ordinance
27 No. 84-089 on August 27, 1984, is amended to read:
28

29 **11.16.110 Reduced speed where persons working.**

30 A maximum speed limit of 20 miles per hour is hereby established for
31 those areas of Snohomish county in which authorized persons are working within
32 the traveled roadway, provided said areas are posted with signs in accordance
33 with the ((federal highway administration's)) manual on uniform traffic control
34 devices adopted in SCC 11.24.010.
35

36 Section 12. Snohomish County Code Section 11.24.010, adopted by resolution
37 on February 5, 1973, is amended to read:
38

39 **11.24.010 Adoption of state provisions.**

40 The "Manual on Uniform Traffic Control Devices for Streets and
41 Highways" as adopted or amended by the state ((highway commission))
42 department of transportation under chapter 47.36 RCW, be and is hereby
43 adopted by Snohomish county, to apply to all county roads and streets.

1
2 Section 13. Snohomish County Code Section 11.24.020, adopted by resolution
3 on May 16, 1977, is amended to read:
4

5 **11.24.020 Authority of county engineer.**

6 ((RCW 46.90.260 and 46.90.265)) WAC 308-330-260 and 308-330-265
7 providing for an office of traffic engineer having certain powers and duties
8 regarding traffic and traffic control devices are hereby adopted by reference and
9 the functions thereof are assigned to the ((Snohomish)) county engineer.
10

11 Section 14. The following ordinances or parts of ordinances are each repealed:
12

13 (1) Snohomish County Code Section 11.12.010, adopted by resolution on
14 June 15, 1970;
15

16 (2) Snohomish County Code Section 11.12.030, adopted by resolution on
17 June 15, 1970;
18

19 (3) Snohomish County Code Section 11.12.040, adopted by resolution on
20 June 15, 1970;
21

22 (4) Snohomish County Code Section 11.12.060, adopted by resolution on
23 June 15, 1970;
24

25 (5) Snohomish County Code Section 11.12.070, adopted by resolution on
26 June 15, 1970;
27

28 (6) Snohomish County Code Section 11.12.080, last amended by
29 Amended Ordinance No. 86-061 on July 16, 1986; and
30

31 (7) Snohomish County Code Section 11.12.090, adopted by resolution on
32 June 15, 1970.
33
34

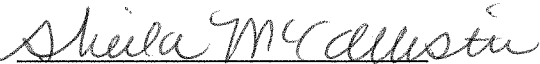
1
2 Section 14. Effective date. This ordinance shall take effect March 1, 2013.
3 Further, the Clerk of the Council shall forthwith transmit a copy of this ordinance to the
4 Presiding Judge of the Snohomish County District court for consideration of the need, if
5 any, for adoption of local or amendment of local court rules relating to civil infraction
6 under local laws.

7
8 PASSED this 9th day of January, 2013.

9
10 SNOHOMISH COUNTY COUNCIL
11 Snohomish County, Washington

12
13 
14 _____
15 Chairperson

16 ATTEST:

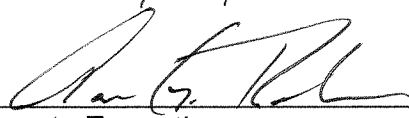
17
18 
19 _____
20 Asst/ Clerk of the Council

21 () APPROVED


22 () EMERGENCY

23 () VETOED

24
25
26 DATE: 1/14/13

27
28 
29 _____
30 County Executive

31
32 ATTEST:

33
34 
35 _____
36 Approved as to form only:

37
38 _____
39 Deputy Prosecuting Attorney
40
41

D-18