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SNOHOMISH COUNTY  
EXECUTIVE OFFICE



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COUNTY COUNCIL  
Snohomish County, Washington

AMENDED ORDINANCE NO. 91-089

EMPLOYEE COMMUTER PROGRAM;  
AMENDING SNOHOMISH COUNTY CODE TITLE 3

BE IT ORDAINED:

Section 1. A new chapter 3.98 is added to Snohomish County Code Title 3 as follows:

CHAPTER 3.98

EMPLOYEE COMMUTER PROGRAM

Sections:

- 3.98.010 Employee commuter program established; purpose.
- 3.98.020 Definitions.
- 3.98.030 Program guidelines and requirements.
- 3.98.040 Employee parking in county-owned parking facilities.
- 3.98.050 Employee incentives.
- 3.98.060 Additional program components.

3.98.010 Employee commuter program established; purpose. An employee commuter program is hereby established to encourage employee use of carpools, vanpools, mass transit and other non-single occupant vehicle (SOV) means of transportation. Through this program, it is intended that the need for parking facilities for county employees will be reduced as will air pollution and traffic congestion.

3.98.020 Definitions. As used in this chapter, the following terms shall have the meanings set forth below unless the context clearly indicates otherwise:

(1) "Carpool"--A carpool is a group of two or more employees who share a private vehicle for commuting to and from work. Each participating employee must ride with their carpooling group at least three working days per week (two days per week for employees working four 10-hour days per week).

(2) "Vanpool"--A vanpool is a group of 3 or more employees who commute to and from work in a van provided by a public transit agency or the county. Each participating employee must ride with

their vanpooling group at least three working days per week (two days per week for employees working four 10-hour days per week).

(3) "Participating Employee"--A participating employee is an employee who has completed the registration form required by section 3.98.030 SCC indicating that they choose to participate in the employee commuter program and who travels to and from work by carpool, vanpool, public transit, walking or bicycling.

3.98.030 Program guidelines and requirements.

(1) Participation in the employee commuter program is voluntary and not included within the official duties of any employee of Snohomish County. Employees are not entitled to workers' compensation benefits in the event of an injury while commuting. Employees are not entitled to defense and indemnification at county expense in the event of an accident or mishap while commuting.

(2) Any benefits received from participation in the employee commuter program may not be construed as compensation for any duties performed by an employee. Participation in the employee commuter program is beyond the general scope of employee duties.

(3) As a requirement of employment, all employees must register for the program. Registration shall consist of the completion of a simple form explaining the current commute mode of each employee and a statement of whether or not the employee chooses to participate in the employee commuter program. The county shall not discriminate in any employment practice against any employee choosing not to participate in the program. Employees shall complete revised registration forms when any change in their commute mode status occurs.

3.98.040 Employee parking in county-owned parking facilities.

(1) The executive shall determine and designate those parking stalls in county garages and parking facilities which are to be made available for employee use. The executive shall adopt written policies stating the manner of assignment of stalls to employees and regulating the use of stalls by employees. The policies adopted by the executive shall provide that carpools and vanpools be given priority in assignment of stalls in both location of stalls and timing of stall assignment. Only one stall rented at the carpool or vanpool rate established by section 3.09.040 SCC may be assigned to any carpool or vanpool. All employees using county parking facilities shall pay monthly rent in accordance with the rent schedule established by section 3.09.040 SCC. As a condition of use of a county parking stall, the employee to whom the stall is assigned shall authorize a monthly payroll deduction for the payment of the parking stall rent.

(2) An employee commuter program advisory committee is created for the purpose of making policy recommendations to the county

executive on the implementation of and future refinements to the Employee Commuter Plan. The employees of each county department and agency shall each calendar year elect a representative to this committee.

3.98.050 Employee incentives.

(1) Each participating employee who uses public transit to travel to and from work shall receive as an incentive, a monthly transit pass or ticket book each month without charge.

(2) Participating employees shall be eligible for up to two "guaranteed rides home" each year. The "guaranteed rides home" shall be used only when, due to a household emergency such as a sudden illness of a family member, the employee must immediately return home during the work day and is, therefore, unable to return home via carpool, vanpool, transit, bicycle or walking. The "guaranteed ride home" shall be provided by shuttle service, taxi or use of a county motorpool vehicle as determined by the employee's supervisor and the transportation coordinator in accordance with written policies adopted by the executive.

(3) The executive shall adopt written policies for the determination of eligibility and for the administration of the incentives authorized by this section.

3.98.060 Additional program components.

(1) The executive shall designate a transportation coordinator who shall be an employee of the executive. The transportation coordinator shall be responsible for all aspects of the administration of the employee commuter program including, but not limited to, monitoring participation and compliance, administering incentives, developing promotions and enforcement. The transportation coordinator shall assist participating employees in developing the best commuting alternatives for each employee. The transportation coordinator may propose revisions to the employee commuter program from time to time to improve the program.

(2) The transportation coordinator shall create and maintain a commuter information center displaying information about Community Transit, Everett Transit, and carpool/vanpool routes and schedules. The commuter information center shall include a ride match board which participating employees may utilize to locate and contact potential carpool riders/drivers.

(3) The executive shall develop and provide secure bicycle parking facilities for use by employees who bicycle to and from work. Bicycle parking in such facilities shall be provided to participating employees without charge.

(4) All elected officials and county departments are authorized and encouraged to:

(a) permit flexible work schedules to facilitate employee use of carpools, vanpools, and public transit;

(b) permit employees to work part or full time at home or at an alternative work site closer to their homes; and

(c) provide alternative work schedules such as compressed work weeks which reduce commuting.

Section 2. Snohomish County Code Section 3.09.010, adopted by resolution on October 1, 1973, is amended to read:

3.09.010 General. ~~((Snohomish-county-hereby))~~ This chapter establishes ((the-within)) regulations for ((that certain)) use of county owned or leased parking facilities ((garage)) located in the courthouse complex area in Everett, Washington. ((7-more-partieularly-described-as

~~-----Bleek-715-Plat-of-Everett-Land-Co-7  
-----First-Addition))~~

Permission to use and occupy ((the)) county parking facilit((y))ies is contingent upon ((the)) a vehicle owner's consent to abide by the rules and regulations contained in this chapter including the remedies specified for failure to comply with regulations, which consent, express or implied, shall be evidenced by operation of a vehicle within the facilit((y))ies.

Section 3. Snohomish County Code section 3.09.030, last amended by Resolution 79-246 on August 27, 1979, is hereby repealed.

New Section. Section 4. A new section 3.09.030 is added to Snohomish County Code chapter 3.09 as follows:

3.09.030 Designation of areas within facilities; maximum hours of use.

(1) The executive is authorized to designate areas within county parking facilities to be used for specific purposes. The executive shall designate areas within county parking facilities for use exclusively for parking of employee carpools and vanpools and for parking for handicapped persons. The executive may designate additional areas for county employee parking and parking for persons visiting county courthouse complex facilities.

(2) The executive shall adopt written policies specifying the manner in which individual parking stalls are assigned and such policies shall provide for priority assignment of stalls (except stalls designated for visitor parking) to employee carpools and vanpools in accordance with Chapter 3.98 SCC.

(3) Vehicles used by county employees and county owned vehicles may be parked in their assigned stalls on a twenty-four

hour per day basis. Visitor vehicles may be parked in assigned stalls for no more than ten hours in any one day.

Section 5. Snohomish County Code section 3.09.040, last amended by resolution on August 30, 1976, is amended to read:

3.09.((040))050 Remedies. Upon failure of any individual to comply with parking regulations ~~((the-county-may+))~~ established pursuant to this chapter, the executive may take action to:

(1) Revoke ~~((its-permission-for))~~ the individual's permission to use and occupy the ~~((Snohomish))~~ county parking ~~((garage))~~ facility for the purpose of parking a vehicle. Under such circumstance ~~((Snohomish-county))~~ the executive shall refund any unused portions of a ~~((permit))~~ parking fee or stall rent paid;

(2) Have the individual's vehicle removed from the premises and ~~((storage))~~ stored at a towing lot. The county shall not be liable for the cost of the towing and storage or the acts of the towing operator; and

(3) As an alternative to having the vehicle removed from the premises the ~~((county))~~ executive may affix restraints to prevent the moving of the vehicle until the individual ~~((not-complying presents-himself-to-garage-maintenance-personnel-relative-to-the noncompliance))~~ returns to the parking facility. A two dollar charge is hereby imposed for the administration and removal of such restraints.

~~((a))~~ In lieu of payment of said two dollar charge, such restraints may be removed upon written promise to pay two dollars plus a fifty cent processing fee within ten days. Failure to make such payment within ten days shall result in a seven dollar fifty cent penalty.

~~((b))~~ Any person who fails or refuses to pay the above charges and penalty shall be subject to civil suit in a court of competent jurisdiction for their collection and in addition thereto for reasonable attorney fees and costs of court. The charges, penalties, attorney fees and costs shall be collectible by the same means as any other civil judgment.

New Section. Section 6. A new section 3.09.040 is added to Snohomish County Code Chapter 3.09 as follows:

3.09.040 Parking rates and charges.

(1) Visitor parking shall be paid in accordance with this section. The first hour a vehicle is parked in an assigned space shall be without charge. For each additional hour or portion of an hour a visitor's vehicle is parked in an assigned stall, a fee of one dollar fifty cents (\$1.50) shall be paid.

(2) A monthly charge or rent shall be paid for each employee vehicle parked in an assigned stall in a county parking facility in accordance with the following schedule:

|     |                                  |           |
|-----|----------------------------------|-----------|
| (a) | 2 person carpool                 | \$15      |
| (b) | 3 or more-person carpool/vanpool | No charge |
| (c) | single occupant vehicle          | \$35      |
| (d) | motorcycle                       | No charge |

(3) Commencing July 1, 1992, the charge for single occupant vehicle parking shall be \$40 per month.

(4) Commencing July 1, 1993, the charge for single occupant vehicle parking shall be \$45 per month.

(5) Commencing July 1, 1994, the charge for single occupant vehicle parking shall be \$50 per month.

(6) No employee vehicles may be parked in any stall in a county parking facility except that stall assigned to it.

Section 7. Snohomish County Code section 3.09.045, adopted by Ordinance 82-031 on April 23, 1982, is amended to read:

3.09.((045))060 Fees for improper parking. Whenever a person shall park or leave a vehicle in ~~((the))~~a county parking ~~((garage))~~facility in an area other than that assigned or otherwise designated for his/her use, or for a period in excess of that posted or provided in this chapter, or after his/her permission to use or occupy the ~~((garage))~~parking facility or any part thereof has been revoked, he or she shall, in addition to any fee provided in ~~((SEE))~~section 3.09.((040))050 SCC, be charged a fee of two dollars for ~~((the-first))~~each hour or part thereof of such parking and use ~~((and-one-dollar-for-each-hour-thereafter))~~ to a maximum fee of ~~((eight))~~sixteen dollars. Until such fee is paid, the person may be denied any use of the county parking ~~((garage))~~facility, and any vehicle parked or left by him/her in said ~~((garage))~~facility may be subjected to any of the remedies provided in ~~((SEE))~~section 3.09.((040))050 SCC. The county may pursue any remedy provided in section ~~((SEE))~~3.09.((040{3}{b}))050 SCC to collect ~~((such))~~the fee provided by this section.

Section 8. Snohomish County Code section 3.09.050, adopted by resolution on October 1, 19973, is amended to read:

3.09.((050))070. (( Hearing--))Appeals. Any person ~~((feeling))~~aggrieved by ~~((any-action-of-the-county-relative-to-the-remedies-above))~~the imposition of fees or charges or other sanctions authorized by sections 3.09.050 and 3.09.060 may file a request for ~~((hearing))~~an appeal within ~~((ten-{10})~~fifteen (15) days of the county's action. Appeals shall be filed with the executive in writing and shall contain a brief statement of why the appellant believes the county erred in the imposition of fees or

charges or other sanctions. Appeals shall be processed and heard in the manner prescribed for hearing administrative appeals pursuant to chapter 2.02 and 18.72 SCC. ((Such hearing shall be held before the zoning adjuster as a hearing examiner within ten days and shall determine the issue of whether a violation of regulation has in fact occurred. -- The determination of the hearing examiner shall be final and binding upon all parties.))

Section 9. Snohomish County Code section 3.09.060, adopted by Ordinance 82-031 on April 23, 1982, is amended to read:

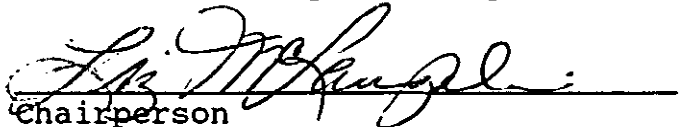
3.09.((060))080 Penalty. Any person who parks or leaves a vehicle in the county parking garage in an area other than that posted or otherwise designated for his/her use, or for a period in excess of that posted or provided in this chapter, or after his/her permission to sue the garage or any part thereof has been revoked shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not to exceed one hundred dollars. Each person shall be guilty of a separate offense for each and every day during any portion of which any violation of this section is committed, and any such person shall be punished accordingly.

Section 10. Snohomish County Code section 3.09.065, adopted by Ordinance 82-031 on April 23, 1982, is amended to read:

3.09.((065))090 Exception. The provisions of ((see)) sections 3.09.((045))060 and 3.09.((060))080, SCC shall not apply to vehicles parked and left during attendance of official meetings by persons serving on special advisory or other county committees, boards or commissions and/or persons as designated for exemption by the county executive and/or the county council members.

PASSED this 3rd day of July, 1991.

SNOHOMISH COUNTY COUNCIL  
Snohomish County, Washington

  
Chairperson

Approved as to Form:

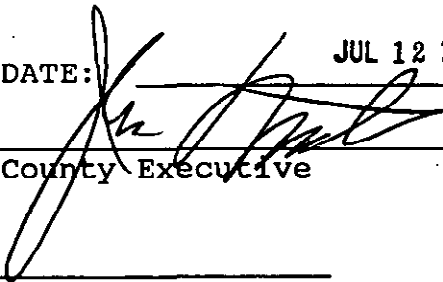
\_\_\_\_\_  
Deputy Prosecuting Attorney

ATTEST:

  
Clerk of Council

AMENDED ORDINANCE NO. 91-089

- (  ) APPROVED
- (  ) VETOED
- (  ) EMERGENCY

DATE: JUL 12 1991  
 JOHN MARTINIS  
County Executive Deputy Executive

PUBLISHED \_\_\_\_\_ and \_\_\_\_\_

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