



SNOHOMISH COUNTY COUNCIL
SNOHOMISH COUNTY, WASHINGTON

AMENDED ORDINANCE 97-101

RELATING TO PARKING FACILITIES AND POLICIES;
AMENDING SNOHOMISH COUNTY CODE CHAPTERS 3.09 AND 3.98
AND REPEALING CHAPTER 3.96

BE IT ORDAINED:

Section 1. The heading of Snohomish County Code Chapter 3.09 is amended to read:

PARKING REGULATIONS -- SNOHOMISH COUNTY PARKING ~~((GARAGE))~~
FACILITIES AND POLICIES

Sections:

- 3.09.010 General provisions
- 3.09.015 Definitions
- 3.09.020 Regulations -- Applicable to manner of use of facilities ~~((facility))~~
- 3.09.030 ~~((Designation of areas within facilities; maximum hours of use))~~
- Executive authorized to manage parking facilities
- 3.09.040 ~~((Parking rates and charges))~~ Advisory committee
- 3.09.050 Remedies/Penalties/Appeals
- 3.09.060 ~~((Fees for improper parking))~~ Employee commuter program established -- Purpose
- 3.09.070 ~~((Appeals -- Procedure))~~ Program guidelines and requirements
- 3.09.080 ~~((Penalty))~~ Employee parking in county-owned facilities
- 3.09.090 ~~((Exception))~~ Employee incentives
- 3.09.100 Additional program components

Section 2. Snohomish County Code Section 3.09.010 last amended by Amended Ordinance 91-089, on July 3, 1991, is amended to read:

3.09.010 General provisions.

~~((This chapter establishes regulations for use of county owned or leased parking facilities located in the courthouse complex area in Everett, Washington.))~~ Permission to use and occupy county parking facilities is contingent upon a vehicle owner's consent to abide by the rules and regulations ~~((contained in this chapter))~~ adopted by the county pursuant to 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 facilities.

Section 3. Snohomish County Code Section 3.98.020 last amended by Amended Ordinance 91-089, on July 3, 1991, is renumbered and amended to read:

~~((3-98.020))~~ 3.09.015 Definitions.

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

(1) "Carpool" means 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) "Mixed carpool" means a group consisting of one or more Snohomish County employees who commute to and from work with one or more employees from other employers.

~~((2))~~ (3) "Vanpool" means 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))~~ (4) "Participating employee" means an employee who has completed ~~((the))~~ a current registration form required by SCC ~~((3-98.030))~~ 3.09.070 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, and whose participation has been authorized by the transportation coordinator based on the eligibility requirements and commuter policies contained in or authorized by this chapter.

(5) "Employee festival parking" means employee parking where the employee has the right to park within a designated parking area but does not have a right to a specific parking stall.

Section 4. Snohomish County Code Section 3.09.020 last amended by Res. adopted August 27, 1979, is amended to read:

3.09.020 Regulations — Applicable to manner of use of facilities ((facility)).

(1) No vehicle shall be driven at a speed in excess of 10 miles per hour.

(2) Movement in and through the facility shall conform to painted or posted directional arrows and other traffic regulatory signs.

~~((3) Due to danger of damage to facilities all cars shall be parked head in to stalls and back in parking is prohibited.))~~

Section 5. Snohomish County Code Section 3.09.030 adopted by Amended Ordinance 91-089, July 3, 1991, is amended to read:

3.09.030 ((Designation of areas within facilities; maximum hours of use)) Executive authorized to manage parking facilities.

(1) The executive shall manage all county owned or leased parking facilities. This authority includes but is not limited to: designation of areas for types of parking, including but not limited to visitor parking, departmental cars, employee assigned

parking, employee festival parking, employee carpool and vanpool parking, and parking for disabled persons.

(2) The executive shall adopt written policies which address the following:

(a) The assignment of parking;

(b) The use of all parking stalls;

(c) Conduct of persons using the parking facilities;

(d) Improper parking;

(g) Other matters necessary for the safe, efficient, or orderly operation of the parking facilities.

(3) The executive shall establish a schedule of fees for parking PROVIDED that all such fees shall be approved by the council by motion.

(4) The executive shall develop and adopt policies regarding the employee commuter program established by this chapter.

~~((—(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 24-hour per day basis. Visitor vehicles may be parked in assigned stalls for no more than 10 hours in any one day.))~~

Section 6. Snohomish County Code Section 3.09.040 last amended by Amended Ordinance 94-008, on February 23, 1994, is amended to read:

3.09.040 ~~((Parking rates and charges.))~~ Advisory committee

The Executive shall establish a parking advisory committee to advise the Executive regarding those areas of parking policy placed under the Executive's authority by this chapter. The Executive shall determine the members, duties, terms of office, and all other matters concerning the organization and operation of the advisory committee.

~~(((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 \$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: 50 percent of the charge for a single occupant vehicle;~~

- ~~_____ (b) 3 or more person carpool/vanpool: 33 percent of the charge for a single occupant vehicle;~~
- ~~_____ (c) single occupant vehicle: see subsections (3) through (5) below;~~
- ~~_____ (d) motorcycle: No charge;~~
- ~~_____ (e) vanpools as defined in SCC 3.98.020(2) or 5 or more person carpools: No charge.~~
- ~~_____ (3) Commencing July 1, 1992, the charge for single occupant vehicle parking shall be \$40.00 per month.~~
- ~~_____ (4) Commencing January 1, 1994, the charge for single occupant vehicle parking shall be \$45.00 per month.~~
- ~~_____ (5) Commencing January 1, 1995, the charge for single occupant vehicle parking shall be \$50.00 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 3.09.050 last amended by Amended Ordinance 91-089 on July 3, 1991, is amended to read:

3.09.050 Remedies/Penalties/Appeals.

(1) Upon failure of any individual to comply with parking regulations established pursuant to this chapter, the executive may, take action to:

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

~~(((2)))~~ (b) Have the individual's vehicle removed from the premises and 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)))~~ (c) As an alternative to having the vehicle removed from the premises the executive may affix restraints to prevent the moving of the vehicle until the individual returns to the parking facility. Charges for the removal of such restraints are hereby set at \$20 per removal. ~~((A \$2.00 charge is hereby imposed for the administration and removal of such restraints.~~

~~In lieu of payment of said \$2.00 charge, such restraints may be removed upon written promise to pay \$2.00 plus a \$0.50 processing fee within 10 days. Failure to make such payment within 10 days shall result in a \$7.50 penalty.)~~

(d) Issue a fine not to exceed \$20 per violation.

(2) Any person who parks or leaves a vehicle in any county parking facility 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 use the facility 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 \$100.00. 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.

(3) Any person who fails or refuses to pay the ~~((above))~~ charges or penalties authorized by 3.09.050(1) ~~((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 collectable by the same means as any other civil judgment.

(4) Any person against whom fees, charges, or other sanctions are imposed as authorized by SCC 3.09.050(1) may appeal to the county executive. The sole basis for the appeal shall be that the person did not in fact commit the violation. All such appeals shall be in writing and received by the executive within 10 calendar days of the imposition of the fee, charge, or other sanction appealed. The executive may require that a prescribed form be used for all appeals. The appeal shall be heard within 30 calendar days by the executive or his or her designee (hearings officer). Once an appeal has been received the hearings officer may:

(a) Agree with the appeal based on the written material presented by the appellant; or

(b) Schedule a hearing on the matter and mail the appellant written notice of the hearing by first class mail to the address provided by the appellant on the written appeal at least 5 calendar days prior to the scheduled hearing date.

(5) At any hearing as authorized in SCC 3.09.050(4)(a) the following procedures shall apply:

(a) The burden of proof shall rest with the county to prove the alleged failure to comply with parking regulations by a preponderance of the evidence;

(b) Both parties shall have an opportunity to present evidence and witnesses;

(c) The hearings officer shall have the power to ask both parties questions.

(d) The decision of the hearings officer shall be final.

Section 8. Snohomish County Code Section 3.98.010 adopted by Amended Ordinance 91-089 on July 3, 1991, is renumbered to read:

~~((3.98.010))~~ 3.09.060 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.

Section 9. Snohomish County code Section 3.98.030 adopted by Amended Ordinance 91-089 on July 3, 1991, is renumbered to read:

~~((3.98.030))~~ 3.09.070 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.

Section 10. Snohomish County Code Section 3.98.040 last amended by Amended Ordinance 91-133 on October 2, 1991, is renumbered and amended to read:

~~((3.98.040))~~ 3.09.080 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 parking policies adopted pursuant to this chapter 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 SCC 3.09.040 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 SCC 3.09.040.))~~ 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 in accordance with the following schedule:

~~_____~~ (1) Single occupant vehicle: Rate as determined pursuant to SCC 3.09.030(3);

~~_____ (((a)))~~ (2) 2 person carpool: 50 percent of the charge for a single-occupant vehicle with an assigned stall;

~~_____ (((b)))~~ (3) 3 or 4 person carpool/vanpool: 33 percent of the charge for a single-occupant vehicle with an assigned stall;

~~_____ (((c)))~~ (4) Vanpools as defined in SCC 3.09.015(3) or five or more person carpools: No charge;

~~_____ (((d)))~~ (5) Mixed carpools, except those mixed carpools which also meet the definition of carpool in SCC 3.09.015(1) ((3.98.020(2))), will not be eligible for the carpool or vanpool rates shown above; However, the executive shall develop parking pricing and/or other policies that encourage carpooling between county employees and employees working for other employers.

~~(((2) An employee commuter program advisory committee is created for the purpose of making policy recommendations to the county executive on the ongoing 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. The advisory committee shall be composed of one representative from the following:~~

~~_____ (a) the county executive's office;~~

- ~~_____ (b) each executive department;~~
- ~~_____ (c) the county council;~~
- ~~_____ (d) the superior court;~~
- ~~_____ (e) the district courts (a single representative for all courts);~~
- ~~_____ (f) the assessor;~~
- ~~_____ (g) the auditor;~~
- ~~_____ (h) the clerk;~~
- ~~_____ (i) the prosecutor;~~
- ~~_____ (j) the sheriff;~~
- ~~_____ (k) the treasurer; and~~
- ~~_____ (l) SnoPac (ex officio).~~

~~_____ The representatives shall serve one year terms and shall serve without additional compensation. In accordance with the requirements of SCC 2.03.090, the advisory committee shall be automatically disbanded on July 1, 1996.~~

~~_____ Initial representatives to the advisory committee shall be elected by October 15, 1991. The committee shall hold its first meeting on or before November 1, 1991, and shall meet from time to time thereafter as a majority of the committee shall determine; PROVIDED, That the committee shall meet at least once each calendar year. At the first meeting each year, the members of the committee shall select a chairperson and may otherwise organize themselves as they determine necessary or desirable. A majority of the members of the committee shall constitute a quorum and a majority of the members present at a meeting shall be required to take action.))~~

Section 11. Snohomish County code Section 3.98.050 adopted by Amended Ordinance 91-089 on July 3, 1991, is renumbered and amended to read:

~~((3.98.050))~~ 3.09.090 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 an ~~((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. The policies adopted by the executive pursuant to subsection (3) below may limit the number of times that an employee may use the "guaranteed ride home" program within a specified time period.

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

Section 12. Snohomish County Code Section 3.98.060 adopted by Amended Ordinance 91-089 on July 3, 1991, is renumbered and amended to read:

~~((3.98.060))~~ 3.09.100 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. (Added Amended Ord. 91-089, July 3, 1991).

Section 13. Snohomish County Code Section 3.09.060 last amended by Amended Ordinance 91-089 on July 3, 1991, is repealed.

Section 14. Snohomish County Code Section 3.09.070 last amended by Amended Ordinance 96-003 on February 21, 1996, is repealed.

Section 15. Snohomish County Code Section 3.09.080 last amended by Amended Ordinance 91-089 on July 3, 1991 is repealed.

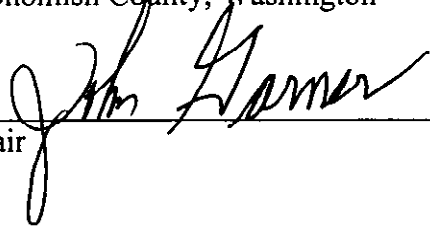
Section 16. Snohomish County Code Section 3.09.090 last amended by Amended Ordinance 91-089 on July 3, 1991 is repealed.

Section 17, Snohomish County Code Chapter 3.96 adopted by Ordinance 80-77 on November 10, 1980 is repealed.

PASSED this 17th day of December, 1997.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

Chair



Approved as to Form Only:

Deputy Prosecuting Attorney

ATTEST:

Sheila M Callister
Clerk of the Council, *asst.*

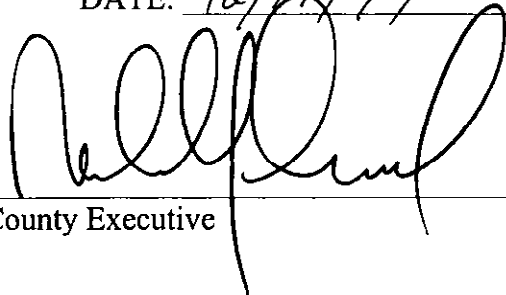
() APPROVED
() VETOED
() EMERGENCY

DATE: 12/18/97

ATTEST:

Maureen B. Abel

County Executive



ROBERT J. DREWEL
County Executive