

PROPOSED BY: _____
INTRODUCTION DATE: _____

ORDINANCE NO. _____

**AN ORDINANCE ADOPTING AMENDMENTS TO WCC CHAPTER 16.24 (COMMUTE TRIP REDUCTION)
AND ADOPTING THE 2025-2029 COMMUTE TRIP REDUCTION PLAN FOR WHATCOM COUNTY**

WHEREAS, the Washington State Legislature passed the Commute Trip Reduction (CTR) Law (RCW 70A.15.4000) in 1991 as part of the Washington Clean Air Act and in response to the federal Clean Air Act; and,

WHEREAS, the Law requires local governments and county governments within Clark, King, Kitsap, Pierce, Snohomish, Spokane, Thurston, Yakima, and Whatcom Counties to adopt ordinances that define CTR requirements for affected employers within their jurisdiction; and,

WHEREAS, RCW 70A.15.4020(5) requires that such plans be annually reviewed, and updated as necessary to be consistent with applicable plans developed under RCW 36.70A.070 (Growth Management Act).

WHEREAS, Whatcom County last adopted its CTR plan in 1999 (Ord. 99-016); and,

WHEREAS, the Whatcom Council of Governments (WCOG) has now updated that plan, and WSDOT recently approved it; and,

WHEREAS, public review of the plan was conducted by WCOG, as described on page 8 of the plan; and,

WHEREAS, certain edits to WCC 16.24 are necessary to be consistent with the plan; and,

WHEREAS, this Ordinance is deemed to be consistent with the requirements of the CTR Law and the CTR Guidelines; and

WHEREAS, the County recognizes the importance of increasing individual citizens' awareness of air quality, energy consumption, and traffic congestion and the contribution individual actions can make toward addressing these issues.

NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that:

Section 1. Amendments to the Whatcom County Code Chapter 16.24 are hereby adopted as shown in Exhibit A so as to reference this specific plan version.

Section 2. The County Council hereby adopts the 2025-2029 Commute Trip Reduction plan for Whatcom County as set forth in Exhibit B of this ordinance.

Section 3. Scrivener's Errors. Staff is hereby authorized to work with Code Publishing to correct any scrivener's errors or cross-references made ineffective by these amendments.

Section 4. Severability. Should any part of this regulation be held to be illegal, unconstitutional, or otherwise unenforceable, the remainder of the regulation shall still apply.

ADOPTED this _____ day of _____, 2025.

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

ATTEST:

Cathy Halka, Council Clerk

APPROVED as to form:

George Roche, Civil Deputy Prosecutor

Kaylee Galloway, Council Chair

() Approved () Denied

Satpal Sidhu, Executive

Date: _____

Exhibit A: 2025 – 2029 Commute Trip Reduction Plan Code Amendments

WCC Chapter 16.24

COMMUTE TRIP REDUCTION

Sections:

- 16.24.010 Purpose.
- 16.24.020 Reserved.
- 16.24.030 CTR plan administration.
- 16.24.040 Applicability.
- 16.24.050 Notification.
- 16.24.060 Schedule of penalties.
- 16.24.070 Appeals.

16.24.010 Purpose.

The purpose of this chapter is to establish CTR program requirements for affected employers within unincorporated Whatcom County. These requirements will promote alternative commute modes and reduce the ~~drive alone rate (DAR) at CTR-affected worksites~~vehicle miles traveled (VMT) per employee and the proportion of single occupant vehicle (SOV) trips, decreasing traffic congestion, automobile-related air pollution and energy use within Whatcom County. (Ord. 99-016 §1; Ord. 97-011 §1).

16.24.020 Definitions.*

Definitions shall be those found in RCWs 82.70.010 and 70A.15.4010.

~~Reserved.~~ (Ord. 99-016; Ord. 97-011 §2).

~~*For definitions, see Attachment 1 to Ordinance 99-016 on file in the office of the clerk of the council.~~

16.24.030 CTR plan administration.

- A. **CTR Plan for Whatcom County.** The CTR plan for Whatcom County is set forth in Attachment 1 attached to the ordinance codified in this chapter and is wholly incorporated herein by reference as and for the CTR plan for Whatcom County for 2025 through 2029.
- B. **Interlocal Agreement/Responsible Agency.** In order to ensure consistency and flexibility, Whatcom County has determined that it is within the best interest of the public to enter into an Interlocal Agreement (pursuant to Chapter 39.34 RCW and RCW 70.94.527) with the Whatcom ~~County~~ council of ~~g~~overnments. The Whatcom ~~County~~ council of ~~g~~overnments is hereby designated as the lead agency responsible for implementing and administering the CTR plan of Whatcom County and CTR ordinance.

- C. **Administrative Procedures.** Whatcom ~~County~~ eCouncil of ~~g~~gGovernments is hereby authorized to develop and adopt, in consultation with the affected local jurisdictions, such administrative rules and procedures as necessary to implement the provisions of this chapter. (Ord. 99-016 §2; Ord. 97-011 §3).

16.24.040 Applicability.

The requirements of this chapter shall apply to all affected employers at a single worksite within unincorporated Whatcom County. (Ord. 99-016 §3; Ord. 97-011 §4).

16.24.050 Notification.

A notice of the availability of the CTR plan and this chapter shall be published at least once in the official Whatcom County newspaper within 30 days of passage of the ordinance codified in this chapter. (Ord. 99-016 §4; Ord. 97-011 §5).

16.24.060 Schedule of penalties.

The penalty for noncompliance with the requirements of the attached CTR plan shall be \$100.00 per violation per day. (Ord. 99-016 §5; Ord. 97-011 §6).

16.24.070 Appeals.

- A. **CTR Appeals Board.** The Whatcom County eCouncil will serve as the CTR appeals board for employers in unincorporated Whatcom County. The Whatcom ~~County~~ eCouncil of ~~g~~gGovernments will provide technical support to the Whatcom County eCouncil as needed to fulfill this duty.
- B. **Appeals Process.** Any affected employer may appeal administrative decisions regarding exemptions, goal modifications, program element modifications, and violations to the CTR appeals board. In the event of a violation, the affected employer shall be notified of the intent to impose penalties and the manner in which penalties may be appealed. (Ord. 99-016 §6; Ord. 97-011 §7).