

CITY OF BURIEN, WASHINGTON

ORDINANCE 498

AN ORDINANCE OF THE CITY OF BURIEN, WASHINGTON, REVISING COMMUTE TRIP REDUCTION (CTR) PROGRAM REQUIREMENTS AS PRESCRIBED IN CHAPTER 70.94 OF THE REVISED CODE OF WASHINGTON (RCW), REPEALING AND REENACTING CHAPTER 10.60 OF THE BURIEN MUNICIPAL CODE; PROVIDING FOR SEVERABILITY; AND, ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council adopted Ordinance No. 170 March 18, 1996, and Ordinance No 217 on February 23, 1998, which established the Commute Trip Reduction Ordinance; and

WHEREAS, this ordinance is consistent with Policy TR 1.1.8 of the Comprehensive Plan; and

WHEREAS, the City of Burien has complied with the requirements of the State Environmental Policy Act and the City Environmental Procedures Code; and

WHEREAS, motor vehicle traffic is a major source of emissions that pollute the air, and air pollution causes significant harm to public health and degrades the quality of the environment; and

WHEREAS, increasing motor vehicle traffic aggravates traffic congestion in the City of Burien; and

WHEREAS, traffic congestion imposes significant cost on City business, government, and individuals in terms of lost working hours and delays in the delivery of goods and services as well as making the City a less desirable place to live, work, visit and do business; and

WHEREAS, capital and environmental costs of fully accommodating the existing and projected motor vehicle traffic on roads and highways are prohibitive while decreasing the demand for vehicle trips is significantly less costly and is at least as effective in reducing traffic congestion and its impacts as constructing new transportation facilities; and

WHEREAS, employers have significant opportunities to encourage and facilitate the reduction of drive alone commuting by employees; and

WHEREAS, the City of Burien 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; and

WHEREAS, state policy, as set forth in RCW 70.94.521-551 and the Commute Trip Reduction Board Guidelines, requires the City of Burien to develop and implement a plan to reduce drive alone commute trips; and

WHEREAS, the Commute Trip Reduction Plan must require affected employers to implement programs to reduce vehicle miles traveled per employee and the number of single-occupant vehicles used for commuting purposes by their employees; and

WHEREAS, a transportation demand management element such as this ordinance is required pursuant to RCW 36.70A.070 (6) (e), the Washington State Growth Management Act; and

WHEREAS, adoption of this ordinance is necessary to bring the current Commute Trip Reduction Plan codified at Chapter 10.60 of the Burien Municipal Code into compliance with state law and will promote the public health, safety, and general welfare within the City of Burien and the region; and

WHEREAS, this ordinance is consistent with the CTR Board Guidelines;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BURIEN, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1: Repeal and Re-enactment of Chapter 10.60 BMC (Commute Trip Reduction Plan). Chapter 10.60 of the Burien Municipal Code is hereby repealed in its entirety and re-enacted as set forth in Exhibit A attached hereto and incorporated by this reference as if fully set forth herein.

Section 2: Severability. Should any section, subsection, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 3: Effective Date. This ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF OF ON THE 6th DAY OF APRIL, 2009, AND SIGNED IN AUTHENTICATION OF ITS PASSAGE THIS 6TH DAY OF APRIL, 2009.

CITY OF BURIEN, WASHINGTON
/s/ Joan McGilton, Mayor

ATTEST/AUTHENTICATED:
/s/ Monica Lusk, City Clerk

Approved as to form:
/s/ Christopher Bacha
Kenyon Disend, PLLA
Interim City Attorney

Filed with the City Clerk: March 25, 2009
Passed by the City Council: April 6, 2009
Ordinance No.: 498
Date of Publication: April 9, 2009