

CHAPTER 24. TRIP REDUCTION.

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CHAPTER 24. TRIP REDUCTION.

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Article I. Goals and Objectives.

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[Sec. 24-1-10. Goals and objectives.](#)

Sec. 24-1-10. Goals and objectives.

The goals and objectives of this chapter are:

- (1) To obtain the most efficient possible use of existing and future transportation facilities and to reduce vehicle trips and vehicle miles traveled for work trips.
- (2) To reduce traffic-related air pollution, noise, and fuel use from the levels that would otherwise occur within the city.
- (3) To work through employers with twenty-five or more employees to provide employees with information on commute alternatives.
- (4) To implement, at all employer worksites with one hundred or more employees, a trip reduction plan to achieve expanded use of commute alternatives and to monitor the effectiveness of these programs.
- (5) To achieve by 1999 an annual average vehicle ridership (AVR) of 1.5 persons per motor vehicle at all worksites with one hundred or more employees. Within the seven year period, the following interim AVR goals are established:
 - (A) 1993, 1.05 AVR;
 - (B) 1995, 1.20 AVR;
 - (C) 1997, 1.35 AVR;
 - (D) 1999, 1.50 AVR.

(Ord. No. 1218, § 3 (part).)

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Article II. Definitions.

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[Sec. 24-2-10. Definitions.](#)

Sec. 24-2-10. Definitions.

For the purpose of this chapter the following definitions shall apply:

A.M. peak period means 5:00 AM through 10:00 AM Monday through Friday (holidays excluded).

Average vehicle ridership (AVR) means the number of workers commuting to a worksite during A.M. peak period totaled over five consecutive weekdays, divided by the number of vehicles those workers drive, totaled over the same five days. Bicycles, transit vehicles, buses serving several worksites, and cars stopping on route to other worksites shall be excluded from the vehicles counted. For the purpose of calculating AVR, reduced emission vehicles shall be counter per their base vehicle equivalency factor. For the purpose of calculating and reporting AVR, the employer shall select any five consecutive weekdays (Monday through Friday) during the forty-five day period that precedes the annual report deadline.

Base vehicle means any vehicle that is not a California Air Resources Board certified reduced emission vehicle.

Base vehicle equivalence factor means the multiplier provided by the California Air Resources Board that proportionally equates a reduced emission vehicle to a base vehicle in terms of nonmethane organic gas emissions.

Carpool means a private motor vehicle occupied by two to six employees traveling together to their worksite.

Commute alternatives means carpooling, van pooling, transit, bicycling, and/or walking as commute modes.

Employee means any person hired by any employer, including any part-time employee working twenty hours or more weekly, but excluding any independent contractors. Partners, joint ventures, and the like shall be considered as employees for the purpose of calculating the number of employees. Seasonal workers shall be included if they work more than ninety days per year.

Employer means any public or private employer, including the city, who has a permanent worksite in the city. Employer shall not include contractors with no permanent place of business in the city and other businesses with no permanent workplace location.

Major employer means any employer with one hundred or more employees at a worksite.

Minor employer means any employer with twenty-five to ninety-nine employees at a worksite.

Multitenant center means any business park or other commercial, business, or industrial project in which individual businesses combined have twenty-five or more employees and in which there is an on-site manager.

Reduced emission vehicle means a motor vehicle that is certified by the California Air Resources Board as any of the following:

- (1) Transitional low emission vehicle (TLEV);
- (2) Low emission vehicle (LEV);

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Article II. Definitions.

(3) Ultra-low emission vehicle (ULEV);

(4) Zero emission vehicle (ZEV).

Transit means a vehicle operated on a for-hire, multiple-occupant, shared-ride basis, including but not limited to bus, light rail, heavy rail, shared-ride taxi, and shuttle bus or van.

Trip reduction plan means any reasonable method or approach for providing, supporting, subsidizing, and/or encouraging the use of commute alternatives; including but not limited to matching and placement services for carpools and vanpools, provision of carpool and vanpool vehicles, carpool and vanpool operating subsidies, carpool and vanpool preferential parking location and/or fees, fees for employee parking, provision of and/or placement services for subscription bus, provision of shuttle services, transit fare subsidies, on-site waiting and loading facilities for transit, travel allowances for bicyclists and pedestrians, on-site showers and lockers for bicyclists and pedestrians, guaranteed ride home and guaranteed transportation in emergencies for users of commute alternatives, on-site child care and other service/convenience facilities which lessen the need for a personal vehicle at the place of employment, and telecommuting.

Vanpool means a van occupied by seven to fifteen employees traveling together to their worksite.

Worksite means the place of employment, base of operation, or predominant work location of an employee. It includes all of the employer's buildings or facilities located within the same building or center or that share the same parking facilities.

(Ord. No. 1218, § 3 (part).)

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Article III. Employer Responsibilities.

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[Sec. 24-3-10. Minor employers.](#)

[Sec. 24-3-20. Major employers.](#)

Sec. 24-3-10. Minor employers.

All minor employers (twenty-five to ninety-nine employees) shall do the following:

- (1) Annual Transportation Survey. Submit when requested (but not to exceed once per year) to the community development department a transportation survey. Such survey information shall include, but not be limited to, the following:
 - (a) The number of employees at the worksite;
 - (b) The city and zip code of each employee's residence;
 - (c) The number (on average) of employees that report to work during the A.M. peak period;
 - (d) The method of commuting for each employee which shall be based on a survey of all employees.

No fewer than seventy-five percent of the employees shall return the completed survey form to the employer for the survey results to be considered valid.

- (2) Information Posting. Post in a conspicuous place or places information on alternate modes of transportation, such as ride sharing and transit.

(Ord. No. 1244, § 1; Ord. No. 1218, § 3 (part).)

Sec. 24-3-20. Major employers.

In addition to subsections (1) and (2) of [Section 24-3-10](#), all major employers (one hundred or more employees) shall also do the following:

- (1) Trip Reduction Coordinator. Designate an individual as the workplace trip reduction coordinator who shall be responsible for implementation of the Trip Reduction Ordinance requirements. This individual shall serve as the liaison to the city-designated trip reduction coordinator. The employer's trip reduction coordinator may be located at the worksite or may have responsibility for more than one worksite so long as the trip reduction coordinator visits each worksite on a regular (at least weekly) basis.
- (2) Trip Reduction Plan. Prepare and receive approval of a trip reduction plan. The trip reduction plan shall include any reasonable combination of transportation control measures to comply with this chapter. Transportation control measures include but are not limited to the following:
 - (A) Carpooling.
 - (i) Carpool and vanpool matching service,
 - (ii) Providing carpool and vanpool vehicles,
 - (iii) Carpool and vanpool operating subsidies (fuel, insurance, etc.),
 - (iv) Carpool/vanpool preferential parking location;

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Article III. Employer Responsibilities.

- (B) Transit.
 - (i) Subscription bus service,
 - (ii) Shuttle bus service,
 - (iii) Transit fare subsidy,
 - (iv) Transit stop amenities,
 - (v) Agreements with local operators for additional service;
- (C) Implementation Support.
 - (i) Parking, showers, and lockers for bicyclists,
 - (ii) Guaranteed ride home for commute alternative users,
 - (iii) On-site child care and convenience services and stores that lessen need for personal vehicles at work,
 - (iv) Posting information about commute alternatives,
 - (v) Publicity (newsletter articles, flyers, etc.),
 - (vi) Commute alternatives information centers;
- (D) Other Incentives. Employee transportation allowance;
- (E) Other Alternatives.
 - (i) Flextime to allow commute alternatives schedules (e.g., to match transit schedules),
 - (ii) Compressed work week,
 - (iii) Telecommuting.
- (3) Annual Report. Every employer required to have a trip reduction plan shall submit an annual report to the city community development department by July 1st of every year. The annual report shall describe the actions taken to implement its trip reduction plan, the results during the reporting year and any changes to the trip reduction plan for the coming year. For the purpose of calculating and reporting AVR the employer shall select any five consecutive weekdays (Monday through Friday) during the forty-five day period that precedes the annual report deadline.

(Ord. No. 1218, § 3 (part).)

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Article IV. City Responsibilities.

Article IV. City Responsibilities.

[Sec. 24-4-10. City responsibilities.](#)

Sec. 24-4-10. City responsibilities.

The responsibilities of the city in implementing and administering this chapter include the following:

- (1) Technical Assistance. The city shall be responsible for developing procedures and forms for the submittal of transportation surveys, trip reduction plans, and annual reports. The city shall also be responsible for arranging for trip reduction coordinator training, analyzing employee survey data, and preparing summary reports.
- (2) Evaluation of Trip Reduction Plans. The city community development department shall review and approve, conditionally approve, or disapprove a trip reduction plan within forty-five days of receipt. If such action is not taken within the forty-five day time period the plan shall be deemed approved.
 - (A) Appeal Procedures.
 - (i) If the city community development department disapproves or conditionally approves a trip reduction plan, the employer may within ten days of such decision, appeal the staff decision to the planning commission stating the grounds for appeal. The fee for appeal of staff decision to the planning commission shall be as prescribed in the city's fee schedule.
 - (ii) The planning commission shall consider the appeal within thirty days of receipt of appeal, or at the next regularly scheduled meeting. The planning commission may approve, modify, or overrule the action of the community development department. The planning commission may mandate further components, trip reduction techniques, or conditions if it determined that they are needed to achieve the objectives of this chapter.
 - (iii) Any employer whose trip reduction plan has been rejected or modified by the planning commission may, within ten days of such decision, appeal the decision to the city council. Within thirty days of receipt of appeal, the city council shall approve, modify or overrule the action of the planning commission.
 - (B) New Plan Upon Disapproval. Within thirty days of disapproval of a trip reduction plan by the community development department, if such decision has not been appealed, an employer shall submit a new plan to the community development department.
 - (C) Amendment. An amendment to an approved trip reduction plan may be approved at any time by the community development department.
- (3) Evaluation of Annual Report. The city shall review and evaluate annual reports submitted by employers every year within forty-five days of receipt. The city shall review the annual report for compliance with the business' trip reduction plan and this chapter.

(Ord. No. 1218, § 3 (part).)

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Article V. Schedule of Compliance.

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[Sec. 24-5-10. Existing employers.](#)

[Sec. 24-5-20. New employers.](#)

Sec. 24-5-10. Existing employers.

The schedule of compliance for existing minor and major employers shall be as follows:

- (1) Minor Employers. All minor employers shall comply with the provisions of this chapter within one year of the effective date of the ordinance codified in this chapter.
- (2) Major Employers. All major employers shall comply with the provisions of this chapter within one year of the effective date of the ordinance codified in this chapter. A trip reduction plan shall be required from each major employer within six months after the effective date of the ordinance codified in this chapter.

(Ord. No. 1218, § 3 (part).)

Sec. 24-5-20. New employers.

New employers locating within the city and existing employers whose number of employees increase such that they become a minor or major employer (as defined by this chapter) shall adhere to the following schedule of compliance:

- (1) Minor Employers. All new minor employers shall comply with the provisions of this chapter within one year.
- (2) Major Employers. All new major employers shall submit a trip reduction plan with six months. New major employers shall comply with the provisions of this chapter within one year with the following exception: new employers shall have two years to meet the AVR requirements of this chapter.

(Ord. No. 1218, § 3 (part).)

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Article VI. Enforcement.

Article VI. Enforcement.

[Sec. 24-6-10. Enforcement.](#)

Sec. 24-6-10. Enforcement.

- (a) Failure to Achieve Chapter Objective. If an employer subject to the trip reduction requirements of this chapter is unable to show that substantial progress is being made to meet the objectives of this chapter by the time of the required second annual report, or annual report thereafter, the city trip reduction coordinator may require a revised trip reduction plan. The trip reduction coordinator may make such a requirement by disapproving the existing trip reduction plan and requiring a revised plan be prepared and submitted within thirty days of notification of plan disapproval.
- (b) Failure to Provide Surveys, Annual Reports, or Trip Reduction Plans. Any employee who fails to provide the survey data, annual report, or trip reduction plan as required by this chapter, after thirty days from receipt of notice to remedy the failure, shall be guilty of an infraction.
 - (1) Penalties. Every infraction violation of this chapter is punishable, upon conviction thereof, by (a) a fine not exceeding one hundred dollars for the first violation; (b) a fine not exceeding two hundred dollars for a second violation of the same provision within one year; (c) a fine not exceeding five hundred dollars for each additional violation of the same provision within one year.
 - (2) Violations—Continuing. Acts, omissions or conditions of violation of this chapter which continue, exist, or occupy more than one day constitute separate violations and offenses on each such day.
- (c) Failure to Implement a Trip Reduction Plan. Any employer who fails to implement a term or condition of their approved trip reduction plan shall have thirty days, after notice of such failure, to correct the failure, or satisfactorily explain to the city council why compliance is not possible or that substantial progress is being made toward meeting the objectives of this chapter. If the employer is not excused from compliance by the city council, then the city council may take one of the following actions:
 - (1) Time Extension. The city council may grant an extension of time for compliance solely on the evidence that time is the only condition needed to accomplish the requirements.
 - (2) Penalties. The city council may find that an extension is not warranted, find a violation of this chapter, and order compliance within thirty days. Every violation is an infraction punishable as in subsection (b) above.

(Ord. No. 1218, § 3 (part).)